

# Policy Statement

Title:	Amending Marriage or Divorce Records	Number: CHS-M6-2023
References:	RCW 70.58A.040, 70.58A.500	
Contact:	State Registrar and Director	
Phone:	360-236-4307	
Email:	Kaite.Hutchinson@doh.wa.gov	
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Supercedes:		
Approved By:	Katie Hutchinson	

Under specific circumstances a marriage or divorce record may need to be amended after being registered by the State Registrar. The State Registrar may amend a marriage or divorce record after receiving a complete Affidavit for Correction form (DOH 422-034).

A marriage or divorce record filed and registered with the Department of Health (department), may be amended only by authorized staff, delegated by the State Registrar. Authorized staff may only make changes to a marriage or divorce record upon receipt of properly completed and signed Affidavit for Correction form and the completion of any other steps or forms required by this policy, department rules, or Chapter 70.58A RCW. The department will permanently retain the Affidavit for Correction as documentation of the change on the record.

A marriage or divorce record may be amended with a complete amendment application and proof documentation. If the amendment application is not complete and filed in accordance with this policy, department rules, or Chapter 70.58A RCW, the State Registrar will deny the amendment application.

## **Complete amendment application**

For each amendment application, the requestor must submit the following:

- A completed and signed Affidavit for Correction form
- Copy of their government issued identification card
- Any required proof documentation

## **Complete Affidavit for Correction form**

A complete Affidavit for Correction form must include:

- The record type to be amended
- Information to identify the record
  - First, middle, last name listed on the record
  - Date of event
  - Place of event
  - Spouse A first, middle, last name
  - Spouse B first, middle, last name

- Information about the person making the request
  - Name
  - Relationship to subject of the record
  - Mailing address
  - Telephone number or email address
- Incorrect information as it appears
- The correct information as it should appear
- Signature of the person making the request

All requested corrections or changes to the record must be identified on the Affidavit for Correction form and listed on separate lines.

An Affidavit for Correction form cannot be used to make stylistic changes to the certification (See Policy CHS B-10).

An Affidavit for Correction form cannot be used to change Social Security Numbers.

Original signatures on marriage or divorce records will not be amended.

Marriage or divorce records registered through a court order can only be amended or corrected with a court order. An Affidavit for Correction form cannot be used.

### **Acceptable Proof Documents**

Acceptable proof documents include:

- Hospital/medical record
- Full Numident Report (Social Security)
- Social Security Abstract
- Birth, marriage, or divorce record
- Copy of passport or enhanced identity document
- Certificate of Naturalization
- Permanent resident card (I-551)
- Health or life insurance policy
- Military record (DD-214)
- Official school transcripts (do not have to be in a sealed envelope to be valid)
- Government agency records for establishment of benefits (such as social services or Medicaid)

Driver's License, Social Security Card, family bible, or hospital decorative birth certificate are not allowable proof documents.

Proof documents must:

- Show the true facts that are being requested to be changed
- Include full name and date of birth
- Match exactly the correction requested on the Affidavit for Correction. Example, if you are requesting a correction from "Mary Doe" to "Mary Ann Doe", the proof must show the name to be Mary Ann Doe. Proof cannot show "Mary A. Doe" or "M. Ann Doe".
- Be from independent sources, when more than one proof document is required

- Have been established over five years ago (it could have been printed more recently) OR have been established within five years of birth, if correcting the child's information and child is under five.

Only documents listed below are exempt from the five-year rule and will be accepted from any period of time:

- Passport
- Permanent resident card (I-551)

The State Registrar may request additional proof documents be provided by the requestor if there is cause to question the validity or adequacy of the documents submitted.

The State Registrar will not accept any documentation that is clearly altered (e.g. scratched out information, information in different fonts, or white out).

### **Who can Request an Amendment**

- Either “Person A” or “Person B” named on the record (marriage or divorce) may correct or change their own personal facts with the Affidavit for Correction form and one (1) proof document.
- Either “Person A” or “Person B” named on the record (marriage or divorce) may correct or change the other person’s personal facts with the Affidavit for Correction form signed by both parties and one (1) proof document.
- For marriages, the Officiant named on the record may change only the date and place of marriage. The officiant must use the Affidavit for Correction form to make this change. No proof documentation is required.
- For divorces, the County Clerk named on the record may change only the date of divorce. The County Clerk must use the Affidavit for Correction form to make this change. No proof documentation is required.
- For divorces, either “Person A” or “Person B” named on the record may change the Date of Decree section with a certified divorce decree.

For the purposes of this policy the following terms are defined as follows:

- 1) Affidavit for Correction form. A standard form (DOH 422-034) prescribed and approved by the State Registrar that identifies the record, the specific information to be changed, the new or amended information, and the identity and signature of the requestor.
- 2) Personal facts include:
  - a. minor spelling errors in name (one or two letters; or doesn’t change the name)
  - b. date or place of birth
  - c. residence
  - d. gender
  - e. parent’s information.