

Overview

Amendments to Marriage Certificate based on a change in gender

Legislative Proposal #13-22, 'Marriage Certificate Amendments' defines the process for marriage certificate amendments to accommodate changes to name and gender identification. Amended Domestic Relations Law, § 20-C, now requires that a revised marriage certificate be issued to reflect a properly documented change in name or gender designation.

Proper documentation is required to revise a marriage certificate to reflect a change in name or gender designation. Documentation shall consist of:

- (a) a judgment, order or decree affirming a change of name or gender designation of either party to a marriage;
or
- (b) an amended birth certificate demonstrating a change of name or gender designation;
and
- (c) in the case of a change of gender designation, a notarized affidavit from the individual attesting to their change of gender designation.

DOH-1827 - Affidavit for Corrections of Marriage may be used for this purpose.

The above noted documentation must be submitted to the New York State town or city clerk where you purchased (i.e., applied for) your original marriage license. When completed, the town or city clerk will issue you a new Certificate of Marriage Registration. Once the gender is changed on the Certificate of Marriage Registration, the Local Registrar will file this, along with all supporting documentation with the NYS Bureau of Vital Records.

To make any other correction to your marriage certificate (e.g., spelling of a name, incorrect date of birth, etc.), please complete the affidavit and supply supporting documents required to ensure that the correction is done in an accurate and timely manner. These corrections can be submitted to the NYS Bureau of Vital Records for processing.

Who can apply for a correction/amendment?

The following individuals can request a certificate of correction/amendment:

- The bride/groom/spouse on record
- Anyone with a NY State Court order

What is the process to request a correction/amendment?

For all corrections/amendments, be aware that:

- Original supporting documents on official letterhead or with an original seal, depending on the type of correction, must be submitted with the request. (See table on next page for specific certificate corrections/amendments.)
- Original documents will be returned to you after the correction is reviewed and approved or declined.

You must send original documentation, on letterhead or certified copies, with your affidavit, which must be signed by both parties, unless divorced or death has occurred. Certified copies are documents issued by a government office that have a raised seal, like a birth certificate. Usually a fee is required to obtain a certified copy from an office or agency.

Notarized copies or altered documents are NOT accepted.

(See the table on next page for specific instructions.)

NOTE: If your documents are in a language other than English, you also must obtain an official English translation of documents needed. Embassies and foreign consulates often will translate official documents for you. We also accept translations from established translation services.

If you can't provide the required supporting documents, you will need a NYS Court Order.

Common Corrections/Amendments

Look below to see which description fits your situation. The Affidavit for Correction of Marriage (DOH-1827) must be completed and sent with the supporting documentation.

To make this correction:	Fill out the correction application, Affidavit for Correction of Marriage (DOH-1827) and provide:
Correct the birth name, date of birth, age, City & State of birth, sex/gender, parents (of bride or groom) names or country of birth	Certified copy of the birth certificate for the person to whom the amendment relates.
Correct the current name	Government issued Photo ID valid at the time of issuance of the marriage license.
Correct the Surname after marriage	A letter from the office where the marriage certificate was issued clearly stating that the error was committed by their office.
Correct the date or place of marriage	Notarized letter from the Officiant
Correct the residence	Utility bill, tax bill or letter from a government agency dated one month prior to the date of marriage
Correct employment	Employment record or letter from employer issued one month prior to the date of marriage
Correct the numeric sequence of this marriage, previous marriages, how marriage ended & date and place of divorce	<ul style="list-style-type: none"> • Death certificate OR • Divorce decree OR • Certificate of marriage dissolution

How do I apply for a correction/amendment by mail?

To correct/amend the affidavit, license, and certificate of marriage record by mail, please complete and sign the Affidavit for Correction of Marriage form (DOH-1827). If you are unable to download the application, please call (855)-322-1022.

Enclose in your application package:

- Affidavit for Correction of Marriage form (DOH-1827)*;
- Original documents to support the correction*, and
- Payment of all calculated fees (see below)

For all other requests for corrections/amendments, mail your application package to:

New York State Department of Health
Vital Records Correction Unit
 P.O. Box 2602
 Albany, NY 12220-2602

What are the options for payment with certified copy mail orders?

Corrections/amendments are free; however, obtaining a certified copy of the corrected record costs \$10 for the first copy and \$30.00 for each additional copy. A payment is required with the application if you are also requesting a certified copy of the corrected certificate.

- For domestic orders, include a check or money order.
- For international orders, include a bank issued money order.

Checks and bank issued money orders are payable to NYS Department of Health.

Cash and postal money orders are NOT accepted.

If marriage took place within the last two years:

To expedite any changes, both parties should go directly to the Registrar of Vital Statistics where the Affidavit was originally filed to request the change.