

December 2, 2019

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY LETTER NO. XX-XX

The purpose of this All County Letter (ACL) is to inform county child welfare agencies and juvenile probation departments of Assembly Bill 2967, effective July 1, 2019, which allows youth in foster care to be eligible to receive a fee exempt certified record of live birth if the youth is currently in foster care and the foster care status can be verified.



KIM JOHNSON
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
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GAVIN NEWSOM
GOVERNOR

December 2, 2019

ALL COUNTY LETTER (ACL) NO. 19-103

TO: ALL COUNTY WELFARE DIRECTORS
ALL CHIEF PROBATION OFFICERS
ALL FOSTER CARE MANAGERS
ALL FOSTER FAMILY AGENCIES
ALL TITLE IV-E AGREEMENT TRIBES
ALL TRANSITIONAL HOUSING COORDINATORS
ALL COURT APPOINTED SPECIAL ADVOCATE PROGRAMS
ALL INDEPENDENT LIVING PROGRAM MANAGERS
ALL INDEPENDENT LIVING PROGRAM COORDINATORS
ALL ADOPTION REGIONAL OFFICES

SUBJECT: AFFIDAVIT OF YOUTH IN FOSTER CARE STATUS FOR FEE
EXEMPT CERTIFIED COPY OF BIRTH CERTIFICATE

REFERENCE: ASSEMBLY BILL [\(AB\) 2967](#) (CHAPTER 551, STATUTES OF
2018); HEALTH AND SAFETY CODE (HSC) SECTION [103578](#);
ALL COUNTY LETTER NO. [18-104](#); ALL COUNTY INFORMATION
NOTICE NO. [I-27-16](#)

PURPOSE

The purpose of this ACL is to inform county child welfare agencies and juvenile probation departments of AB 2967, effective July 1, 2019, which allows youth in foster care (including nonminor dependents) to be eligible to receive a fee exempt certified record of live birth if the youth is currently in foster care and their foster care status can be verified. Requests for birth records under this law may only be directed to the county recorder office or local registrar where the birth occurred. Applicants must fulfill the requirements listed on the [Affidavit Of Youth In Foster Care Status For Fee Exempt Certified Copy Of Birth Certificate](#) to receive a free copy of a birth record.

OVERVIEW

Effective July 1, 2019, [Section 103578](#) of the Health and Safety Code requires that each local registrar or county recorder issue a certified record of live birth at no cost to an eligible youth in foster care. However, only one fee exempt birth record may be obtained per application. A fee exempt certified birth record may be obtained from the local registrar or county recorder office in the county where the registrant was born. Note that a fee exempt certified record cannot be obtained from the State Registrar, nor can verification of foster care status be obtained from the California Department of Social Services (CDSS) for this purpose. Existing law states that CDSS can verify a youth's foster care status for other purposes such as financial aid as discussed in [ACL 18-104](#) and [ACIN I-27-16](#). Verification of foster care status for the purposes of obtaining a fee exempt certified record of live birth must be obtained from the county child welfare agency or county probation department which has jurisdiction of the child or youth.

The AB 2967 mandates that the California Department of Public Health (CDPH) develop an [affidavit](#) for the certification of a person's status as a foster youth. In order to receive a fee exempt certified record of live birth, eligible youth in foster care, or a person lawfully entitled to request a certificate on behalf of the youth, must present an affidavit signed by both the person requesting the record and a county child welfare agency or probation department representative. Therefore, a county welfare agency or probation department with relevant knowledge of a youth's foster care status must provide verification of foster care status through completion of the affidavit. County staff or agents are to complete the bottom portion of the affidavit where it states, "to be completed by a child welfare agency." When filling out the affidavit, county agents must provide the name of their agency, the agency's address, a telephone number, and their email address. County agents must also affirm that the youth who is applying for a fee exempt certified record of live birth is in foster care at the time the form is signed by the agent. Former foster youth are not eligible for this fee exemption.

The CDPH has instructed local registrars and county recorder offices that completed affidavits should be taken at face value and processed in the same manner as sworn statements when applicants sign under penalty of perjury.

For more information about the affidavit for free certified copies of birth certificates, please review the [Affidavit Of Youth In Foster Care Status For Fee Exempt Certified Copy Of Birth Certificate](#) which includes instructions, as well as the [Frequently Asked Questions](#) which are posted on the CDPH's AB 2967 webpage.

If you have any questions about this ACL, please contact the Placement Services and Support Unit at fosteryouthwellness@dss.ca.gov, or at 916-657-1858.

Sincerely,

Original Document Signed By

VALERIE EARLEY
Acting Deputy Director
Children and Family Services Division