

VITAL RECORDS

Birth certificates, death certificates and the indexes related to birth and death certificates are NOT subject to the provisions of the Freedom of Information Law and are NOT open to public inspection. The vital records maintained by the Village of Lancaster are highly confidential information about the persons to whom they relate. We are required to maintain the highest level of vital record security to protect the privacy of those individuals. When issuing confidential information this office follows the guidelines listed below as established by the New York State Department of Health, Vital Records Section.

It is our intention to protect those individuals recorded by our office as we respect their right of confidentiality just as you would expect from the vital records department whom is caretaker of your personal records. We do not release records unless the following guidelines have been met and we reserve the right to verify all information provided to us.

To obtain a birth or death record the following guidelines are provided.

BIRTH CERTIFICATES

A certified copy or a certified transcript of a birth certificate may be issued only:

1. To a person with a New York State Court Order;
2. To the person named on the birth certificate, if 18 years of age or older;
3. To the parents of the person named on the birth certificate;
4. To the lawful representative of the person named or the parents of the person named on the birth certificate;
5. To the Commissioner of Health; or
6. To a municipal, state or federal agency when needed for official purposes.

Legal Guardians: If a birth certificate is requested by the legal guardian of the person to whom the birth certificate relates, a certified transcript or certification may be issued only if the requester produces court certified legal guardian papers.

Non-Legal Guardians and Relatives: If the request is made by a non-legal guardian or relative, the copy may not be issued directly to that person. A copy may be sent to the agency in need of the record. For example, a grandparent without legal custody may need a certified transcript for school enrollment of a grandchild in his or her care. Since the grandparent, in this case, does not have legal custody, it is permissible to send the record directly to the school district. Another situation is an adult child requesting a birth certificate for an elderly parent for the purpose of entering a nursing home or to establish Medicare or other eligibility. The copy may be sent directly to the agency in need of the birth certificate. With the signed notarized consent of the parent authorizing the adult child to procure the birth certificate copy, the copy may be issued to the adult child.

Power of Attorney (POA): The POA must be an original and signed by the person named on the birth certificate. The language stated in the POA must be sufficient to allow the person given the POA to obtain the birth certificate.

Sealed Birth Records: Can only be issued by an Order of a New York State Court.

Mailed Requests: A request from a qualified applicant may be accepted in writing on a signed application DOH296A. Applicant must provide the correct name, date of birth, place of birth, father's first and last names and mother's first and maiden names of the person named on the birth certificate and the applicant must provide his/her current name and address along with their relationship to the person named on the birth certificate. A copy of photo identification along with a notarized application is required.

Photo Identification: Copy of photo identification of the person named on the birth certificate or the applicant is required and will be copied if applied in-person.

DEATH CERTIFICATE

The applicant must provide the exact decedent's name and date of death. Additional information may be requested by the local registrar. The application form DOH 294A must be signed. Local registrars may request the application to be notarized. If the request is made by someone other than the spouse, parent or child of the deceased, the applicant must be accompanied by supporting documents establishing a legal right or claim to obtain a certified copy or transcript, or a judicial or other proper purpose to obtain a certification. If child of the deceased, proof of relation is requested. (ie. Birth record indicating parent(s) name(s))

A certified copy or a certified transcript of death may be issued:

1. To a person with a New York State Court Order issued on a showing of necessity;
2. To the spouse, parent or child of the deceased.
3. To the lawful representative of the spouse, parent or child of the deceased;

4. To a person requiring the record for a documented legal right or claim;
5. To a person requiring the record for a documented medical need; or
6. To a municipal, state or federal agency when needed for official purposes.

Legal Right or Claim: A legal right or claim is established on the basis of documentation demonstrating that the requestor has a legal need requiring a copy of the death certificate. Such as:

1. Letter from the bank to the surviving joint account owner requesting proof of the death of deceased account owner.
2. Letters Testamentary from a person claiming to be the executor or executrix of the estate.
3. Insurance policy showing that the requestor is a beneficiary.

Confidential Medical Section: A certified copy or certified transcript will not include the confidential medical section except upon specific request:

1. By a person with a New York State Court Order issued on a showing of necessity for the confidential medical information;
2. By the spouse, parent or child of the deceased;
3. By the lawful representative of the spouse, parent or child of the deceased;
4. By a person requiring the confidential medical information for a documented medical need;
5. By a person requiring the confidential medical information to establish a legal right or claim; and
6. By a municipal, state or federal agency specifically requesting the confidential medical information for official purposes.

Attorney Copies: Requests for death certificate copies by lawyers must be submitted in writing on the attorney's letterhead or on an official application form. The request must include the decedent's name and date of death, who the attorney represents, how the person named on the death certificate relates to the legal matter and the reason the copy is required. The later is required so that a determination of judicial or other proper purpose can be made. An attorney must represent someone who is authorized to obtain a death certificate copy. If the request involves an estate, the attorney must state that he/she is the attorney for the estate, represents a potential heir or someone contesting the will, etc. If the exact date of death is unknown, a range may be submitted.

GENEALOGY COPIES

Information may be released for genealogy research subject to the following requirements:

Birth Certificates:

1. No information shall be released from a sealed birth certificate.
2. The birth certificate has been on file for at least 75 years; and
3. The person to whom the birth certificate relates is known by the applicant to be deceased.

Death Certificates:

1. The death certificate has been on file for at least 50 years.

Marriage Certificate:

1. The marriage certificate has been on file for at least 50 years; and
2. The bride and groom are known by the applicant to be deceased.

All copies will be clearly marked **"FOR GENEALOGICAL PURPOSES ONLY"**. This copy is not consider a certified copy and is not acceptable for legal purposes. It is only a source of information for family research. Completion of genealogy application is required

FEES

Certified Birth and Death Certificates - \$10 per copy

Genealogy Copy - \$11. (Fee includes a search of up to 3 years and copying fee.)

Payment must accompany the completed application and is made payable to "Village of Lancaster".

To obtain a vital record application contact the municipality, town or city in which the person was born (for birth certificates), died (for death certificates) or married (for marriage certificates).

Village of Lancaster
Vital Records
5423 Broadway
Lancaster, NY 14086
(716) 683-2105