

Accessing Vital Records in Maine

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On September 28, 2011, a new law regulating access to vital records takes effect in Maine. Original vital records in Maine may be accessed through three venues:

1. Vital Records Unit of the Office of Data, Research and Vital Statistics (ODRVS)
2. Maine State Archives
3. Municipal offices [also: Lincoln County retains its early marriage records at the courthouse.]

Under the new law vital records fall into three categories, each with its own regulations and rules for access. How to access these records will be discussed later in this document.

NOTE: Until 2010 out of wedlock births were not open to the public; they were not included in any microfilms, scans, or publications of birth records currently available to the public. Records of out of wedlock births should be available from the following sources: ODRVS (1892 to present), Maine State Archives (1892 to 1922), and municipal offices (pre-1892 to present).

1. Vital records before 1892

Certificates and records of birth, marriage and death, including fetal death, created prior to 1892 are open to the public without restriction. All persons may purchase a copy on municipal letterhead or a noncertified copy of a vital record created prior to 1892. [Public Law, Chapter 58, Sec. 1. 22 MRSA 2706, paragraph 7] Town clerks may restrict hands-on access to these vital records due to the condition of the records (ie: fragile condition and handling would cause harm)

2. Open vital records:

- Birth records more than 75 years from the date of the event
- Marriage records more than 50 years from the date of the event
- Registration of domestic partnerships more than 50 years from the date of the event
- Fetal death records more than 50 years from the date of the event
- Death records more than 25 years from the date of the event

Access to these records is open to anyone.

Anyone may purchase a non-certified copy of an open vital record.

Certified copies of open vital records may only be purchased by:

1. The person named on the record
2. That person's spouse, registered domestic partner, descendant, parent or guardian, grandparent, sibling, stepparent, stepchild, aunt, uncle, niece, nephew, mother-in-law or father-in-law
3. That person's personal representative or that person's duly designated attorney, agent/genealogist or attorney for an agent designated by that person or by a court
4. Officiant/informant/funeral establishment

3. Closed vital records:

- Birth records 75 years or less from the date of the event
- Marriage records 50 years or less from the date of the event
- Registration of domestic partnerships 50 years or less from the date of the event
- Fetal death records 50 years or less from the date of the event

Death records 25 years or less from the date of the event

Access to these records is restricted to:

1. The person named on the record
2. That person's spouse, registered domestic partner, descendant, parent or guardian, grandparent, sibling, stepparent, stepchild, aunt, uncle, niece, nephew, mother-in-law or father-in-law
3. That person's personal representative or that person's duly designated attorney or agent or attorney for an agent designated by that person or by a court
4. Genealogists holding a ODRVS Researcher Identification Card

Certified and non-certified copies of closed vital records may be purchased by:

1. The person named on the record
2. That person's spouse, registered domestic partner, descendant, parent or guardian, grandparent, sibling, stepparent, stepchild, aunt, uncle, niece, nephew, mother-in-law or father-in-law
3. That person's personal representative or that person's duly designated attorney, agent/genealogist or attorney for an agent designated by that person or by a court
4. Officiant/informant/funeral establishment

Non-certified copies of closed vital records may also be purchased by genealogists holding a ODRVS Researcher Identification Card.

General rules for accessing vital records in Maine

When accessing vital records at the ODRVS or at municipal offices, you will be asked to present a photo ID and to fill out a form stating what vital record(s) you want to access. There may be a limit on the number of records you may request at one time.

If you are requesting access to closed records you will be required to present documentation of the relationship to the person(s) whose record(s) you want to access. Refer to the list of relationships allowed access under "Closed vital records" above.

See also the ODRVS website (<http://www.maine.gov/dhhs/boh/phs/odrvs/vital-records/index.shtml>) for an explanation of the various forms of documentation which are acceptable proof.

If you want to access closed records for family members beyond your spouse, registered domestic partner, descendant, parent or guardian, grandparent, sibling, stepparent, stepchild, aunt, uncle, niece, nephew, mother-in-law or father-in-law, you will need the ODRVS Researcher Identification Card.

If you are a genealogist acting as an agent for a client and need to purchase certified copies of closed vital records, you must have a notarized letter from the client authorizing you to do the research **and** documentation of the relationship of the client to the person(s) whose record(s) you want to access and for which you need certified copies. You will also need the ODRVS Researcher Identification Card.

ODRVS Researcher Identification Card

The ODRVS will issue a Researcher Identification Card to genealogists for a fee of \$50. The card is good

for one year and provides access to closed vital records.

NOTE: Once rule making is completed, the cost of the researcher ID card will drop significantly, but that process is not anticipated to be completed for many months.

Genealogists may apply for a ODRVS Researcher Identification Card:

1. in person at the ODRVS office, 244 Water Street, Augusta
2. by contacting the ODVRS office and requesting an application form
Phone: (207) 287-1919
Toll free: 1-888-664-9491
Fax: (207) 287-1093 [requests by mail are preferred]
E-mail: maine.ODRVS@maine.gov

Vital Records Unit
Office of Data, Research and Vital Statistics
Center for Disease Control and Prevention
Maine Department of Health and Human Services
244 Water Street
11 State House Station
Augusta, ME 04333-0011

3. by printing off the application form from the ODRVS website and mailing it to the above address; scroll about half way down the page and click on “Genealogical Research application”
<http://www.maine.gov/dhhs/boh/phs/odrvs/vital-records/index.shtml>

Applicants for a Researcher Identification Card must submit proof of identity and proof of membership in an established genealogical society. The usual proofs of identity are accepted. The ODRVS has a list of major national, regional, state, and ethnic genealogical societies. Membership in an established genealogical society can be established by providing a copy of a current membership card or a letter from an officer in the society on society letter head stating the applicant is a current member.

Preparing for a [vital records] research trip to Maine

1. Research on-line before you come: search all available on-line indexes and digital databases
 - Maine State Archives** [see additional information below]
 - Death database
 - Marriage database
 - Ancestry.com** [databases available as of 1 September 2011]
 - Maine Birth Records, 1621-1922
 - Maine Marriages, 1892-1996
 - Maine Marriage Records, 1705-1922
 - Maine Marriages to 1875
 - Maine Death Records, 1617-1922
 - Maine Death Index, 1960-1997
 - Social Security Death Index
 - Gardiner, Kennebec County Maine, Birth & Death records 1800 - 1892
 - Waldo County, Maine Births, 1743-1892: Belfast
 - Waldo County, Maine Deaths, 1743-1892: Belfast

Familysearch.org [databases available as of 1 September 2011]

Maine Births and Christenings, 1739-1900

Maine Marriages, 1771-1907

Maine Deaths and Burials, 1841-1910

[Individual town and county records may also be available.]

2. Know what records exist for the town(s) where your family lived.

In 1983 the Maine State Archives published a book called *Public Records Repositories in Maine* which lists for all Maine municipalities and counties what records exist, their condition, whether or not they are indexed, and if a microfilm is at the Archives.

Know what is available on microfilm through the Family History Centers and the Maine State Archives. Look at these first, before accessing original documents.

Know who currently has custody of the original documents. Know what hours that facility is open.
CALL AHEAD! Most Maine towns/counties/state agencies have web sites with hours and contact information.

3. Check for published vital records

The Maine State Library has an extensive collection of published town and county vital records. Contact the public library in the town(s) where your family lived to see what books they have.

<p>Maine Town Vital Records Published by Picton Press:</p> <p>Albion, Alexander, Appleton Bangor, Vols. 1 and 2, Berwick, Biddeford, Bridgton, Brunswick, Bucksport Calais, Vols. 1 and 2, Camden/Rockport, Canaan, Cape Elizabeth, Caribou, Carmel, Castine, Corinna, Cornville, VRs from TR of the Town of Cumberland 1893-1960 Dayton (VRs & Trs), Dixmont, Dover/Foxcroft Etna, Fort Fairfield, Frankfort, Freedom, Friendship Hampden, Hartford, Hudson, Islesboro, Kittery Lewiston, Vols. 1 & 2, Liberty, Lincolnville, Lisbon, Litchfield, Lubec Matinicus, Mercer, Minot, Monroe, Mount Desert Island Norridgewock, North Haven, North Yarmouth - from TR 1893-1963, Northport Old Town, Orland, Orrington, Vols. 1-12 Portland, Vol. 1, Prospect Rangeley, Records of Pepperellborough, now Saco St. George, Searsmont, Searsport, Smithfield, South Berwick from TR 1897-1945, South Thomaston, Swanville Thomaston, Troy, Union, Unity Vassalboro, both VRs & Trs, Vinalhaven Waldoboro, Warren, Washington, Wayne, Wells</p>	<p>County marriage records published by Picton Press Hancock County Marriage Records Lincoln County Marriage Records Penobscot County Marriage Records Waldo County Marriage Records Washington County Marriage Records</p> <p>Church records published by Picton Press Records of the First & Second Churches of Berwick The Records of the Church of Christ in Buxton 1763-1817 Church Records of Jackson and Brooks Records of Rockland Congregational Church Records of 1st Congregational Church of Belfast Records of Rev. Cutter of Belfast</p> <p>Other records published by Picton Press York County Will Abstracts 1801-1858 Records of the Proprietors of Narragansett Twp No. 1, now Buxton</p> <p>See www.pictonpress.com for more information.</p>
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4. Check other sources for clues to birth, death, & marriage dates

Published cemetery records

Maine Old Cemetery Association's cemetery database on microfilm (Maine State Library)

Obituaries

Newspapers (original, microfilm, on-line)

Census records (especially 1900, 1910, & 1930)

Access at the Vital Records Unit, ODRVS.

If you plan to do vital records research at the Vital Records Unit in Augusta please call ahead or check their website for rules regarding access to vital records at that facility. [Contact information is provided above.]

There is a 24 hour turnaround time for all requests made in person. You may ask that the records be mailed to you or you can pick them up the following business day. There is a fee for retrieving the records.

Access at the Maine State Archives

The Maine State Archives has on-line databases and indexes for vital records, microfilm of vital records, and original vital records as well as many other records of interest to genealogists.

Web site: <http://www.maine.gov/sos/arc/research/vitalrec.html> Phone: 201- 287-5795

Mailing address: 84 State House Station, Augusta, ME 04333

Physical address: 230 State Street, Augusta, Maine 04333

The Maine State Archives is located in the Cultural Building at the State House Complex in Augusta. The Cultural Building also houses the Maine State Library and the Maine State Museum.

On-line:

1. Marriage database (actually an index): 1 January 1892 - 31 December 2009 (except 1967-1976) [also available for download]
2. Death database (actually an index): 1960-1996 [also available for download]
3. Divorce index 1800-1891 (in progress): available for download only

On-site:

1. Vital records before 1892: microfilms for those towns which provided copies of their vital records
2. 1892-1922 (except out of wedlock births): microfilm copies and original records. The microfilm is arranged alphabetically by surname and then year-by-year for that surname.
3. 1922-1955 (except out of wedlock births): microfilm copies. The microfilm is arranged alphabetically by surname and then year-by-year for that surname.

Access at the Maine State Library

The Maine State Library (MSL) has an extensive genealogical collection including most of the published vital record books for Maine towns and counties. They also have free computer access to Ancestry.com and Heritage Quest. Persons holding a MSL card with a bar code on the back may access Heritage Quest from their home computer through the MSL website.

They have one of the largest collections of Maine newspapers and the multi-part microfilm index to cemetery records by the Maine Old Cemetery Association (MOCA).

Website: <http://www.maine.gov/msl/services/genealogy/index.shtml> Phone: 207-287-5600

Mailing address: 64 State House Station, Augusta, ME 04333

Physical address: 230 State Street, Augusta, Maine 04333

The Maine State Library is located in the Cultural Building at the State House Complex in Augusta. The Cultural Building also houses the Maine State Archives and the Maine State Museum.

Access at municipal offices

CALL AHEAD! Many Maine towns have web sites with hours and contact information.

Rules for the implementation of the law will not be completed before September 28th, but town clerks will have received training on the new law and will be ready to welcome genealogists.

Genealogists need to be aware not only of the new law, but the current rules in place to implement the law. As with any visit to a repository, genealogists need to prepare ahead of time to make their visit pleasant and easy for everyone. Town clerks have many duties and small towns often have limited staff and office hours.

Less than 1% of a town clerk's time is spent handling genealogical queries. Please be respectful and considerate of those other obligations. Always contact a municipal office ahead of your visit to make sure the municipal office is open and there is not an election or other special town event which might make it difficult or impossible for the town clerk to allow you access to vital records.

While some towns have been able to professionally preserve their early vital records, many have not. Town clerks may, at their discretion, restrict or disallow hands-on access to vital records prior to 1892 due to the physical condition of those records. Again, when planning a visit, ask about the condition of pre-1892 records and any restrictions regarding hands-on access.

Some towns have separate indexes for their vital records. When planning your visit, be sure to ask if such indexes are available and access to them.

Because some towns have a limit on the number of records you may request at one time, if you need access to a large number of records, especially those after 1892, contact the town clerk ahead of time to discuss the details of your research and the possibility of special arrangements for your project.