

Birth Certificates Research Guide

Overview

This research guide includes information and resources on birth certificates. A birth certificate is “a formal document that records a person’s birthdate, birthplace, and parentage.” (*Black’s Law Dictionary, 11th ed.*) Birth records in Tarrant County are filed with the Vital Statistics office of the County Clerk and sent to Vital Statistics in Austin, Texas. The resources listed below are not exhaustive and may not include the most up-to-date information. It is for information purposes only and should not be construed as legal advice or act as the substitute for legal counsel.

Related guides: Accessing Adoption Records, Child Custody, Paternity, Same-Sex Adoption/Gestational Agreements

Statutes and Codes

Texas Statutes Online www.statutes.capitol.texas.gov

Texas Family Code

- §108.009 Birth Certificate
<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.108.htm#108.009>
- Ch. 160 Uniform Parentage Act
<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.160.htm>

Texas Health and Safety Code

- Ch. 192 Birth Records
<https://statutes.capitol.texas.gov/Docs/HS/htm/HS.192.htm>

Secondary Resources in Print

O’Connor’s Texas Family Code REF KFT 1294 .03B4

- Fam. Code § 108.009 Birth Certificate

- Fam. Code § 160.760 Parentage Under Validated Gestational Agreement

Texas Family Law Practice and Procedure REF KFT 1294 .F35

- Vol. 4, Ch. R6.03 Obtaining Amended Birth Certificate (Adjudicating Parentage)
- Vol. 4, Ch. T5.02 Obtaining New Birth Certificate (Adoption)

Vernon’s Texas Codes Annotated KFT 1230.5

- Health and Safety, Vol. 2, Ch. 192 Birth Records

Texas Jur KFT 1265 .T48

- Vol. 43, §20 Birth Certificates
- Vol. 43, §21 Birth Certificates – Stillbirth; fetal death
- Vol. 43, §22 Birth Certificates – Adoption

American Jur Pleading and Practice Forms KF 8836 .A45

- Health, Vol. 13A, §35-37, §40-47 (form templates)
 - §35 Petition or application – to establish record of birth
 - §36 -- Requesting hearing on petition
 - §37 – To establish record of birth or death
 - §40 Affidavit – In support of petition or application to establish fact of birth
 - §41 – By person having personal knowledge of birth
 - §42 Notice – Time of hearing on application for order establishing fact of birth
 - §43 Order – Fixing time for hearing on application for order establishing birth
 - §44 – Establishing fact of birth
 - §45 -- With provision for issuance of registration

- §46 – Directing county official to record birth
- §47 Notice – Appeal from failure or refusal of county office to register fact of birth

CLE Materials

Advanced Family Law KFT 1294 .S83

- 2021 Ch. 10 The More Things Change, The More They Stay the Same: SAPCR Case Law Update
- 2020 Ch. 18 Only Daddy That'll Walk the Line: Standing - Who Gets a Seat at the Table
- 2019 Ch. 25 Mom, Mommy and Daddy and Daddy, Dad and Mommy: Assisted Reproductive Technologies and the Evolving Legal Recognition of Tri-Parenting
- 2019 Ch. 27.2. UCCJEA, UIFSA, and UPA Made Easy: EPA
- 2019 Ch. 33 Ties that Bind: Gestational Agreements and Art

Online Resources

Texas Vital Records <https://www.texas.gov/texas-vital-records/>

Birth Records (DHHS) <https://www.dshs.texas.gov/vital-statistics/birth-records>

Requirements for Changing a Vital Record (DHHS) <https://www.dshs.texas.gov/vital-statistics/requirements-requesting-changing-vital-records/requirements-changing-vital-records>

Texas Vital Records (CDC) <https://www.cdc.gov/nchs/w2w/texas.htm>

How to Add a Father to the Birth Certificate (Texas OAG) <https://www.texasattorneygeneral.gov/child-support/paternity/how-add-father-birth-certificate>

Tarrant County Vital Records Website <https://www.tarrantcountytexas.gov/en/county-clerk/vital-records/birth-death-records.html>

Tarrant County Vital Records FAQs <https://www.tarrantcountytexas.gov/en/county-clerk/vital-records/vital-records-faqs--frequently-asked-questions-.html>

Legal Assistance

Legal Lines – Ask Attorneys simple legal questions (free service)

- Tarrant County LegalLine Sign-up <https://www.tarrantbar.org/>
- Dallas County LegalLine Sign-up <https://www.dallasbar.org/index.cfm?pg=legalline>

Tarrant County Bar Association Lawyer Referral Service: 817-336-4101 (\$20 for the first 30 minutes)