Vital Statistics: Prima Facie Evidence of Information Contained Therein? *

Jurisdiction	Citation
Alabama	Code of Ala. § 22-9A-22
Alaska	Alaska Stat. § 18.50.320(2)
Arizona	Ariz. Rev. Stat. § 36-345
Arkansas	Ark. Code Ann. § 20-18-305(5)
California	Cal. Health & Safety Code § 103550
Colorado	Colo. Rev. Stat. § 25-2-117(1)
Connecticut	Did not find relevant legislation.
Delaware	16 Del. Code Ann. tit. 16, § 3130
Florida	Fl. Stat. § 382.004(3)
Georgia	Ga. Code Ann. § 19-7-46.1
Guam	10 Guam Code Ann. § 3226(b)
Hawaii	Haw. Rev. Stat. § 338-12
Idaho	Idaho Code § 39-274
Illinois	410 Ill. Comp. Stat. § 535/25(6)
Indiana	Ind. Code Ann. § 16-37-2-8
Iowa	Iowa Code § 144.45
Kansas	Kan. Stat. Ann. § 65-2416
Kentucky	Ky. Rev. Stat. Ann. § 213.136(2)
Louisiana	La. Rev. Stat. Ann. § 40:42(A)
Maine	Me. Rev. Stat. Ann. tit. 22, § 2707
Maryland	Md. Code Ann., Health-Gen. § 4-223(b)
Massachusetts	Mass. Gen. Laws Ann. ch. 46, § 19
Michigan	Mich. Comp. Laws § 333.2886
Minnesota	N/A
Mississippi	Miss. Code Ann. § 41-57-9
Missouri	Mo. Rev. Stat. § 193.255
Montana	Mont. Code Ann. § 50-15-121

*Published on March 10, 2023.

This information is current as of the date of publication. This information is intended as a brief overview of statutory guidance on whether a certified copy of a birth certificate may be deemed to be prima facie evidence of parentage. For additional, more specific information, please review the respective statutes that are cited in the related chart.

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Nebraska	N/A
Nevada	Nev. Rev. Stat. Ann. § 440.610
New Hampshire	N.H. Rev. Stat. Ann. 5-C:13
New Jersey	N/A
New Mexico	N.M. Stat. Ann. § 24-14-28(B)
New York	N.Y. Pub. Health Law § 4103
North Carolina	N.C. Gen. Stat. § 130A-93(h)
North Dakota	N.D. Cent. Code § 23-02.1-28(2)
Ohio	Ohio Rev. Code Ann. § 3705.125
Oklahoma	Okla. Stat. tit. 63, § 1-324
Oregon	Or. Rev. Stat. § 432.380(1)(a)
Pennsylvania	35 Pa. S. § 450.810
Puerto Rico	24 P.R. Laws Ann. §1237
Rhode Island	R.I. Gen. Laws § 23-3-24
South Carolina	N/A
South Dakota	N/A
Tennessee	Tenn. Code Ann. §§ 68-3-202(c), § 68-3-206(2)
Texas	Tex. Health & Safety Code Ann. § 191.052
Utah	Utah Code Ann. § 26-2-26(2)
Vermont	Vt. Stat. Ann. tit. 18, § 5016
Virgin Islands	19 V.I. Code Ann. § 806
Virginia	Va. Code Ann. § 32.1-272(B)
Washington	Wash. Rev. Code § 70.58.104
West Virginia	W. Va. Code § 16-5-28(d)
Wisconsin	Wis. Stat. § 69.21(1)(c)
Wyoming	Wyo. Stat. Ann. § 35-1-427(1)

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Vital Statistics: Prima Facie Evidence of Information Contained Therein?[1]

- **Alabama** – Code of Ala. § 22-9A.22 – A certified copy of a certificate of a vital record is prima facie evidence of the facts contained therein if filed within one year and not amended.

- **Alaska** – Alaska Stat. § 18.50.320(2) – A certified copy of a certificate issued pursuant to the Vital Statistics Act is prima facie evidence of the facts contained therein if filed within one year and not amended.

- **Arizona** – Ariz. Rev. Stat. § 36-345 – A certificate registered pursuant to vital statistics/public health statistics is prima facie evidence of the facts contained therein.

- **Arkansas** – Ark. Code Ann. § 20-18-305(5) – A certified copy of a vital record is prima facie evidence of the facts contained therein if filed within one year from the date of the event and not amended.

- **California** – Cal. Health & Safety Code § 103550 – A certified copy of any birth, fetal death, death, or marriage record is prima facie evidence of the facts contained therein if the record is registered within one year of the event.

- **Colorado** – Colo. Rev. Stat. § 25-2-117(1) – A certified copy of the record of a birth or death is prima facie evidence of the facts contained therein.

- **Connecticut** –No legislation found on point.

- **Delaware** – Del. Code Ann. tit. 16, § 3130 – A certificate filed within six months after the time prescribed shall be prima facie evidence of paternity only if the alleged father is the spouse of the mother. If the father is not the spouse of the mother and paternity is not acknowledged, the certificate is not prima face evidence of paternity in any proceeding adverse to the interests of the alleged father.

- **Florida** – Fl. Stat. § 382.004(3) – A certified copy of the record of a vital statistic is prima facie evidence of the facts contained therein.

- **Georgia** – Ga. Code Ann. § 19-7-46.1(a) – A birth certificate or certified copy of a birth certificate where an alleged father's name or social security number was entered with his written consent from the vital records department of another state or the registration of the father, with his written consent, in the putative father registry in Georgia is prima facie evidence of the establishment of paternity.

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- **Guam** – 10 Guam Code Ann. § 3226(b) – A certified copy of a certificate of a vital statistic is prima facie evidence of the facts contained therein if filed within one year and not amended.

- **Hawaii** – Haw. Rev. Stat. § 338-12 – A birth certificate is prima facie evidence of facts therein if filed within 30 days of the event. However, data pertaining to the father of a child is prima facie evidence if the alleged father is the spouse of the mother or the acknowledged parent of the child.

- **Idaho** – Idaho Code § 39-274 – A certified copy of the record of a vital statistic is prima facie evidence of the facts contained therein.

- **Illinois** – 410 Ill. Comp. Stat. § 535/25(6) – A certified copy of a certificate of a vital record is prima facie evidence of the facts contained therein if filed within one year and not amended.

- **Indiana** – Ind. Code Ann. § 16-37-2-8 – The probative value of a delayed birth certificate shall be determined by the judicial or administrative body before whom the certificate is offered as evidence. A certificate is considered delayed if filed more than five days after the birth occurs. (Burns Ind. Code Ann. §16-37-2-3)

- **Iowa** – Iowa Code § 144.45.2 – A certified copy of a certificate of a vital statistic is prima facie evidence of the facts contained therein if filed within one year and not amended.

- **Kansas** – Kan. Stat. Ann. § 65-2416 – A certificate filed within six months after the time prescribed shall be prima facie evidence of paternity only if the alleged father is the spouse of the mother or if the father has consented in writing that the father's name be entered as the father on the certificate as provided in Kan. Stat. Ann. § 65-2409. If the father is not the husband of the mother and paternity is not acknowledged, the certificate is not prima face evidence of paternity in any proceeding adverse to the interests of the alleged father or his successors in interest, if the paternity is controverted.

- **Kentucky** – Ky. Rev. Stat. Ann. § 213.136(2) – A certified copy is prima facie evidence of the facts contained therein.
  - If amended, the judicial body determines the evidentiary value.

- **Louisiana** – La. Rev. Stat. Ann. § 40:42(A) – Except for delayed or altered certificates, the certified copy is prima facie evidence of the facts contained therein.
  - The names of parents on the birth certificate is not prima facie evidence of a marriage.

- **Maine** – Me. Rev. Stat. Ann. tit. 22, § 2707 – A certified copy is prima facie evidence of the facts contained therein.
  - If amended, the judicial body determines the evidentiary value.

- **Maryland** – Md. Code Ann., Health-Gen. § 4-223(b) – If the certified copy is filed within one year of the event or amendment, it is prima facie evidence of the facts contained therein.
  - If the certificate is filed more than one year after the event or amendment, then the court determines the evidentiary value (think cause of death and hearsay).

- **Massachusetts** – Mass. Gen. Laws Ann. ch. 46, § 19 – A certified copy is prima facie evidence of the facts contained therein.

- **Michigan** – Mich. Comp. Laws § 333.2886 – A certified copy is prima facie evidence of the facts contained therein.

- **Minnesota** – Unable to find evidentiary value of certified copies of vital records

- **Mississippi** – Miss. Code Ann. § 41-57-9 – A certified copy is prima facie evidence of the facts contained therein.

- **Missouri** – Mo. Rev. Stat. § 193.255 – If the certified copy is filed within one year of the event, it is prima facie evidence of the facts contained therein.
  - If the certificate is filed more than one year after the event, then the court determines the evidentiary value.

- **Montana** – Mont. Code Ann. § 50-15-121 – The admissibility of the birth record if the record is filed more than a year after the event must be determined by the judicial or administrative body it is before. The statute does not discuss the evidentiary value, however.

- **Nebraska** – Unable to find evidentiary value of certified copies of vital records

- **Nevada** – Nev. Rev. Stat. Ann. § 440.610 – The data pertaining to the parent who did not give birth to a child is not such evidence in any civil or criminal proceeding adverse to the interests of the alleged father, or of his heirs, devisees, or other successors in interest, if the paternity is controverted.

- **New Hampshire** – N.H. Rev. Stat. Ann. 5-C:13 – A certified copy is prima facie evidence of the facts contained therein.

- **New Jersey** – Unable to find evidentiary value of certified copies of vital records

- **New Mexico** – N.M. Stat. Ann. § 24-14-28(B) – If the certified copy is filed within one year of the event, it is prima facie evidence of the facts contained therein.
  - If the certificate is filed more than one year after the event, then the court determines the evidentiary value.

- **New York** – N.Y. Pub. Health Law § 4103 – A certified copy is prima facie evidence of the facts contained therein.

- **North Carolina** – N.C. Gen. Stat. § 130A-93(h) – A certified copy is prima facie evidence of the facts contained therein.

- **North Dakota** – N.D. Cent. Code § 23-02.1-28(2) – If the certified copy is filed within one year of the event, it is prima facie evidence of the facts contained therein.
  - If the certificate is filed more than one year after the event, then the court determines the evidentiary value

- **Ohio** – Ohio Rev. Code Ann. § 3705.125 – A certified copy is prima facie evidence of the facts contained therein.

- **Oklahoma** – Okla. Stat. tit. 63, § 1-324 – If the certified copy is filed within one year of the event, it is prima facie evidence of the facts contained therein.
  - If the certificate is filed more than one year after the event, then the court determines the evidentiary value.

- **Oregon** – Or. Rev. Stat. § 432.380(1)(a) – If the certified copy is filed within one year of the event, it is prima facie evidence of the facts contained therein.
  - If the certificate is filed more than one year after the event, then the court determines the evidentiary value.

- **Pennsylvania** – 35 Pa. S. § 450.810 – The statute specifically carves out that where paternity is controverted, the name on the birth certificate is not prima facie evidence of paternity.

- **Puerto Rico** – 24 P.R. Laws Ann. §1237 – A certified copy is prima facie evidence of the facts contained therein.

- **Rhode Island** – R.I. Gen. Laws § 23-3-24 – If the certified copy is filed within one year of the event, it is prima facie evidence of the facts contained therein.
  - If the certificate is filed more than one year after the event, then the court determines the evidentiary value.

- **South Carolina** – Unable to find evidentiary value of certified copies of vital records

- **South Dakota** – Unable to find evidentiary value of certified copies of vital records

- **Tennessee** – Tenn. Code Ann. §§ 68-3-202(c) – If the certified copy is filed within 6 months of the event, it is prima facie evidence of the facts contained therein.

- **Texas** – Tex. Health & Safety Code Ann. § 191.052 – A certified copy is prima facie evidence of the facts contained therein.

- **Utah** – Utah Code Ann. § 26-2-26(2) – Certified copies of the vital record, or authorized reproductions of the original, issued by either the state registrar or a designated local registrar are prima facie evidence in all courts of the state with like effect as the vital record.

- **Vermont** – Vt. Stat. Ann. tit. 18, § 5016 – A certified copy is prima facie evidence of the facts contained therein.

- **Virgin Islands** – 19 V.I. Code Ann. § 806 – A certified copy is prima facie evidence of the facts contained therein.

- **Virginia** – Va. Code Ann. § 32.1-272(B) – If the certified copy is filed within one year of the event, it is prima facie evidence of the facts contained therein.
  - If the certificate is filed more than one year after the event, then the court determines the evidentiary value.

- **Washington** – Wash. Rev. Code § 70.58A.530 – A certified copy is prima facie evidence of the facts contained therein.

- **West Virginia** – W. Va. Code § 16-5-28(d) – If the certified copy is filed within one year of the event, it is prima facie evidence of the facts contained therein.
  - If the certificate is filed more than one year after the event, then the court determines the evidentiary value.

- **Wisconsin** – Wis. Stat. § 69.21(1)(c) – If the certified copy is filed within one year of the event, it is prima facie evidence of the facts contained therein.
  - If the certificate is filed more than one year after the event, then the court determines the evidentiary value.

- **Wyoming** – Wyo. Stat. Ann. § 35-1-427(1) – If the certified copy is filed within 6 months of the event, it is prima facie evidence of the facts contained therein.
  - If the certificate is filed more than 6 months after the event, then the court determines the evidentiary value.