

CHAPTER 33-04-04 BIRTH REGISTRATION

Section

33-04-04-01 General Provisions
33-04-04-02 Home Births

33-04-04-01. General provisions.

If the mother of the child was not married at the time of conception or birth, the child's surname shall be shown on the record as the legal surname of the mother at the time of the birth unless otherwise determined in a court paternity action, or unless an acknowledgment of paternity signed by both parents is received stating the surname of the child to be the legal surname of the mother or father.

If the father is not named on the certificate of birth, no other information about the father shall be entered on the certificate.

History: Amended effective January 1, 2008.

General Authority: NDCC 23-02.1-04, 28-32-02

Law Implemented: NDCC 23-02.1-13

33-04-04-02. Home births.

If a birth occurs outside an institution and is not attended by a physician or midwife, or is not witnessed by a physician or midwife immediately after the birth, the parents are required to provide additional documents approved by the state registrar to prove the mother was pregnant, the child was born alive, and the child was born in North Dakota, before the birth will be registered.

If the parents are unable or unwilling to provide all the additional documents, the birth may only be registered by an order received from a court of competent jurisdiction. The parents shall complete the informational worksheets containing all the birth facts, regardless of the terms of the order.

History: Effective July 1, 2022.

General Authority: NDCC 23-02.1-04, 28-32-02

Law Implemented: NDCC 23-02.1-13