



Senator Velmanette Montgomery and Assemblyman David I. Weprin



Pre-Adoption Birth Certificate Frequently Asked Questions

On November 14, 2019, Governor Andrew M. Cuomo signed legislation (S3419/A5494) which allows adoptees to receive a copy of their pre-adoption birth certificate when they turn 18 years old. The application process begins on January 15, 2020.

The information provided in this Frequently Asked Questions (FAQ) document relates primarily to adoptees born outside of the 5 boroughs of New York City. Adoptees born within New York City should contact the New York City Department of Health and Mental Hygiene for information on how to obtain pre-adoption birth certificates from within their jurisdiction.

1. Who is entitled to obtain a pre-adoption certificate?

- An adoptee who is 18 years of age or older
- Direct line descendants of a deceased adoptee. See what is a Direct Line Descendant? For more information
- A lawful representative of the adopted person
- A lawful representative of a deceased adopted person's Direct Line Descendant

2. When can I obtain a copy of my pre-adoption birth certificate?

- Applications will be accepted beginning January 15, 2020.

3. How can I apply for a copy of my pre-adoption birth certificate?

- The fastest way to apply for a pre-adoption birth certificate is online at www.VitalChek.com.
- Paper applications will be accepted either by mail or in person; however, applicants are strongly encouraged to use the online system. If applying in person, applicants should be aware that certificates will not be provided the same day.
- The paper application will be available here beginning January 15, 2020. Completed applications should be mailed to:

New York State Department of Health
Bureau of Vital Records, PAC Unit
PO Box 2602
Albany, NY 12220-2602

Or can be delivered in person to:
800 North Pearl Street
Menands, New York 12204

4. What if I was born in New York City?

- Adoptees born in New York City must apply through the New York City Department of Health and Mental Hygiene. For ordering information visit:
<http://www.nyc.gov/vitalrecords>
- The New York State Department of Health cannot issue a pre-adoption birth certificate for an adoptee who was born in New York City.

5. I am already registered in the Adoption Information Registry; do I need to fill out a new application to request my pre-adoption certificate?

- Yes. The Adoption Information Registry is a mutual consent registry for adoptees, birthparents and biological siblings to obtain information pertaining to the adoption or facilitate a reunion between registered parties. The Adoption Information Registry does not issue pre-adoption certificates.

6. Can I appear in person to receive my pre-adoption birth certificate?

- Applicants may apply in person, however use of the online system at www.VitalChek.com is the most efficient way to apply and will result in faster issuance of the pre-adoption birth certificate. Due to the nature of these requests, some research will be required to produce copies of pre-adoption certificates; therefore same day service will not be available. All certificates will be issued via regular mail; no certificates will be issued in person or via email.

7. Can I obtain my pre-adoption birth certificate from my Local Registrar?

- Your Local Registrar is authorized to issue a pre-adoption certificate, if available. However, local

registrars may not have access to the complete, sealed file containing your pre-adoption birth certificate. Applicants are encouraged to apply through the New York State Department of Health (for adoptees born outside of New York City) or the New York City Department of Health and Mental Hygiene (for adoptees born within New York City).

8. How long will it take to process my request?

- Significant steps have been taken to prepare for timely issuance of pre-adoption birth certificates. However, a considerable number of applications are expected in the first few weeks after January 15, 2020 and there may be delays in meeting the high volume of early requests. Preliminary estimates are that requests will take approximately 4 - 6 weeks to fulfill. Processing times will vary depending on the volume of requests received.

9. What identification is required to obtain my pre-adoption birth certificate?

- Identification must be submitted with every request for a pre-adoption birth certificate.
- If applying online, follow the instructions provided there. If applying for yourself using a paper application, you must include a valid photo identification. If available, include a photocopy of your current birth certificate. Refer to the instructions on the Adoptee Application for Copy of Pre-Adoption Birth Certificate for additional information on the types of identification accepted.

10. What is the fee for a pre-adoption birth certificate?

- The fee is \$45 per each copy requested.

11. What will I receive with my pre-adoption birth certificate?

- You will receive the pre-adoption certificate and any additional information in the sealed file pertaining to the adoption.

12. What is a Direct Line Descendant?

- A Direct Line Descendant is a child, grandchild, or great grandchild, etc. of the adoptee.

13. As a Direct Line Descendant, how do I apply for a copy of a pre-adoption certificate for my parent, grandparent or great grandparent?

- If the adoptee is deceased, a Direct Line Descendant can request a copy of the adoptee's pre-adoption birth certificate. Currently, the online application process is not available for Direct Line Descendant applications. Instead, Direct Line Descendants may apply only via a paper application. Applications will be accepted

either by mail or in person. If applying in person, applicants should be aware that certificates will not be provided the same day.

The paper application will be available here beginning January 15, 2020. Completed applications should be mailed to:

New York State Department of Health
Bureau of Vital Records, PAC Unit
PO Box 2602
Albany, NY 12220-2602

or can be delivered in person to:
800 North Pearl Street
Menands, NY 12204

14. As a Direct Line Descendant, what documentation is required to obtain a pre-adoption certificate for an adoptee?

If the adoptee is deceased, a Direct Line Descendant can request a copy of the adoptee's pre-adoption birth certificate. As a Direct Line Descendant, you must include:

- A valid photo identification,
- A photocopy of the adoptee's death certificate,
- Documentation showing Direct Line Descent from the adoptee (birth certificates or death certificates showing parents, grandparents, great grandparents' names as needed).
- If available, a copy of the adoptee's birth certificate at the time of death.

You may refer to the instructions on the Direct Descendant Application for Copy of Pre-Adoption Birth Certificate for additional information on the types of identification and documentation accepted.

15. As a legal representative of either the adoptee or the Direct Line Descendant, what documentation is required to obtain a pre adoption certificate for an adoptee?

In addition to the documentation required by an adoptee or Direct Line Descendant, proof of legal representation must be provided along with valid photo identification.

16. Can a birth parent request a copy of a pre-adoption birth certificate?

No. Public Health Law 4138e entitles only adoptees, direct line descendants or lawful representatives of the adoptee to obtain a copy of the pre-adoption certificate.