

## **WRDA VITAL QUESTIONS**

**SVRIS training** – Deb Brandt – 6/1/2022 – **SVRO response 6/1/2022**: no training planned. Survey group to see what kind of interest. They do not have a recorded version of the training. Would WRDA like a recorded version or live, where questions can be asked?

**Certificate Logs** – Karie Pope – 6/15/2022 – **SVRO response 6/20/2022**: There is no mandate or requirement in state statute that vital record offices track their security paper; however, from a security standpoint it is very strongly recommended and our office has implemented our own tracking mechanisms following our audit by the Office of Inspector General.

When I conducted in-person visits at all LVROs from 2018-2019, tracking of security paper was a top topic discussed and recommendations to track security paper were given in the final audit reports. There is also a section in the recently updated LVRO Handbook on the SVRIS Help Page that discusses security paper storage, handling/usage, and voiding/destruction.

**Incarcerated individuals** – Sherry Bierman – 6/17/2022 – **SVRO response 6/17/2022**: Yes, incarcerated individuals can apply for and obtain vital records. They would still be required to submit an application and identification like any other applicant. If sent from within a correctional facility, our office will accept their 'offender face sheet' as their identification.

I do know that years ago (prior to my time in Vital Records), SVRO requested that LVROs not issue certificates to incarcerated individuals and refer them to SVRO. Not sure I understand all of the history behind that one, but since nowhere a statute specifies it, that practice was stopped.

If the incarcerated individual completes the application, signs and dates it, includes a photocopy of their own ID, and includes a written authorization that the jailer can pick up the certificate, I would see no issue with the jailer then bringing the application to your office and your staff giving the envelope with the certificate back to the jailer to deliver to the inmate.

**Death Dispositions** – Mary Berg – 6/23/2022 – Mary asked if we could give the public access to the Dispositions forms; **committee response** was not to allow the public access to them as they have PII on them and to have the customer contact SVRO. This topic posed another question as to what we should do with the Final Disposition forms. An email from 2014 was shared stating the following: Notice of Removal forms will be sent or faxed to LVRO and may be destroyed once the LVRO receives a notice in the Work Queue that the death is in progress; Report for Final Disposition forms are no longer required to be sent to the LVRO if the Funeral Director signing the record is a SVRIS user and filed the record in SVRIS; If the LVRO requires a hard copy of the Final Disposition Form, search for the appropriate record, display the record, select the Request menu and then choose 'Report for Final Disposition'.

**Fee Waiver** – Michele Jacobs – 6/30/2022 – Michele asked if there is any waiver of fee for individuals who are unable to pay for a certificate – **SVRO response 6/30/2022**: Unfortunately, since fees are set by state statute, we are unable to waive fees for certificates. We will typically recommend to individuals that if assistance is needed for payment, they may wish to contact a local church or nonprofit organization to see if they can offer any assistance.

**SWI – Marriage** – If you are having any issues with Marriage SWI, please email the SVRO at [DHSVitalRecordsOperationsFax@dhs.wisconsin.gov](mailto:DHSVitalRecordsOperationsFax@dhs.wisconsin.gov) or you can contact the Registration Unit directly at 608-266-1373, option 9.

**Marriage without a license** – Audrey McGraw Jefferson Co Clerk – 7/1/2022 – Audrey stated that a couple was going to come in to get a marriage license. Only, the bride fell very ill and went into hospice and couldn't come in and get a license. The Chaplain performed a ceremony on-site and she passed away. The funeral director is the one that called our Register of Deeds office and asked if they could still be considered married. She then called to ask me and I said no that I didn't think so but would check with the experts. **SVRO response 7/1/2022:** I always thought that they had to assume the habit and repute of husband and wife for **one year** after the ceremony, and then it would be deemed that a license had been issued and they would be considered married. However, statute states "...for the period of one year, or **until the death of either of them...**" See below.

**765.23 Immaterial irregularities otherwise.** No marriage hereafter contracted shall be void either by reason of the marriage license having been issued by a county clerk not having jurisdiction to issue the same; or by reason of any informality or irregularity of form in the application for the marriage license or in the marriage license itself, or the incompetency of the witnesses to such marriage; or because the marriage may have been solemnized more than 60 days after the date of the marriage license, if the marriage is in other respects lawful and is consummated with the full belief on the part of the persons so married, or either of them, that they have been lawfully joined in marriage. **Where a marriage has been celebrated in one of the forms provided for in s. 765.16 (1m), and the parties thereto have immediately thereafter assumed the habit and repute of husband and wife, and having continued the same uninterruptedly thereafter for the period of one year, or until the death of either of them, it shall be deemed that a marriage license has been issued as required by ss. 765.05 to 765.24 and 767.803.**

Therefore, it is my opinion that they would be considered married. However, providing proof may be difficult. Proof is not required for the funeral director to complete the death certificate; however, it will likely be required by financial institutions, insurance companies, SSA, etc. The groom may need to obtain a legal opinion (i.e. court order) regarding the validity of the marriage.

**Parent addresses for birth records in SVRIS** – Tiffany Ringer – 7/14/2022 – **SVRO response** : Suggestion is to provide application to hospitals and they can add to their birth packets. Lynette will check on this as there may be some limitations on providing parents addresses to LVRO's due to confidentiality.

**Transgender** – Ellen Schleicher/Tami Alten – 7/13/2022 – Ellen had forwarded an email from Tami in Calumet Co to me questioning whether we need to record a court order or any other type of document presented to us regarding transgender. Also who is responsible for informing SVRO of the change. **SVRO response 7/15/2022:** the ONLY certified copy court order document that gets recorded in our office is a court ordered name change. There is no reason to record any other court ordered change to a vital record. The reasoning behind recording the name change is to help with our land records, for a/k/a or n/k/a. **name change would fall under 786.36**

It is the Clerk of Courts responsibility to notify SVRO of any court ordered changes to a vital record. SVRO then makes the changes accordingly.

Now, in my opinion, if someone wants to record something about being transgender, I would take it as long as it's in recordable form. I would explain to them that once a document is recorded it becomes public record, but if they want to record it, why not. Is it required, no. Recording things, like this, in our office does not make it legal, it just makes it a public record.

**Standardized procedure for Marriage License entry by Clerk's** – Beth Pabst – 8/11/2022 – **SVRO**

**response** : there is not a standard procedure, other than what is written in the User's Guide for Clerk's who issue marriage licenses. What is provided will vary from County to County. SVRO has reached out to the Clerk's Association to see if they could have better relations with their Association, like they do with WRDA – no response as of 9/28/2022.

**Applications scanned into SVRIS** – Beth Pabst – 8/11/2022 – **committee response** – SVRIS already holds

so much data, our suggestion is to store them in a folder on your computer. **SVRO response** : SVRO agrees with the Committee. If scanned into SVRIS it becomes a permanent record. If you scan into a folder on your computer, you can remove them according to the retention schedule.

**Return letters through SVRIS** – Melanie McManus – 8/11/2022 – is anyone using them? Do you know

how? Instructions for this are found in the SVRIS User Manual – LVRO on pages 51-52.

**Annotation of birth fact form** – Deb Brandt – 8/18/2022 – Deb asked if schools/employers can still use

these forms, if not, what should they be using - **SVRO response 8/24/2022** : That form was used a number of years ago; however, we no longer recommend using that form and do not provide it. I believe it was around 2015-2016 that our office no longer recommended using that form. Also, since that time the information on that exact form about the watermark is no longer accurate. Since schools should not be copying vital records and keeping them in their files, if they wanted to use some type of template to state they saw the certificate and verified the information they could. **DO NOT USE OR PROVIDE THE ANNOTATION OF BIRTH FACT FORM.**

**VitalChek** – Margo Katterhagen – 9/1/2022 – Margo asked if VitalChek could be opened up to all counties that have VitalChek, since we now are SWI for marriage – **committee/SVRO response** – we should ask the Association as a whole.

**Deceased stamp on birth records** – Melanie McManus – 9/7/2022 – Melanie asked if we should continue to stamp “deceased” on birth records – **committee response** – committee agreed that there is no need to continue with this procedure in your offices, as all certified birth records should be issued through SVRIS.

**Self-Marriage** – Heather Kuhn – 9/15/2022 – Heather asked if anyone had encountered receiving a marriage worksheet where the couple also signed as officiant – **SVRO response 9/15/2022** : Per [Wis. Stat. § 765.16 \(1m\)\(c\)](#), couples may self-marry (without an officiant) in cases where one of the marrying parties, or both, belong to a religious society, denomination, or sect that has customs, rules, and regulations regarding self-marriage.

County Clerk and Register of Deeds staff can inform the individuals on what the statute says for self-marriages, and if the applicant says they fall in that category then they can be taken on that word and not asked for proof regarding religion/denomination/sect. By the couple signing the marriage license

application, they are attesting that the information they give is correct to the best of their knowledge. Couples who self-officiate use the same marriage documents that are used by all Wisconsin marriage license applicants. The couple completes the officiant portion of the record by entering both of their signatures in the officiant signature field and printing or typing their names in the officiant name field.

If at the time of filing with the Register of Deeds after the marriage has taken place, the worksheet is not completed fully, it may be rejected. If there is question on the legalities, I would recommend consulting with your corp counsel.

**Legislative Council Study Committee on Uniform Death Reporting Standards** – Jodi Helgeson – 10/10/2022 – there is currently a Legislative Council Study Committee on Uniform Death Reporting Standards. The purpose of this study committee is to review the current protocols for investigating causes of death and reporting death, and the uniformity of those protocols. The review focuses on option to implement more comprehensive uniform death reporting standards across Wisconsin, including the advantages and barriers to implementation of such standards. Following review, the committee shall develop legislation to provide minimum requirements for death investigation and reporting, particularly deaths involving homicide, suicide, child or infant death, domestic violence, maternal mortality and substance use. This is more geared toward the C/ME, Medical Certifier and Funeral Home reporting of deaths. SVRO will keep us updated as this goes through the study and how/if it affects WRDA as the end user. At this point, SVRO does not know what suggestions the study committee plans to make for any sort of future legislation nor whether the legislative council will actually propose any new bills from this. If you would like to follow this, you can do so on WisconsinEye under 2022 Legislative Council Study Committee on Uniform Death Reporting Standards.

**DMV Voter ID birth verifications** – 10/12/2022 – Cheryl Berken – Cheryl received a call from her local DMV asking for verification of a birth record for a person applying for a Voter ID, as their statute claims they cannot make the person applying for a Voter ID incur any costs (Wi. Stat. 343.50(5)(a)3). The statute states “The department may not charge a fee to an applicant for the initial issuance, renewal, or reinstatement of an identification card if the applicant is a US citizen who will be at least 18 years of age on the date of the next election and the applicant requests that the identification card be provided without charge for purposes of voting”. **SVRO response 10/13/2022** : DMV has a process set up with our office to handle Voter ID birth verifications; however, it is my understanding the ‘central’ DMV receives queries from the various offices and then submits the information to our office. It is true that the DMV customer should not incur a cost for this verification, but that does not mean that LVROs need to provide free verifications. I would assume the local DMV office should have information on how to submit the Voter ID birth verifications or they should reach out to the central office to obtain more information.

**Military Marriage Overseas** – Melanie McManus – 11/15/2022 – **SVRO response 11/16/2022** : To request a copy of the marriage record on file in the country where the marriage took place, they should contact the U.S. Embassy in that country or that country's consulate located in the United States. This document will most likely be completed in the official language of the country of marriage. Contact information for foreign embassies and consulates can be found <https://travel.state.gov/content/travel/en/consularnotification/ConsularNotificationandAccess.html>. To my knowledge, this is the same whether they are in the armed forces or not.

There are other documents that can be requested related to birth and death events for U.S. Citizens abroad from <https://travel.state.gov/content/travel/en/records-and-authentications/requesting-a-vital-record-as-a-u-s--citizen/replace-amend-CRBA.html>, but not for marriage events.

***SVRO issuance of birth certificates via Birth Notification*** – **SVRO response 11/18/2022** : The Notification does have a brief description on the back of what is listed on the two different types of birth certificates. With these requests we issue whatever type/types (because sometimes they do ask for a mixture of short and long forms) the customer indicates. **If they do not indicate anything, but send payment, we do default to short form. The reason we typically default to short form is that it has the least amount of personal information, but is still acceptable for most legal purposes.** I don't have numbers off the top of my head, but anecdotally we see a good mixture of long and short forms being requested. **For our standard birth certificate application, we typically default to short form unless the customer has indicated they would like a long form certificate or they have indicated a reason for the certificate as something that typically requires the long form (for example dual citizenship).** If asked to help a customer send the Notification of Birth Registration and Name Change Requests to SVRO please use either: [DHSVitalRecordsGenealogyFax@wi.gov](mailto:DHSVitalRecordsGenealogyFax@wi.gov) OR [dhsvrswi@wi.gov](mailto:dhsvrswi@wi.gov). Both of these emails are checked more often throughout the day. The email address supplied on the form is one that is available to the general public. If we are assisting with getting these to SVRO, please use one of the emails listed above for better response time.

***Birth Certificates – short form vs long form*** – Sharon Martin – 11/17/2022 – **SVRO response**: SVRO issues short form because of PII and uses best practices provided by model law. In Chapter 69 it states the short form should be used unless specified. Some agencies may have policies of only accepting those records that have been issued in the past 5-10 years, possibly looking for amendments or other changes if their application doesn't match the current vital record they are providing. There could be better communication/education to other agencies (DMV).

***Marriage Worksheet & Retention*** – Sharon Martin – 1/11/2023 – **SVRO response**: Wis Stats. 59.52(4)(a)19 references: "Marriage license applications and records and papers pertaining to the applications, including antenuptial physical examination and test certificates, consents of parent or guardian for marriage and orders of the court waiving the waiting period", can be destroyed after 10 years. In Chapter 69 it states that when a record is scanned that electronic copy now becomes the official record and the paper copy can be shredded. The language in the statute is not clear, so a best practice could be applied.

***Retention for Security Paper Logs*** – Melanie McManus – 1/18/2023 - **SVRO response** : There is some information in the LVRO Handbook, page 56. **SVRO recommends logs be kept indefinitely.** SVRO will check to see if NX allows tracking. Once you have filled a log, you can scan them into your computer and then shred the paper copy.

***Notice of Removal (NOR and Report for Final Disposition (RFD) forms*** – Mary Berg – 1/10/2023 – **committee response**: LVRO should still receive the Notice of Removal (NOR) per Wis. Stats. 69.18(1)(d), we need to verify the record exists in SVRIS. Most LVRO's are keeping for 2 years and then shred with the vital records applications. Once the record is registered in SVRIS the NOR can be destroyed in accordance with County retention policies. The new state retention schedule will reflect this. Report for Final Disposition (RFD) are available in SVRIS and are no longer required to be sent to LVRO offices, as they are electronic. LVRO's may be asked to certify a RFD, if being used as part of the "out of state burial

permit” process. **SVRO response** : A copy of the Notice of Removal of a Human Corpse (NOR) is required to be sent to the local registrar from the administrator (or designee) of the hospital, nursing home, or hospice. See the two statutory references below. The NOR is used to verify that a death record is on file in SVRIS. Once the death record is registered, the NOR can be destroyed or handled according to your county’s retention policy.

The NOR is not required for deaths occurring at a private residence, a CBRF, a RCAC, or an AFH (CBRF – Community-Based Residential Facilities; RCAC – Residential Care Apartment Complexes; and AFH – Adult Family Home) unless the decedent was under hospice care. If under hospice care, the hospice agency must file the NOR. See the instructions for item 12 on page two of the attached NOR. And, as stated in statute, the NOR is not required for a fetal death (i.e., stillbirth).

Also, attached is information from the LVRO Handbook pertaining to the NOR and Report for Final Disposition forms.

[69.18\(1\)\(d\)](#) *A hospital, nursing home, or hospice may not release a corpse to any person under par. (a) unless the person presents a notice of removal in the manner prescribed by the state registrar, in duplicate, to the administrator of the hospital, nursing home, or hospice. **The administrator shall retain one copy and forward the other copy to the local registrar of the registration district in which the hospital, nursing home, or hospice is located.***

[DHS 135.04\(3\)](#) **PRESENTATION OF REMOVAL NOTICE. The hospital or nursing home may not release a corpse to a funeral director, member of the immediate family or other person authorized to remove the body until the funeral director or other person making the removal presents a notice of removal, in duplicate, to the administrator of the hospital or nursing home or to his or her representative. The hospital or nursing home administrator or that person's representative shall complete, to the best of his or her knowledge, the portion of the notice which specifies if isolation techniques should be used in the embalming process and shall indicate whether the death is reportable to the coroner or medical examiner under s. 979.01, Stats. **One copy of the removal notice shall be retained on file by the hospital or nursing home for a minimum of 30 days and the other shall be forwarded immediately by the hospital or nursing home to the local registrar in the registration district where death was pronounced.** No presentation of a notice of removal is necessary for removal of a stillbirth unless a hospital requires that notice for internal recordkeeping purposes, in which case no copy of the notice is forwarded to the local registrar.**

**Overseas Birth while in Military** – Mary Berg – 3/31/2023 – **SVRO response**: The customer will want to contact:

**US Dept of State: Phone: 202-485-8300**

US Citizens born abroad (Parent’s stationed on a military base resulting in child born in different country)

**Dissolution of Marriage from another State** – Brent Bailey – 4/13/2023 – **SVRO response**: SVRO will get this question on occasion. Seems to primarily come up with Illinois. Since we do not have laws in WI to mark the marriage record once the marriage has ended, this notice can be destroyed with no further action on your end. It does not need to be forwarded to our office.



**VitalChek Configuration** – **SVRO response:** I did check and VitalChek has implemented the changes for birth and marriage records with one caveat. They had originally thought that a default value wouldn't need to be selected automatically when ordering from their main site but found that was inaccurate – a default does need to be picked by the system (this is when going through the main VC site).

So, the way it currently works for birth and marriage is this:

If the order is placed on just the standard VitalChek site and is **not** originating from a county link, the order location will default to the county where the birth (or marriage) occurred BUT there is a full dropdown list, in alphabetical order, of all the agencies/counties where the order can be placed so the customer can choose whichever location they want.

In this same ordering scenario, if the location where the event occurred is in a county that **doesn't** use VC services, the default does set to the state as the default but again can be changed by the customer.

If the order is placed through a customized link on a county webpage, the order location will stay defaulted to the county that they linked to VC from – in those cases no drop down is displayed so the customer doesn't have the option to change the order location – that makes sense since they linked to VC from a county link and would want to order from that county. For example, if I link to VC from the Dane county ROD site, that order stays at Dane County regardless of what county I was born in.

In poking around I did find some language that needs to be updated so I'm getting in touch with VC to get that language corrected. If there are any counties that are not using a customized link supplied by VC on their webpage, orders would fall back to the first scenario, where a drop down list is supplied. I believe I found one county (Columbia) that doesn't seem to be using a customized link so I would suggest that all counties that use VC take a look at linking from their webpage and make sure things are working as expected. If the county order location isn't 'sticking', they may want to reach out to VC directly to make sure they have a customized county link to post on their webpage.

**Gender Neutral Labels** – Heather Kuhn – 5/26/2023 – **SVRO response:** If you have an in-person request to change to gender neutral labels on a birth or marriage record, it has to be in writing. You can submit an Update Request in SVRIS by gathering the following information from the customer: requestor's name, contact information, child's information: name, date of birth, parents' names, and request for the label change (for birth records). If you receive an in-person request asking to change those labels on a marriage certificate you would use the same Update Request process and provide: requestor's name, contact information, spouses names, date of marriage, and request for the label change. For birth records, the only label choices are Mother/Father or Parent/Parent. For marriage records the label choices are Bride/Groom, Bride/Bride, Groom/Groom, or Spouse/Spouse. Only the parents on the birth records or the individual themselves (for adults) can request this change. LVRO staff can search for the birth or marriage records and submit an Update Request in SVRIS with the requestor's information and request in the Notes to SVRO. Like other same day Update Requests, these will be prioritized with a 15 minute turn around time.

In this example, they would like the birth record from June 2021 to reflect "parent" instead of Mother/Father.

**Amish Death** – Beth Pabst – 6/7/2023 – Beth asked how a death certificate gets created when the Amish handle everything, with no funeral home assistance. **SVRO response:** Wisconsin law does allow for a

member of a decedent's immediate family to personally prepare and conduct the final disposition of the decedent. This would include the responsibility of completing necessary vital records forms for the death certificate. The SVRIS Help Page contains a [Family Burials Best Practice Document](#) which provides the responsibilities of LVRO staff for these situations. Also on the Help Page are a [Family Burial Death Worksheet](#) and [Family Disposition Handout](#) which should be provided to the family in cases like this. A blank Notice of Removal and Report for Final Disposition can be printed from the Blank Forms menu in SVRIS.

**Certified Letter of Non-Marriage** – Staci Hoffman – 7/5/2023 – **SVRO response:** if a customer asks for a letter of Non-Marriage, there is an application that the customer can complete and ONLY SVRO can issue a certified letter of Non-Marriage. SVRO wouldn't have any expectation that another office would have to/should give out the application. The application is publicly posted on their website (<https://www.dhs.wisconsin.gov/vitalrecords/applications.htm>), so if you wanted to give it out if someone asks, they have no issue with that. If it is easier to just direct the customer to SVRO website, that works fine as well. The application was emailed out to the Association on 7/5/2023 by Mary Denk.

**Foreign Adoption** – Brent Bailey – 7/26/2023 – Brent asked the reasoning behind “report of foreign adoption” including the language that it doesn't prove citizenship. **SVRO response:** Wisconsin State Statute permits our office to establish a certification of birth data if we receive a court order that either provides for or registers an adoption of a person born outside of the United States by Wisconsin residents. Our office does not determine citizenship; however, there was an update to our statute that took effect on April 26, 2016, that required our office to add verbiage regarding citizenship if certain criteria were met. Records established prior to that date may contain the verbiage on the certificate indicating that it does not prove citizenship. We do have forms that persons can use to report citizenship or naturalization to our office which we then use to update the birth record. WI DMV may require the person to provide additional documentation along with this type of birth record to meet their requirements for proof of legal presence.

**Expired Marriage License** – Deb Brandt – 8/3/2023 – Deb asked if SVRIS would give us an error message on an expired marriage license. **SVRO response:** yes, there is an edit in SVRIS that will appear if the ROD tries to accept a license that has expired. If I recall, it may allow a day or two after 60 days because of the different ways the days are calculated, but the ROD should receive an edit. Also just wanted to add one more point of clarification on this. LVROs can still accept a marriage record if the date they are accepting it has been more than 60 days from the date the license was issued, as long as the marriage date was within 60 days of the license issue date, and overall it is within one year of the marriage date. The 60-day calculation compares the license issue date and the marriage date, so the edit will fire on save if an LVRO tries to change the marriage date to a date that is more than 60 days from the license issue date. The edit is below.



Data Entry Exception - Use Ctrl-Z to clear field.

The marriage ceremony was not performed within the time period for which the license authorized the ceremony to be performed. Recheck the marriage date on the Marriage Worksheet. If correct, contact the State Vital Records Office.

An Error was detected in Field:  
 Field Name: LICENSE\_COMPLETE\_DATE  
 Label: Date License Issued  
 Tab Name: Signatures  
 Paragraph: License Completion  
 Query location:

Bypass Variable Values

Queried and Verified - 1

Queried - Not Verified - 2

Review Needed - 3

Query Needed - 4

Missing Variable Values

Re-key the field:

Query Location:

**Voided Death Record** – Margo Katterhagen – 8/18/2023 – Margo asked if SVRO could void a registered death record. **SVRO response:** Yes, SVRO can void a registered death record in certain circumstances. It is not a common practice, but it does happen. Typically occurs if the record was originally certified by a physician, but a C/ME office is now taking over and will provide the certification or the county of death has changed. There are circumstances where an unregistered record may be voided as well. For unregistered records, the most common reason is the funeral home accidentally creates two records. We typically void and create new records for about 75-100 registered death records each year; out of about 55,000-60,000 deaths, it is a tiny percentage. If a death record is voided, an automated email from SVRIS will go out to the funeral director who signed the record and the LVRO staff who accepted the record. I have copied what the contents of that email includes.

From: [DHSVRDoNotReply@wisconsin.gov](mailto:DHSVRDoNotReply@wisconsin.gov)

Subject: Voided Death Record

\*\*\*AUTOMATED SVRIS EMAIL. PLEASE DO NOT REPLY\*\*\*

Decedent: *[First, Middle, Last, Suffix]*

Date of Death: *[Date Pronounced Dead]*

This death record has been voided. Retrieve any certified copies if already issued.

Questions? Contact the State Vital Records Office at 608 266-1373, option 9.

If there is a particular record that a county has a question on, they can feel free to call our registration staff at 608-266-1373, Option 9.

**Delayed Marriage Record** – Sarah Van Camp – 10/6/2023 – Sarah had a customer call stating that she has been married for 30 years and never filed her marriage license. SVRO told the customer to petition the court in the county which she was married in for a delayed filing. Sarah’s question is once the customer does that, what happens with the court order. **SVRO response:** Once the customer has petitioned the court, they would submit that completed order and paperwork directly to our office for filing. There are fees associated with filing a delayed record as well but all of that should be documented on the forms that the customer would have been provided by our office. Once the delayed

record is filed (assuming everything goes through with the courts), I believe the certificate itself can be issued by any county.

**Subpoena for Certified Birth Certificate Record** – Jim Krebs – 1/3/2024 – Jim had a request from the FBI in regards to obtaining a certified copy of a birth record for a child they were investigating. The U.S. Attorney's Office was creating a trial subpoena for the request. Jim's question: I am unable find any statute that specifically addresses this, but if a request includes a federal subpoena for the record, would it be exempt from fee? Under Federal Rules of Civil Procedure, Rule 45, it seems it would be exempt unless objected to. **SVRO response:** I am uncertain of any statutory reference as well, but we do not charge the fee to issue records when we receive a subpoena.

**Paternity Acknowledgment Form** – Amy Dillenburg – 1/4/2024 – Amy had a customer ask: I am inquiring about a paternity acknowledgement form. I had a name change for my daughter and her birth certificate was updated taking off my ex-husbands' name, and changing my daughter's last name to her biological fathers. My current husband is the biological father of the child. I did not realize at the time that her biological father was not added to the updated record. There were DNA tests taken and paternity has been established by the court during my divorce back in 2009, and I have a document from the court with a green stamp. I have been doing some research and it said we would need to fill out a paternity acknowledgement form, but they are not available online. My husband is active duty and we live in Tennessee, so we cannot go to a local office to pick up a form. We do have family in Shawano county that could help. If you could advise me on what the best course of action is to add her father to the birth certificate, while being out of state, I would greatly appreciate it. **SVRO response:** Yes, they can use the **Acknowledgment of Marital Child** to add the father in this situation. We do not need copies of court documents, but they would submit a certified copy of their marriage certificate. We would email a PDF version of the form to LVRO. We do also mail or email the form to customers. It is ok for LVROs to provide the form; however, they would need to understand that the form is for biological parents who marry after their child's birth. Also, if there is another person listed on the record, a court order would be needed to remove that person in addition to the AMC form. If LVRO is not certain about a particular situation, it would be fine to continue to direct those persons to contact our office.

**Bank Request for Name Change proof after marriage** – Kristi Tuesburg – 1/10/2024 – Kristi has had customers come in requesting a certified copy of their marriage certificate for proof of a name change, after marriage, to supply to their lenders. In Wisconsin, the married name will never show up on the Marriage Certificate. There is a letter called "Marriage Name Change Letter" on the SVRIS help page that you can provide to the customers, along with the certified copy of their marriage certificate that will hopefully help with those questions/issues.

**Death Certificate needed for dual citizenship** – Deb Brandt – 2/14/2024 – Deb had a mail request for an extended fact of death certificate where the customer marked option "D" and stated the request was needed for dual citizenship at the Los Angeles Consulate General of Italy to prove lineage as an American citizen with Italian ancestry-great grandfather". She was wondering if cause of death should or should not be shown. **SVRO response:** a direct descendant is eligible for cause of death information so they do not need to redact that information if the customer has requested an extended fact of death copy.

**Vitals Rules on when records are available to the public** – Beth Pabst – 2/8/2024 – Beth had asked for clarification on when certain birth and marriage records and indexes were available for public viewing. She has scanned her vital records in and was wondering if there are certain parts of the records that should be redacted.

**SVRO response:**

**Vital Records Viewing**

Persons can view the parts of any marriage record that is not collected for medical or statistical use only.

Birth is slightly different since marital status of the mother needs to be considered.

If it is a marital record, persons can view the parts of birth records that are not collected for medical and statistical use only.

If it is a non-marital record, the person needs to have a direct and tangible interest to view the parts of the birth record that are not collected for medical and statistical use only.

Formats of the records have changed over time. I do not have an exhaustive list of what items cannot be disclosed. Here is my attempt at clarification of what that means:

Some of the older marriage record formats do show previous marriage information; however, there is no indication that that is confidential information on those older formats.

Starting with the 1968 format for marriage, Social Security Number (SSN) started to be included as well as a section labelled confidential information. Those would be items that should not be disclosed. (SSN continued to be included in the top portion of the record until the 1978 format.)

Births have a similar situation. Starting in 1939, there was a format change that contains section that would not be included in certified copies. Again, those are items that should not be disclosed.

Persons may note that the timing of the format change and when those formats are used are not consistent. For example, if you look through a 1939 birth book, you may find records that were recorded on various formats. It is my understanding that it would have depended on what form the birth filer had available at the time of filing.

**Vital Records Indexes**

The public use indexes of records of birth, death, marriage, divorce/annulment, domestic partnership, and termination of domestic partnership that are filed in the system of vital statistics are accessible only by inspection at the state or local vital records office and may not be copied or reproduced except as follows:

- Birth record index information may be copied or reproduced for the public only after 100 years have elapsed from the year in which the birth occurred. No information in the index that has been impounded may be released. Even if 100 years have passed, this part of statute prohibits disclosure of information from impounded records:

**69.20(2)(b)(b)** Except as provided under sub. (3), the state registrar and local registrars may not permit inspection of or disclose information contained in any record of a birth which occurred after September

30, 1907 if the mother of the subject of the record was not married at any time from the conception to the birth of the subject of the record, unless the inspection is by or the information is disclosed to a person who has a direct and tangible interest in such record.

- Indexes of records of death, marriage, divorce, domestic partnership and termination of domestic partnership, or annulments may be copied or reproduced for the public after 24 months have elapsed from the year in which the event occurred.
- Vital record indexes prior to October 1, 1907, are not restricted and may be copied and released.
- Beginning January 1, 2003, any information that is obtained from an index and that is released shall contain the following statement: "This information is not a legal vital record index. Inclusion of any information does not constitute legal verification of the fact of the event."

**Marriage License Docket provided to outside sources** – 2/16/2024 – Discussion within District 5 of whose County Clerk still provides the marriage license docket to outside sources (local newspapers) and if there is a statute that provides clarification on this. **SVRO response:** We have previously suggested that this policy be determined by each county. However, we can provide some statutes to consider should county clerks wish to obtain their own interpretation of statute with their legal counsel.

According to Wis. Stat. § [765.20\(1\)](#), the marriage license docket shall be **open for public inspection at all times during office hours**. This implies "in-person" viewing. Although statute does include a penalty specifying that the county clerk cannot prohibit an individual from making a copy or abstract of the entries in the marriage license docket, it is unclear whether the intent of the law would expand to active sharing of the docket to the media or other sources. Furthermore, the restriction on copying and reproducing marriage indexes (Wis. Stat. § [69.20\(3\)\(e\)2.](#)), which contain much of the same data as the docket, gives us pause when considering the intent of the law.

Because of these nuances, we would suggest erring on the side of caution, especially when considering active sharing of the docket externally.

We do have an upcoming meeting with the county clerk vitals committee and will plan to put this topic on our agenda for further discussion with that committee; if any specific recommendations come out of that discussion, we can certainly share those as well.

**Death Certificates in Spanish** – Kathy Kostock - 3/26/2024 – Kathy had asked if there was an option to get Death Certificates printed in Spanish. **SVRO response:** There is not a way to print a death certificate in Spanish. We sometimes get asked if we translate documents and are not able to offer specific recommendations for translations. With that said, I do usually let persons know that that they can find information online regarding finding translation services. They may want to check with the agency where they are submitting the document to find out if they have additional requirements.

**SVRIS Marriage Amendments** – Mary Denk – 4/30/2024 – Mary asked how the amendment process to Marriage Licenses happen. **SVRO response:** For marriage events that occurred less than one year ago, County Clerks can request corrections in SVRIS to the fields related to the application/license. Officiants can request corrections to the fields related to the marriage certificate worksheet (bottom part of the license). Upon receipt of a request (either in a SVRIS work queue from a county clerk or on paper from an officiant), **SVRO reviews the request, and if acceptable, applies the corrections to the SVRIS record.**

If a county clerk has a couple in their office, they will generally call us, so that we can process the request immediately. Otherwise, requests are generally processed several times per day.

Although the handbook does not go into detail, there is some information there pertaining to marriage record amendments. Essentially, **corrections must be requested by the officiant or the county clerk who issued the marriage license** (depending on the item that needs correcting), and these requests are sent to SVRO for processing.