





































- 01. Late Registration -- Fifteen Days to One Year.** (12-26-83)
- a.** Certificates of birth filed after fifteen (15) days, but within one (1) year from the date of birth, shall be registered on the standard form of live birth certificate in the manner prescribed in Section 39-255, Idaho Code. Such certificate shall not be marked as delayed. (12-26-83)
- b.** In any case where the certificate is signed by someone other than the attendant or person in charge of the institution where birth occurred, a notarized statement setting forth the reason must be attached to the certificate. The State Registrar may require additional evidence in support of the facts of birth. (12-26-83)
- 02. Form of Delayed Certificate of Birth.** All certificates registered one (1) year or more after the date of birth are to be registered on a delayed certificate of birth form prescribed by the Director. (12-26-83)
- 03. Who May Request the Registration of and Sign a Delayed Certificate of Birth.** (12-26-83)
- a.** Any person born in this state whose birth is not recorded in this state, or the parent, guardian, next of kin of that person, or older person acting for the registrant and having personal knowledge of the facts of birth, may request the registration of a delayed certificate of birth, subject to these rules and instructions issued by the State Registrar. (12-26-83)
- b.** Each delayed certificate of birth shall be signed and sworn to before a notary public by the person whose birth is to be registered if such person is eighteen (18) years of age or older and is competent to sign and swear to the accuracy of the facts stated therein; otherwise, the certificate shall be signed and sworn to by one (1) of the following in the indicated order of priority: (12-26-83)
- i. One (1) of the parents of the registrant; or (12-26-83)
- ii. The guardian of the registrant; or (12-26-83)
- iii. The next of kin of the registrant; or (12-26-83)
- iv. Any older person over eighteen (18) years of age having personal knowledge of the facts of birth. (12-26-83)
- 04. Facts to be Established for a Delayed Registration of Birth.** The minimum facts which must be established by documentary evidence shall be the following: (12-26-83)
- a.** The original full name of the registrant; (12-26-83)
- b.** The date of birth and place of birth; (12-26-83)
- c.** The full maiden name of the mother; and (12-26-83)
- d.** The full name of the father, unless the registrant was born out of wedlock, in which case the name of the father shall not be entered on the delayed certificate except as provided in Sections 39-250, 39-255, or 39-257, Idaho Code, and rules adopted pursuant thereto. (12-26-83)
- 05. Delayed Registration Following a Legal Change of Status.** (12-26-83)
- a.** When evidence is presented reflecting a legal change of status by adoption, legitimation, paternity determination, acknowledgement of paternity, or a court-ordered change of name, a new delayed certificate may be established to reflect such change. (1-10-86)
- b.** In such cases changing legal status, when no birth certificate is found, the delayed certificate may be filed reflecting the information established by the legal change. (12-26-83)
- 06. Documentary Evidence -- Requirements.** (12-26-83)

**a.** To be acceptable for filing, the name of the registrant and the date and place of birth entered on a delayed certificate of birth shall be supported by at least: (12-26-83)

**i.** Two (2) pieces of documentary evidence, only one (1) of which may be an affidavit of personal knowledge, if the record is filed within seven (7) years after the date of birth. (12-26-83)

**ii.** Three (3) pieces of documentary evidence, only one (1) of which may be an affidavit of personal knowledge, if the record is filed seven (7) years or more after the date of birth. One (1) document must be dated within seven (7) years after the date of birth. (11-20-87)

**b.** Facts of parentage shall be supported by at least one (1) document. This document may be one (1) of the documents above other than an affidavit of personal knowledge. (12-26-83)

**07. Documentary Evidence -- Acceptability.** (12-26-83)

**a.** The State Registrar may establish a priority of best evidence. (12-26-83)

**b.** Documents presented, such as census, hospital, church, and school records, must be from independent sources and shall be in the form of the original record or a certified copy of the original or a notarized statement from the custodian of the record or document. (12-26-83)

**c.** All documents submitted in evidence, other than an affidavit of personal knowledge, must have been established at least ten (10) years prior to the date of application or have been established prior to the applicant's seventh birthday. (11-20-87)

**d.** An affidavit of personal knowledge, to be acceptable, must be made by a parent of the applicant or an older person other than a parent, who is over eighteen (18) years of age and must be signed before a notary public. In all cases, the affiant must be at least ten (10) years older than the applicant and have personal knowledge of the facts of birth. (11-20-87)

**08. Abstraction of Documentary Evidence.** (12-26-83)

**a.** The State Registrar, or a designated representative, shall abstract on the delayed certificate of birth a description of each document submitted to support the facts shown on the delayed birth certificate. This description shall include: (12-26-83)

**i.** The title or description of the document; (12-26-83)

**ii.** The name and address of the affiant, if the document is an affidavit of personal knowledge, or of the custodian, if the document is an original or certified copy of a record or a notarized statement from the custodian; (12-26-83)

**iii.** The date of the original filing of the document being abstracted; and (12-26-83)

**iv.** The information regarding the birth facts contained in the document. (12-26-83)

**b.** All documents submitted in support of the delayed birth registration shall be returned to the applicant after review, provided, however, that the State Registrar may make and keep on file abstracts or photocopies of any such documents. (12-26-83)

**09. Certification by the State Registrar.** The State Registrar, or a designated representative, shall by signature certify: (12-26-83)

**a.** That no prior birth certificate is on file for the person whose birth is to be recorded; (12-26-83)

**b.** That the State Registrar or a designated representative has reviewed the evidence submitted to

establish the facts of birth; and (12-26-83)

c. That the abstract of the evidence appearing on the delayed certificate of birth accurately reflects the nature and content of the documents. (12-26-83)

**10. Dismissal After One Year.** Applications for delayed certificates which have not been completed within one (1) year from the date of application may be dismissed at the discretion of the State Registrar. Upon dismissal, the State Registrar shall so advise the applicant, and all documents submitted in support of such registration shall be returned to the applicant. (12-26-83)

**651. LATE OR DELAYED REGISTRATION OF DEATHS.**

The registration of death after the time prescribed by statute or rule must be made on the standard certificate of death form in the following manner: (12-26-83)

**01. Minimum Evidence Required.** (7-1-93)

a. If the person responsible for the medical certification of death, according to Section 39-260, Idaho Code, and the attending mortician or person who acted as such are available and they do complete and sign the certificate of death; and (12-26-83)

i. If the certificate is filed within one (1) year after the date of death or finding of the body, the certificate of death may be completed without additional evidence and filed with the State Registrar; or (12-26-83)

ii. If the certificate is filed one (1) year or more after the date of death or finding of the body, the medical certifier and the mortician or person who acted as such must state in accompanying affidavits that the information on the certificate is based on records kept in their files. (12-26-83)

b. If either the medical certifier or the attending mortician, or person acting as such (or both), is unavailable, the certificate may be filed by the next of kin of the deceased and must be accompanied by: (12-26-83)

i. An affidavit of the person filing the certificate, swearing to the accuracy of the information on the certificate; and (12-26-83)

ii. Two (2) documents which identify the name of the deceased and the date and place of death. (12-26-83)

**02. Additional Evidence.** In all cases, the State Registrar may require additional documentary evidence to prove the facts of death. (12-26-83)

**03. Summary Statement.** A summary statement of the evidence submitted in support of the delayed registration shall be entered on the certificate, and the certificate shall be marked as delayed. (12-26-83)

**652. -- 699. (RESERVED)**

**700. LATE AND DELAYED REGISTRATION OF MARRIAGE.**

**01. Late Registration.** Until one (1) year has elapsed from the date of the ceremony, marriage certificates shall be accepted for filing by the State Registrar in accordance with Section 39-262, Idaho Code, and shall not be marked as delayed. (12-26-83)

**02. Delayed Registration.** The registration of a marriage after one (1) year shall be made on the regular certificate of marriage form in the following manner: (12-26-83)

a. The certificate must be filed with the county recorder where the marriage license was originally issued. (12-26-83)

b. To be acceptable for registration by the State Registrar, the delayed certificate of marriage must be supported by a notarized statement from two (2) people other than the bride and groom who know that a marriage

ceremony was performed and the date and place of the marriage ceremony. One (1) of these statements must be from an actual witness to the marriage ceremony. (1-10-86)

**c.** When the officiant is not available to sign the delayed certificate of marriage, the delayed certificate of marriage must be signed by an actual witness to the marriage ceremony, other than the bride and groom. (1-10-86)

**03. Additional Evidence.** In all cases, the State Registrar may require additional documentary evidence to prove the facts of marriage. (12-26-83)

**04. Summary Statement.** A summary statement of the evidence submitted in support of the delayed registration shall be entered on the certificate, and the certificate shall be marked as delayed. (12-26-83)

**701. LATE AND DELAYED REGISTRATION OF DIVORCE.**

**01. Late Registration.** Until one (1) year has elapsed from the date of the divorce decree, divorce certificates shall be accepted for filing by the State Registrar in accordance with Section 39-265, Idaho Code, and shall not be marked as delayed. (12-26-83)

**02. Delayed Registration.** The registration of a divorce after one (1) year shall be made on the regular certificate of divorce form in the following manner: (12-26-83)

**a.** The divorce certificate must be filed by the court directly with the State Registrar; and (12-26-83)

**b.** The certificate must be accompanied by a certified copy of the final decree of divorce. (12-26-83)

**03. Additional Evidence.** In all cases, the State Registrar may require additional documentary evidence to prove the facts of divorce. (12-26-83)

**04. Summary Statement.** A summary statement of the evidence submitted in support of the delayed registration shall be entered on the certificate, and the certificate shall be marked as delayed. (12-26-83)

**702. -- 799. (RESERVED)**

**800. DELAYED REGISTRATION OF STILLBIRTH.**

The requirements for filing a delayed certificate of stillbirth shall be the same as those for a delayed certificate of death, except that the section on paternity shall be governed by Section 39-260, Idaho Code. (12-26-83)

**801. -- 849. (RESERVED)**

**850. REMOVAL OF DEAD BODY OR FETUS FROM PLACE OF DEATH OR STILLBIRTH.**

Before removing a dead body or fetus from the place of death or stillbirth, the funeral director, or person acting as such, must, in accordance with Section 39-268, Idaho Code: (4-2-08)

**01. Obtain Assurance That Death Is from Natural Causes.** Obtain assurance from the attending physician, physician assistant, advanced practice professional nurse, or his designated associate, responsible for medical certification of the cause of death or stillbirth: (5-8-09)

**a.** That the death or stillbirth is from natural causes; and (4-2-08)

**b.** That the attending physician, physician assistant, advanced practice professional nurse, or his designated associate, will assume responsibility for certification of the cause of death or stillbirth; or (5-8-09)

**02. Notify the Coroner.** Notify the coroner when: (4-2-08)

**a.** The case falls within the jurisdiction of the coroner in accordance with Section 39-260, Idaho Code; (4-2-08)

or

- b.** The death or stillbirth is due to natural causes; and (4-2-08)
- i.** There was no attending physician, physician assistant, or advanced practice professional nurse during the last illness; or (4-2-08)
- ii.** There was no physician, physician assistant, or advanced practice professional nurse in attendance at the stillbirth; or (4-2-08)
- iii.** When the attending physician, physician assistant, advanced practice professional nurse, or his designated associate, is not available or is physically incapable of providing assurance that the death or stillbirth is from natural causes or providing permission to remove the dead body or fetus from the place of death or stillbirth. (5-8-09)

**03. Receive Permission to Remove the Dead Body or Fetus.** Receive permission to remove the dead body or fetus from the place of death or stillbirth from: (4-2-08)

- a.** The attending physician, physician assistant, advanced practice professional nurse, or his designated associate, if the death is from natural causes and all assurances in Subsection 850.01 of this rule have been met; or (5-8-09)
- b.** The coroner, if the case falls within the jurisdiction of the coroner, in accordance with Section 39-260, Idaho Code, or if the death or stillbirth is due to natural causes and one (1) of the conditions listed in Subsections 850.02.b.i. through 850.02.b.iii. of this rule has been met. (4-2-08)

**851. AUTHORIZATION FOR DISINTERMENT AND REINTERMENT.**

**01. Disinterment and Reinterment of a Dead Body or Fetus.** Upon receipt of a notarized application, or an order of a court of record of this state, the State Registrar will issue a permit for the disinterment and reinterment of a dead body or fetus. The permit will be issued only to the mortician who is identified on the application or order as the mortician in charge of the disinterment. The application for the permit must be signed by the applicant and the mortician in charge of the disinterment. The applicant for the permit must be either: (3-30-07)

- a.** The person or persons who have the highest authority under the provisions of Section 54-1142, Idaho Code; or (3-30-07)
- b.** A person authorized by Section 39-269, Idaho Code, to request a special disinterment for legal purposes, in which case the application must state facts showing that the ends of justice require disinterment. (3-30-07)

**02. Mass Disinterment and Reinterment.** Upon receipt of a notarized application, or an order of a court of record of this state, the State Registrar may issue a single permit for the disinterment and reinterment of all remains included in a mass disinterment. The permit will be issued only to the mortician who is identified on the application or order as the mortician in charge of the disinterment. The application or order for the permit must identify the remains of each body to the extent possible and specify the place of disinterment and reinterment. The application for the permit must be signed by the applicant and the mortician in charge of the disinterment. The applicant for the permit must be either: (3-30-07)

- a.** The person or persons who have the highest authority under the provisions of Section 54-1142, Idaho Code, for each of the deceased; or (3-30-07)
- b.** A person authorized by Section 39-269, Idaho Code, to request a special disinterment for legal purposes, in which case the application must state facts showing that the ends of justice require disinterment. (3-30-07)

**03. Nature of Permit.** The authorization issued in accordance with the statutes and rules governing disinterment is permission for disinterment, transportation and reinterment. (3-30-07)

**852. -- 999. (RESERVED)**

# Subject Index

- A**  
Additional Offices 5  
Assignment of Duties 5  
Copies of Original Certificates 6  
Determination 5  
Administrative Appeals 3  
Adoption Of Persons Born In Idaho 14  
Corrections on Adoptive Certificates 14  
Examination of Adoptive Child Born in Idaho for Whom No Original Certificate of Birth Can Be Located 14  
Authorization For Disinterment & Reinterment 21  
Disinterment & Reinterment of a Dead Body or Fetus 21  
Mass Disinterment & Reinterment 21  
Nature of Permit 21
- C**  
Certificates, Records, & Forms 4  
Certificates with Defects 5  
Form & Content 4  
Official Nature of Forms 4  
Requirements for Preparation of Certificates 5  
Compensation Of Local Registrars 11  
Certificates Filed 11  
Reports Filed 11  
Completion & Correction Of Certificates 7  
Acknowledgment of Paternity 8  
Addition of Given Names on Birth Certificates 8  
All Other Amendments 9  
Amendment of Indicator of Gender 8  
Amendment of Registrant's Given Name on Birth Certificate After the First Year 8  
Amendment of Registrant's Given Names or Surname on Birth Certificates Within the First Year 7  
Amendment of the Same Item More Than Once 10  
Correction of Minor Errors on Certificates During the First Year 7  
Methods of Amending Certificates 10  
Confidentiality Of Records & Public Records Requests 3
- D**  
Delayed Registration Of Stillbirth 20  
Divorce Certificate Filing Fee 16
- F**  
Fees For Copies, Searches, & Other Services 11  
Certified Copies 11  
Fees for Other Services 11  
Searches 11  
Statistical, Research, or Public Health Services 11  
Verifications 11  
Waiver of Fee Requirement 12  
Form, Content & Filing Of The Marriage Certificate 16  
Filing 16  
Form & Content 16
- I**  
Incorporation By Reference 3  
Induced Abortion Reporting Forms -- Compilations 16  
Compilations 16  
Form of Report 16  
Nature of Reports 16  
Patient Identification 16
- L**  
Late & Delayed Registration Of Divorce 20  
Additional Evidence 20  
Delayed Registration 20  
Late Registration 20  
Summary Statement 20  
Late & Delayed Registration Of Marriage 19  
Additional Evidence 20  
Delayed Registration 19  
Late Registration 19  
Summary Statement 20  
Late Or Delayed Registration Of Birth 16  
Abstraction of Documentary Evidence 18  
Certification by the State Registrar 18  
Delayed Registration Following a Legal Change of Status 17  
Dismissal After One Year 19  
Documentary Evidence -- Acceptability 18  
Documentary Evidence -- Requirements 17  
Facts to be Established for a Delayed Registration of Birth 17  
Form of Delayed Certificate of Birth 17  
Late Registration -- Fifteen Days to One Year 17  
Who May Request the Registration of & Sign a Delayed Certificate of Birth 17
- Late Or Delayed Registration Of Deaths 19  
Additional Evidence 19  
Minimum Evidence Required 19  
Summary Statement 19  
Legal Authority 3  
Local Registration Officers 6  
Local Deputy State Registrars 6  
Qualifications of Local Registrar 6  
Removal of Local Registrar 6
- M**  
Marriage License Recording Fees 16
- N**  
New Certificates Of Birth Following Marriage Of Natural Parents 13  
Common-Law Marriage 14  
Requirements 13
- O**  
Office Hours – Mailing Address – Street Address – Telephone – Website 3
- R**  
Registration Of Births 13  
Certifier's Signature 13  
Local Registrar's Signature 13  
Signature of Certifier 13  
Signature of the Informant 13  
Registration Of Deaths & Stillbirths 15  
Acceptance of Incomplete Death Certificate 15  
Signatures Required on Death Certificates 15  
Signatures Required on Stillbirth Certificates 16  
Registration Of Foundlings 13  
Form of Certificate 13  
Responsibility for Filing 13  
Registration System For Adult Adoptees 14  
Completion of Match 14  
Fees 15  
Notification 15  
Registration Time 15  
Release of Information 15  
Search for "the Other Birth Parent" 14  
Siblings of Adult Adoptee 14  
Removal Of Dead Body Or Fetus From Place Of Death Or Stillbirth 20

Notify the Coroner 20  
Obtain Assurance That Death Is  
from Natural Causes 20  
Receive Permission to Remove the  
Dead Body or Fetus 21

**T**

Terms & Definitions, IDAPA 16.02.08,  
Vital Statistics Rules 3  
Assistant Local Registrar 3  
Attendant At Birth or Stillbirth 3  
Birth Out of Wedlock 4  
Confidential Registry 4  
Current Registration 4  
Delayed Registration 4  
Department 4  
Director 4  
Expedited Certified Copy 4  
Local Deputy State Registrar 4  
Local Registrar 4  
Mortician or Funeral Director 4  
Nurse Midwife 4  
Putative Father 4  
Registration District 4  
Relatives of Deceased Qualified  
Adult Adoptees 4  
Relatives of Deceased Qualified  
Birth Parents 4  
Title 3  
Transmittal Of Certificates & Local  
Records -- Reports 6  
Expedited Certified Copies of  
Certificates of Death or  
Stillbirth 7  
Monthly Summary Report 7  
Transmittal of Certificates of  
Birth 7  
Transmittal of Certificates of  
Death & Stillbirth 6

**W**

Written Interpretations 3