**WHO CAN OBTAIN A CERTIFIED OR NON-CERTIFIED COPY OF A VITAL RECORD - Effective August 31, 2012:**

Purchaser of the record must have a "direct and legitimate interest in the matter recorded" - MRSA Title 22, Section 2706

| Type of Record (MRSA, Title 22, Section 2706 "Disclosure of vital records", subsecs. 5 and 8) | **Self** | **Spouse:** must show marriage license* | **Registered Domestic Partner:** must show DP certificate | **Parent(s)** | **Guardian:** must show court issued guardianship papers | **Descendant:** of person listed on the record - their child, grandchild - must show lineage | **Attorney or Agent:** of person on record - must show notarized statement from person or his/her **family** or proof of contract. **If for family must provide proof of relationship.** | **Family:** Grandparent, Sibling, Step-parent, Step- child, Aunt, Uncle, Niece, Nephew, Mother-in- law, Father-in-law – must show proof of relationship | **Non-Family**: Boyfriend, Girlfriend, Fiancé, Friend, Neighbor, Ex-spouse | **Genealogists:** With no direct and legitimate interest, must show Maine ODRVS researcher card and personal ID | **Genealogists/ Agent:** Must show personal ID, Maine ODRVS researcher card, have direct and legitimate interest as agent & written authorization | **Officiant/Informant /Funeral Establishment:** Must be listed on the record, show ID |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Birth Certificate** - includes both legitimate and out of wedlock births | Yes | Yes | Yes | Yes – if listed on record | Yes | Yes | Yes | Yes | No**See Direct and Legitimate Interest chart on reverse | No | Yes | Yes |
| **Marriage Intention & Certificate** | Yes | Yes | Yes | Yes – if listed on record | Yes | Yes | Yes | Yes | No** See Direct and Legitimate Interest chart on reverse | No | Yes | Yes |
| **Death Certificate** - † | N/A | Yes | Yes | Yes – if listed on record | Yes | Yes | Yes | Yes | No** See Direct and Legitimate Interest chart on reverse | No | Yes | Yes |
| **Non-Certified Copy** Of any birth, death or marriage | Yes | Yes | Yes | Yes – if listed on record | Yes | Yes | Yes | Yes | No** See Direct and Legitimate Interest chart on reverse | Yes | Yes | Yes |

* A person must show a copy of a marriage license to obtain a copy of their current spouse's birth certificate. The spouse does not have to show a copy of their marriage license if they are purchasing a copy of a marriage license in which they are listed on the record or a copy of their spouse's death certificate in which they are listed as the spouse on the record.

**Individual may have access to a certified or a non-certified copy of a record if they show direct and legitimate interest and are able to provide proof.

**Identification Requirement** - Anyone purchasing a certified copy of a record as listed above shall complete a vital records order form which shall declare their name and their connection with the person who is listed on the record. Anyone purchasing a certified copy as listed above shall also show proof of identification: driver's license, passport or other government issued picture identification card. If these are not available, then the requestor needs to show photocopies of two items from the following: utility bills, bank statements, car registration, copy of income tax return, personal check with address, a previously issued vital record/marriage license, letter from gov't agency requesting vital record (e.g. DHHS, WIC), Dept. of Corrections ID card, Social Security card, DD214 form, hospital birth worksheet, license/rental agreement, pay stub or W-2, voter registration card, Medicare/Mainecare insurance card, private or public school photo ID, college photo ID, employee photo ID, or a disability award from SSA. These identification requirements apply to both certified and non-certified copies of vital records. (DRVS letter, 6-25-10)

†Certified copies of short form death certificates may only be issued if you have a supply of the safety paper for this document. This safety paper was discontinued in 2007.

*Matrix revised by DRVS, 08-31- 2012*

**Open Records** - Anyone may purchase non-certified copies of any birth, marriage or death record that is open per the following chart, from the date of the event of the birth, marriage or death record; MRSA Title 22, Section 2706, sub 7. ┼ NOTE: Certified copies may only be issued to individuals as specified in MRSA Title 22 sub 2706 sub5 (those eligible as specified on page one of this matrix).

| Open Records | Birth | Marriages | Death | Fetal Death/Stillbirth |
|---|---|---|---|---|
| **Number of Years from *Date* (MM/DD/YYYY) of Event** | 75 years old or older | 50 years or older | 25 years or older | 50 years or older |
| **Example of Open Record (Request date 9/28/2011)** | DOB: 08/01/1936 ┼ | DOM 07/25/1961 ┼ | DOD: 09/01/1986 ┼ | DOD 07/16/1961 ┼ |
| **Example of Closed Record (Request date 9/28/2011)** | DOB: 10/25/1936 | DOM 11/18/1961 | DOD: 11/11/1986 | DOD: 12/05/1961 |

**Direct and legitimate interest** – refers to individuals who under daily circumstances are *NOT* authorized access to a copy of a record. These individuals become eligible due to events or circumstances that now require a copy of a record in order to protect a personal or property right. Defined in DHHS Rules 10-146 CMR Chapter 8 Definition F – the following individuals and entities shall be deemed to have a "direct and legitimate interest" in the data contained in a vital record: 4. Others may be authorized to obtain confidential data when they demonstrate that such information is needed for the determination or protection of personal property rights. The following chart lists some examples of those eligible to purchase certified or noncertified copies.

**Examples of REQUESTORS for records ▼**

**EXAMPLES**

**DIRECT AND LEGITIMATE INTEREST SAMPLE CHART OF REASONS OR PURPOSES FOR REQUESTS for Certified or Non certified Copies of Records**

| **Birth, Death or Marriage Record** | **Birth Lists** Only contain: Name of Child, Date of Birth, Sex of Child, Town of birth and Mother's mailing address | **Social Security** must show letter from Social Sec or Application | **Insurance purposes** show copy or letter on insurance | **Motor Vehicle Title** show copy of letter or title | **Mortgage Company/Bank** show letter or copy of loan | **Creditor** show copy of credit agreement or letter | **Law Enforcement official requests** must show ID and request on letterhead | **Determination of Ownership/ Property rights** | **Health Information from Cause of Death** family member |
|---|---|---|---|---|---|---|---|---|---|
| Personal Representative | No | Yes | Yes | Yes | Yes | Yes | No | Yes | No |
| Ex-spouse | No | Yes | Yes | Yes | Yes | Yes | No | Yes | No |
| Beneficiary | No | Yes | Yes | Yes | Yes | Yes | No | Yes | No |
| Federal Agency | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | No |
| State‡/County/Municipal Agency | Yes | Yes | Yes | Yes | Yes | Yes | Yes‡ | Yes | No |
| Local School Districts/Regions | Yes | Yes | Yes | Yes | Yes | Yes | Yes | No | No |
| Media reps or Commercial Firms | No | No | No | No | No | No | No | No | No |
| Cousin, daughter-in-law, son-in-law | No | Yes | Yes | Yes | Yes | Yes | No | Yes | Yes |

‡ **NOTE State Agency** requests **must** comply with request policies if requesting from municipalities and pay the current fee. State Agencies can request verifications and/or copies of records free of charge from DRVS.