

Ordering "Authorized Certificates"

Effective July 1, 2003, only "authorized persons" are able to obtain an "Authorized Certified Copy" of a Death Record. Since a Certified Copy of a Death Record will be necessary to terminate Joint Tenancy and Community Property with Right of Survivorship interests of decedents, this may require some changes from current practices. It is recommended that you check with the local County Recorder to verify their requirements. If the "Authorized Certificate" is required, an "authorized person" must obtain it.

An "authorized person" is any of the following:

- 1) The registrant or a parent or legal guardian of the registrant
- 2) A party entitled to receive the record as a result of a court order, or an attorney or a licensed adoption agency seeking the birth record in order to comply with the requirements of Section 3140 or 7603 of the Family Code
- 3) A member of a law enforcement agency or a representative of another governmental agency, as provided by law, who is conducting official business
- 4) A child, grandparent, grandchild, sibling, spouse or domestic partner of the registrant
- 5) An attorney representing the registrant or the registrant's estate, or any person or agency empowered by statute or appointed by a court to act on behalf of the registrant or registrant's estate
- 6) Any funeral director who orders certified copies of a death certificate on behalf of any individual specified in paragraphs 1 to 5, inclusive of subdivision (a) of Section 7100 of the Health and Safety Code

An "authorized person" must complete an approved application, including a sworn statement under penalty of perjury to receive an "Authorized Certified Copy" when requesting it from the County Recorder. A notarized statement sworn under penalty of perjury must accompany requests sent by mail that the requester is an "authorized person".

Please go online to your local County Recorder website for copies of the Application, Forms and other requirements by your specific county to obtain an "Authorized Certified Copy".

In short, Title Company employees will not be able to obtain a Death Certificate from the County Recorder. Please contact your Sales Representative or Title Officer with any questions.

Contact us today for all your title insurance questions!

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