



Michigan VERA Birth How-to Enter a Spouse Refusal

Under Michigan law, if the parent giving birth was married at the time the child was conceived, at the time of birth, or anytime in between conception and time of birth, the spouse is listed as the father or second parent on the birth record. MCL 333.2824 (1) states that a married woman's husband (spouse) at the time of conception, or if unmarried at time of conception, the husband (spouse) at birth shall be recorded as the father (parent) on the child's birth record.

When completing the birth record, and the parent giving birth refuses to provide the spouse's information, the Marital Status section of the birth record will need to indicate spouse refusal.

This will alert the State to contact the birth parent requesting information to complete the registration process. Until the birth record is registered, the parent will not be able to request a birth certificate and will not be able to obtain a social security card for this child.

When the MOTHER/BIRTH PARENT is married at the time of birth:

- Select **Married but Refusing Spouse's Information**.

The screenshot shows the 'Marital Status' section of the birth registration menu. The 'Mother's Current Marital Status' dropdown menu is open, and the option 'Married but refusing spouse's information' is selected and highlighted with a red box. Other options visible include 'Never married', 'Divorced/Widowed', 'Currently Married', and 'Unknown'. The 'Date of Divorce' field is also visible.

- Father tab will not be available to enter information.
- For the field "Mother married at conception, at birth or anytime between conception and birth", select **Mother refusing spouse's information**.

The screenshot shows the 'Mother married at conception, at birth' dropdown menu. The option 'Mother refusing spouse's information' is selected and highlighted with a blue background. Other options visible include 'Yes, spouse is legal parent', 'No', 'Yes, but spouse is not legal parent', and 'Unknown'. The 'Date of Divorce' field is also visible.

- Select **Not Applicable** to the Court Rule question.
- Leave the **Date of Divorce** blank.
- Select **No** to the **Do you intend to file an affidavit of parentage** question.
- Return to the **Child** page, locate the Social Security Registration question and select "No, parent does not want to have a card issued."
- The birth record will be able to be certified as normal. The **Marital Status** page will have red "X" when certified.



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When the MOTHER/BIRTH PARENT indicates that they DIVORCED and were married at conception, birth, or anytime between conception and birth:

They have the option to provide a court order, signed by a judge, that specifically excludes the former spouse as a parent. If they are unable to provide documentation, follow this process:

- Select **Divorced/Widowed** for Current Marital Status.
- Select **Mother Refusing Spouse's Information** for Mother married at conception, at birth or anytime between conception and birth.

840338 :First Middle Last MAY-01-2024	
/New Event/New Event/NA/Not Registered	
Marital Status	
Marital Information	
Mother's Current Marital Status	<input type="text" value="Divorced/Widowed"/>
Mother married at conception, at birth	<input type="text" value="Mother refusing spouse's information"/>
Paternity Information	
Did a court rule that the husband was not the father?	Date of Divorce (if during term of pregnancy)
<input type="text" value="Not Applicable"/>	<input type="text" value=""/> MMM-dd-yyyy
Do you intend to file an affidavit of parentage?	<input type="text" value="No"/>

- Select **Not Applicable** to the Court Rule question.
- Leave the **Date of Divorce** blank.
- Select **No** to the **Do you intend to file an affidavit of parentage** question.
- Return to the Child page, find the **Social Security Registration Question** and select **No**.
- The birth record will be able to be certified as normal. The **Marital Status** page will have red "X" when certified.



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COMMONLY ASKED QUESTIONS

Q. What if the spouse is now deceased?

A. If the deceased spouse was alive at the time of conception, or any time between conception and birth, they would be considered the legal parent of the child.

Q. What if the mother/birth parent wants to provide court documentation to prove that they have a court order excluding the spouse as parent for the child?

A. Do not delay certification waiting for court documentation. If the order is provided *before you certify the record*, please take the following steps:

- Review the court order for language excluding the spouse
- Confirm it is dated and signed by a judge.
- Attach the document(s) in VERA.
- Do not add a date of divorce.
- Go to the Marital Status page and select **Yes** to the *Did a Court Rule that the husband was not the father* question.
- Call Registration to request an override. 517-335-6506.
 - If the override is approved, the parents can complete an Affidavit of Parentage and the biological parent can be added to the record prior to certification.

Q. What if the mother/birth parent completes the PIW indicating that they are not married but other information is provided verbally or from the medical record that indicates that the birth parent is married?

A. Confirm with the mother/birth parent the correct marital status.

Q. What if the baby was delivered early and the mother/birth parent states that the divorce or death of former spouse occurred before conception?

A. They should complete the PIW and select the option that is the best fit for them.

Q. What if the mother/birth parent is concerned about not having access to a birth certificate or social security card?

A. The mother/birth parent may choose to add the spouse at the time of conception or birth to the birth record before the record is certified. To remove the spouse later, they will have to work with the circuit court in the county where they reside. Once they have the proper documentation, they will need to work with the State Vital Records Changes Unit to *Remove a Parent* or *Remove/Add a Parent*. The Changes Unit telephone number is 517-335-8660 and email is MDHHS-VR-Changes@michigan.gov.