

## LEGAL FACT SHEET

### Caregiver's Rights with Respect to Obtaining Vital Documents

<b>LEGAL ARRANGEMENTS</b>	<b><u>BIRTH CERTIFICATE</u></b>	<b><u>PASSPORT</u></b>	<b><u>SOCIAL SECURITY CARD</u></b>
<b>LEGAL GUARDIANSHIP</b>	Yes	Yes, provided guardian has <u>sole guardianship</u> or if joint, provides consent of parents or other guardian(s).	Yes
<b>LEGAL CUSTODIAN</b>	Yes	Probably, as long as the parent's statement of consent (form DS 3053) is obtained.  Parental consent or caregiver must show "exigent circumstance (form DS 5525).  If custody is joint, both parents must provide consent. If custody sole, must provide evidence of sole custody.	Yes
<b>INFORMAL CUSTODIAN</b>	Maybe - may need to bring motion in Supreme Court requesting Dept. of Health Commissioner order the issuance of the birth certificate.	Appears to have the same rights as legal custodian.	Maybe, depending on what other vital documents are available to informal custodian, such as the child's birth certificate.

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