

MSBA Family Juvenile Section Council _FAV_SB 0102

Uploaded by: Smith, Michelle

Position: FAV

**MARYLAND STATE BAR FAMILY AND JUVENILE LAW SECTION COUNCIL
TESTIMONY IN SUPPORT OF SENATE Bill 0102**

(Vital Records – Birth certificates – Changes of Name of Child)

January 23, 2020


This testimony is submitted on behalf of the Family and Juvenile Law Section Council (“FJLSC”) of the Maryland State Bar Association (“MSBA”). The FJLSC is the formal representative of the Family and Juvenile Law Section of the MSBA, which promotes the objectives of the MSBA by improving the administration of justice in the field of family and juvenile law and, at the same time, tries to bring together the members of the MSBA who are concerned with family and juvenile laws and in reforms and improvements in such laws through legislation or otherwise. The FJLSC is charged with the general supervision and control of the affairs of the Section and authorized to act for the Section in any way in which the Section itself could act. The Section has over 1,200 attorney members.

On behalf of the FJLSC, I support SB 102 and urge the Senate Judicial Proceedings Committee to issue a favorable report.

HB 102 provides an efficient means, without a hearing, to modify a birth certificate within the first 12 months of life with the approval of the individual(s) named on the birth certificate. The bill is sound and reasonable. In cases where paternity is not initially identified on the birth certificate or alternate paternity becomes known in cases where two parents are initially identified on the birth certificate, families are often in turmoil. Having the ability to modify the birth certificate without court intervention eases the process for families in a potentially difficult time. Even if the need for the birth certificate modification is due to mistake, it is reasonable and in the best interests of Maryland families to have needed corrections made with ease. In addition, the interests of judicial economy are served by this bill.

The FJLSC urges the Senate Judicial Proceedings Committee to issue a favorable report.

Respectfully submitted,


Ilene Glickman, Co-Chair Legislative Committee
Family and Juvenile Law Section Council
MSBA

DeptofHealth_FAV_SB102

Uploaded by: Whitaker, Jake

Position: FAV



Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Robert R. Neall, Secretary

January 23, 2020

The Honorable Senator Delores G. Kelley
Chair, Finance Committee
3 East Miller Senate Office Building
Annapolis, MD 21401-1991

RE: SB0102 – Vital Records – Birth Certificates – Change of Name of Child – Letter of Support

Dear Chair Kelley and Committee Members:

The Maryland Department of Health (Department) is submitting this letter of support for SB0102 – Vital Records – Birth Certificates – Change of Name of Child.

Current law allows the Department to change the name of an infant within twelve months of birth at the request of both parents, who must present a notarized statement that they are the parents of the infant. However, this poses an undue burden on a single mother who has not listed the name of the father on her child's birth certificate. In these cases, the mother must obtain a court order to change her infant's name, incurring unnecessary costs and substantial delays and inconvenience.

There are many reasons why a woman might choose not to include the name of the father on the birth certificate, including domestic violence situations. A father not married to the mother of the child always has ample opportunity and is encouraged to complete an Affidavit of Parentage at the delivery of the child, or afterwards, which allows their name to be listed as a parent on the birth certificate.

This bill will allow mothers of infants without a father listed on the birth certificate to amend their infant's name within 12 months of birth by completing a request form and signing a notarized affidavit that she is the parent of the child and freely making the request. This will allow her to request this change at the same cost and speed as those with two named parents on a birth certificate. This will dramatically improve customer satisfaction with our services.

This bill will also make processing these requests for name changes more efficient for the Division of Vital Records, allowing them to spend more time on other more complicated birth record amendments. This change in statute would also reduce the number of court orders required, resulting in reduced work for circuit courts around the state.

I hope this information is useful. If you would like to discuss this further, please contact Director of Governmental Affairs Webster Ye at (410) 260-3190 or webster.ye@maryland.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert R. Neall", with a long horizontal flourish extending to the right.

Robert R. Neall
Secretary