

**PROCEDURE FOR FILING A
COURT ORDER TO AMEND A WISCONSIN DEATH CERTIFICATE
(F-05092)**

(Except Medical Certification of Cause and Manner of Death)

1. When do I need a court order to change information on a death certificate?
You need to obtain a court order to correct information on a death certificate if:
 - a. You have received a packet of information from the State Vital Records Office (including this instruction page and the F-05092 Court Order to Amend a Wisconsin Death Certificate form) informing you that you need a court order to correct the erroneous information.
 - b. The death occurred over 1 year (365 days) ago, **OR**
 - c. A correction has already been made to that same item on the certificate. For legal purposes, a name (first, middle, and last name) constitutes one item. Therefore, if one part of a name is corrected, another part of the name cannot be corrected without a court order.
2. How do I get a court-ordered amendment for a death certificate?
 - a. Make arrangements to petition the Clerk of Court in the county where the death occurred.
 - b. Make sure you have a current certified copy of the death certificate showing how it now reads (with the incorrect information). You must present the current certified death certificate copy to the court in order to process your case.
 - c. Assemble the evidence for the amendment to be made.
 - d. Examples of evidence:
 - 1) A current certified copy of a vital record verifying the correct name of the decedent or his or her parents or spouse
 - 2) Notarized affidavit from the funeral director explaining the error made
 - 3) Notarized statement from a health care facility staff person or the county coroner/medical examiner verifying the correct date of death
 - e. Complete the front and the pertinent sections of the back of the F-05092 Court Order to Amend a Wisconsin Death Certificate form.
3. Take the following items to court.
 - a. Petition
 - b. Current certified copy of the death certificate
 - c. Evidence which you have assembled which verifies the correct information
 - d. F-05092 Court Order to Amend a Wisconsin Death Certificate form (with the pertinent portions completed)
4. If the judge is satisfied with the evidence, he or she will sign the F-05092 Court Order to Amend a Wisconsin Death Certificate form and have the court seal put on it.
5. **Send the following to the State Vital Records Office (address at the bottom of this sheet).**
 - a. **The form (F-05092 Court Order to Amend a Wisconsin Death Certificate) signed and sealed by the court (It must contain a court case number, the original signature of the judge, and the court seal.)**
 - b. **\$10.00 amendment filing fee.** This fee does not include an amended copy of the death certificate.
 - c. If you want certified copies of the amended death certificate from the State Vital Records Office, **you must also send the fees for those copies** (\$20.00 for the first copy, \$3.00 for each additional copy ordered at the same time as the first copy).
 - d. Do not send the certified copy of the death certificate (unless the State Vital Records Office has instructed you to) or the evidence used to change the death certificate.
6. After our office processes the amendment, the amended death certificate will also be on file at the Register of Deeds in the county where the death occurred. If you choose, you may wait and obtain your copies from that office. However, if you do not order the copies from the State Vital Records Office, our office will not notify you when the amendment has been completed.
7. **IMPORTANT.** The amendment will NOT BE PROCESSED if
 - The F-05092 Court Order to Amend a Wisconsin Death Certificate form contains correction fluid, correction tape, cross-outs, write-overs, or erasures
 - The F-05092 Court Order to Amend a Wisconsin Death Certificate form does not have:
 - The Judge's signature
 - The court case number
 - The court seal
 - A listing of the evidence that was shown to the judge as proof of the changes sought
 - The \$10.00 fee is not included

SEND TO: **STATE VITAL RECORDS OFFICE
ATTN: COURT-ORDERED AMENDMENT
P O BOX 309
MADISON WI 53701-0309**