

MVD Procedural Quick Update

#114rev

RE: Birth Certificates
Effective date: Immediate

Date: May 26, 2010
To: All MVD
From: Mac Lewis, MVD Policy and Procedures Manager

[This is the latest in a series of procedural updates. These updates deal with specific MVD procedures and practices. Managers and Supervisors should consistently distribute the updates to all personnel and integrate them into regular information and training sessions.]

A government-issued document that is a legal record of an individual's birth and includes the individual's name and date of birth is acceptable as a birth certificate, regardless of how the document may be titled or headed. A birth certificate will usually (but not necessarily) also include the location of birth and the names of one or both parents.

Just as a birth certificate issued in the U.S. is typically titled "Birth Certificate" or "Certificate of Birth," a birth certificate issued in Mexico or another Spanish-language country is usually titled "Acta de Nacimiento" (Spanish for "birth certificate").

However, on many Spanish-language birth certificates the heading line says not "Acta de Nacimiento" but instead "Registro Civil" or "Oficina del Registro Civil." All that means is that the document identifies first the government public records office (in English, the "Civil Registry" or "Office of the Civil Registry") that issued the birth certificate. Usually, but not necessarily, you will also find "Acta de Nacimiento," or perhaps "Inscripcion de Nacimiento" somewhere in a subheading or in the text of the birth certificate.

There are many national, regional and language-specific variations. For example, we have learned that in Korea a birth certificate is typically called a "Certificate of Personal Records."

The point is that it is the content (a formal record of the individual's birth) and the fact that it is an official, government-issued document, that makes a birth certificate acceptable as a birth certificate for our applicant identification purposes. The issue for us is whether the certificate is legitimate and valid, not whether it takes one particular form or another.

If the document appears to be legitimate, and the translation appears to be full and complete and otherwise meets all of our requirements, then we must accept it.

Note: We do not accept foreign marriage certificates as identification documents. A fully translated foreign marriage certificate could be used to document a name change, but it should never be accepted as a substitute for a birth certificate.

Field office managers and supervisors should refer any comments or questions regarding this Procedural Quick Update to their Bureau Chiefs, with cc to mac.lewis@state.nm.us. Others are encouraged to direct comments or questions directly to Mac Lewis.
