



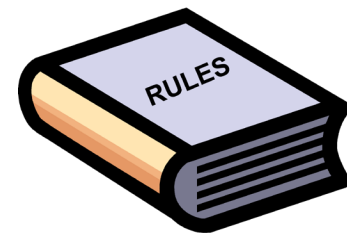
Municipal Law for Clerks

Chapter 7

Vital Statistics



Resources



- Municipal Clerk's Manual, revised in 2013
- State statutes
- Vital Records Manual
- DRVS staff
- State Rules
- Clerk mentors
- MTCCA sponsored Vital Records class



Duties of the Clerk

- Required to collect and preserve a chronological record of all live births, deaths and marriages and fetal deaths that take place within the municipality, or that involve municipal residents.
- Enforce state laws and regulations of the Department of Health and Human Services with regard to vital statistics registration.



State Registrar



- The activities of the municipal clerk regarding vital records are directed by the State Registrar of Vital Statistics.
- The municipal clerk acts as an agent of the State Registrar.
- The State Registrar furnishes forms and provides instruction for the administration of the vital statistics' system.



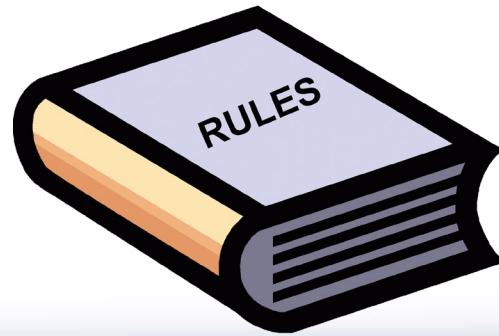
DAVE

- Database Application for Vital Events
- Web-based system managed by the State
- Electronic filing of births, deaths, marriages and corrections
- Current forms and listing of current staff members



Publications

- Municipal Clerks' Vital Statistics Handbook is available through the DAVE website.
- Adopted rules relating to vital records are available through the maine.gov website via the Secretary of State's Corporations and Elections Section, with a link to rules by department.



Public Access to Vital Records

- Under the Right to Know Law, certain records are public, while others are confidential.
- Vital records are confidential, except to those who have a direct & legitimate interest in the matter.
- Parts of vital records are public, and can be reported as follows:
 - Births, by number of births and location by town or city of birth
 - Deaths, by date of death, name, age, and location of city or town where death occurred
 - Marriages, by name of parties and date of marriage

CONFIDENTIAL



Public Access to Vital Records

- After a specified period of time, vital records become “open” records, as follows:
 - Births, 75 years or older (from today)
 - Marriages, 50 years or older
 - Deaths, 25 years or older
 - Fetal Deaths, 50 years or older
- Refer to the eligibility matrix on the DAVE



Public Access to Vital Records

- Things to keep in mind when determining whether to release a record:
 - The requester must provide the required ID
 - The requester must pay the appropriate fee
 - An attorney who requests a record must be representing a family member, who would be eligible for the record
 - Do not release information over the phone
 - Vital records can not be faxed or emailed



Certified Copies



- These are legal copies of a vital record, printed on safety paper provided by the state, under the signature and seal of the municipal clerk housing the record
 - Must be requested in writing (forms available on the state's website)
 - Must provide ID
 - Must pay the fee
 - \$15 for the first copy
 - \$6 for each additional copy (when purchased at the same time)
 - You can ask the customer to provide a self-addressed, stamped envelope if they want it via the mail



Certified Copies

- All requests for vital records should be first searched in the DAVE system. If found, certified copies are issued from this system. If the record is not found in DAVE, go to your town's paper files of vital records, and issue a photocopy of the record onto the safety paper.



Marriage Licenses

- Residents of the state who wish to marry in Maine must apply to be married in the town where one of them resides.
- Non-residents can apply at any town office in Maine, to be married in Maine.
- The intentions worksheet must be completed by the parties and filed with the clerk.
- The clerk enters the data from the worksheet into the marriage section of DAVE, and issues the license from there.



Marriage Requirements

- Parties must be at least 18 years
 - Under 18 require parent's permission
 - Under 16 also require consent of the Judge of Probate
- If not the first marriage, must provide CERTIFIED copies of how the previous marriage ended.
- Must pay the license fee of \$40



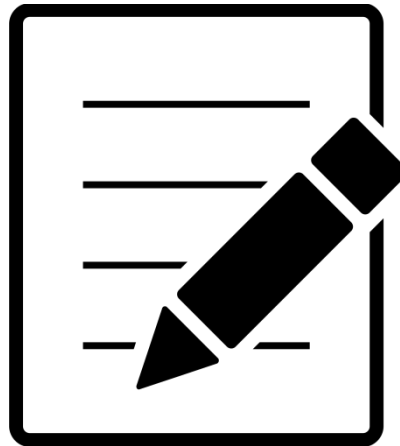
Marriage Ceremony

- The parties provide the marriage license to the officiant
- The officiant performs the ceremony, with two witnesses present
- The officiant completes the section of the license about the ceremony in black ink, gets the witness signatures on the license, and returns the license to the town where it was issued.



State Reporting

- A portion of the fees charged for the sale of certified copies of vital records, issuance of marriage licenses and disposition permits must be reported and sent to the state.
- The reporting form can be found on the state's website.



Test your knowledge

- Duties of the clerk regarding vital records
- What the DAVE system is, and how to gain access to it
- Access to vital records
- How to issue certified copies, and what to charge
- Marriage license requirements
- State reporting requirements



Thank You



- You have reached the end of Module 7 of Municipal Law for Clerks.
- For specific questions on any topic in this module, please contact the staff at the office of Data, Research and Vital Statistics or a clerk mentor.
- Please print this final page as proof of completion of this module.
- You may submit this final page to MMA along with the other ten modules' completion pages to obtain a certificate to be used for certification points.

