

BUTLER COUNTY PROBATE COURT

Procedure For: BIRTH REGISTRATRION OR CORRECTION

Form Number: Registration HEA 2782; Correction HEA 2783

Date Last Reviewed: 9/6/2017

Filing Requirements

- An application for “Registration of Birth”, form HEA 2782, must be filed by the person seeking a registration of birth.
- An application for “Correction of Birth”, form HEA 2783, must be filed by the person seeking to correct a birth record.
- The court may set the matter for hearing 7 or more days after the filing of the application.
- The court may require publication of notice of the hearing to be done once. The publication must occur at least 7 days prior to the hearing.
- We dispense with the publication and hearing.
- Application is filed in the Probate Court of the county where: 1.) applicant was born; 2.) applicant currently resides; or 3.) mother resided at time of applicant’s birth.
- For a minor, application must be signed by parent or legal guardian.

Clerk / Judicial Officer Responsibilities

- The applicant must present clear and convincing documentary evidence.
 - The court may conduct an investigation.
 - “Any interested person” may cross-examine the applicant and all witnesses. If there is a hearing at least 2 witnesses must testify.
 - An attorney from the Prosecutor’s Office may cross-examine the applicant and all witnesses.
 - The court may authorize the taking of a deposition of the applicant or any witness if the person is unable to appear in court.
- The registration of the birth of the applicant may be ordered if:
 - 1.) Notice by publication is completed or dispensed with (we dispense with the publication);
 - 2.) The claim of the applicant is true.

For an application for registration of birth record, applicant must supply a letter, stating there is no record of the birth,

from Ohio Department of Health, Vital Statistics, and Butler County Health Department, or City of Middletown or Hamilton Health Departments.

For both a correction and a registration, 4 documents are filed (This is a local requirement which is not in the statute). See the web site instructions for acceptable documents.

3.) The physician in attendance at the birth of the applicant has filed an affidavit (form HEA 2782, p. 2);

4.) If an affidavit from the physician is not available, then at least 2 persons have filed affidavits supporting the facts stated in the application (form HEA 2872, p. 2). Although not in the statute, we require the affiants to be at least 7 years older than the applicant.

Actions After Court Order

- Order granting application to record registration of birth is sent to the Director of Health, Columbus, OH by the court.
- A certified copy of a birth record registered by court order has the same legal effect, for all purposes, as the original birth record.