

**PUBLIC HEALTH CODE (EXCERPT)**  
**Act 368 of 1978**

**333.2828 Conditions prohibiting registration of delayed certificate of birth; advising applicant of reasons and right of appeal; dismissal of application; judicial findings and order; forwarding order to state registrar; registration of order as certificate of birth; forwarding copy of delayed registration to local registrar.**

Sec. 2828. (1) If an applicant does not submit the minimum documentation required by rules for delayed registration of a birth or if the state registrar has reasonable cause to question the validity or adequacy of the applicant's sworn statement or the documentary evidence, the state registrar shall not register the delayed certificate of birth and shall advise the applicant of the reasons for this action and of the applicant's right of appeal to the probate court of the county of residence or birth.

(2) The department may provide for the dismissal of an application which is not actively prosecuted.

(3) If, on the basis of the evidence presented, the court finds that the individual for whom a delayed certificate of birth is sought was born in this state, the court shall make findings as to the place and date of birth, parentage, and other findings required by the case and shall issue an order on a form prescribed and furnished by the state registrar to establish a certificate of birth. The order shall include the birth data to be registered, a description of the evidence presented, and the date of the court's action.

(4) The clerk of the court shall forward the order to the state registrar not later than the tenth day of the calendar month following the month in which the order was entered. The order shall be registered by the state registrar and shall constitute the certificate of birth.

(5) The state registrar shall forward a copy of a delayed registration to the local registrar of the district where the birth occurred.

**History:** 1978, Act 368, Eff. Sept. 30, 1978.

**Popular name:** Act 368