

DOCUMENT & RECORD REPLACEMENT

This resource provides an overview of some legal issues individuals may face after a disaster. This material was drafted in 2024 and we cannot guarantee that all information is current. This resource will not answer all of your questions. It is designed to set out some of the issues you may have to consider, to help you understand the basics about each issue, and to point you in the right direction for help. Much of the information is general, and you may need to contact legal aid organizations or federal, state, city, or county officials to obtain more specific information and advice. This resource was prepared by various law firms, legal aid organizations, and other nonprofit organizations as a free resource. Although the authors hope that it will be helpful by providing background material, we cannot warrant that it is accurate or complete, particularly since circumstances may change. It is not intended to constitute legal advice and should not be relied on as legal advice. Readers should seek tailored advice from their own legal counsel. If you cannot afford to hire a lawyer, you can contact (888) 382- 3406 for referral to a nonprofit legal aid organization.

A number of my personal records and identification cards were destroyed as a result of a disaster. What should I do?

Social Security Card

You can apply to the Social Security Administration for a replacement Social Security card online if you:

- are a U.S. citizen age 18 years or older with a U.S. mailing address;
- are not requesting a name change or any other change to your card (e.g., if you are requesting a replacement card with no changes to the card); and
- have a valid driver's license or a state-issued identification card from a participating state.

If you have an out-of-state driver's license or identification card from any of the following states, you will not be able to replace your Social Security card online: Alaska, New Hampshire, and Oklahoma.

If you meet the criteria above, you can apply for the replacement Social Security card online by creating a "my Social Security account" at <https://www.ssa.gov/myaccount/>. There may be additional restrictions depending on other specific circumstances (e.g., new citizen, no available mailing address, etc.), and eligibility requirements can be checked at <https://www.ssa.gov/number-card/replace-card/get-started/applicant>.

If you cannot apply for a replacement card online, you can still apply by submitting the following documents by mail or by bringing them to your local Social Security office:

- A completed application for a Social Security Card (Form SS-5), available at your local Social Security office, online at <https://www.ssa.gov/forms/ss-5.pdf>, or it can be mailed to you upon request by calling (800) 772-1213;
- If you were born inside the United States, one document to establish your identity, such as your U.S. driver's license, U.S. state-issued non-driver identification card, or U.S. passport. If you do not have one of these forms of identification, the Social Security Administration may also accept other documents that show your legal name and biographical information such as a U.S. military identity card, Certificate of Naturalization, employee identification card, certified copy of medical records (uncertified may be acceptable for young children), health insurance card, Medicaid card, school identification card or school record, or final adoption decree. **Please not that the following documents are NOT accepted as evidence of identity: birth certificate, hospital souvenir birth certificate, social security card stub, or social security record;** and
- (A) evidence of U.S. citizenship, such as your U.S. birth certificate or U.S. passport, Consular Report of Birth Abroad (CRBA), Certificate of Citizenship or Certificate of Naturalization. If you were born outside the United States, you must provide documents to prove your U.S. citizenship or current, lawful, work-authorized status; or (B) if you are not a U.S. citizen, evidence of your current lawful immigration status issued to you by the Department of Homeland Security showing your current immigration status, such as Form I-551, I-94, or I-766, and your foreign passport with biographical information and/or a photograph.

The documents presented as evidence of your identity must be either originals or certified copies (the documents can be certified by the issuing agency). Uncertified or notarized photocopies will not be accepted (except as noted above). Requests usually take two to three weeks to process. In addition, the documents presented must be current (and not expired). If you cannot provide the necessary documents, call (800) 772-1213 (TTY (800) 325-0778) for assistance. There is no fee for requesting a replacement Social Security card.

To find your local Social Security office, visit <https://secure.ssa.gov/ICON/main.jsp> or call (800) 772-1213.

Medicare Card

If your Medicare card was lost or destroyed, you should also apply to the Social Security Administration for a replacement card. There is no fee for this service. A replacement card can be requested at your local Social Security office, online by

following the instructions at <https://faq.ssa.gov/en-us/Topic/article/KA-01735>, or by telephone at (800) 633-4227 (TTY (877) 486-2048). Requests to receive a new Medicare card usually take 30 days to process, and the new card will be mailed to the address that the Social Security Administration has on file for you at the time of your request, unless you indicate that it be sent to a different address at the time of the request. If you need proof right away that you have Medicare, you can get your Benefit Verification Letter online by logging in at <http://www.ssa.gov/myaccount/> and clicking the “Your Benefit Verification Letter” link on your main page account dashboard. You can also contact your local Social Security office or call (800) 772-1213 (TTY (800) 325-0778), and the office can provide you with proof of coverage for use until you receive your replacement Medicare card.

Federal Income Tax Returns

Copies of your federal income tax returns may be obtained from your tax preparer or the IRS. Alternatively, transcripts of your federal income tax returns may also be obtained from the IRS. (Transcripts are computer-created records of returns that include most of the line items as filed with the IRS, including any accompanying forms and schedules.)

To apply for a copy of a tax return from the IRS, complete Form 4506, Request for Copy of Tax Form (<https://www.irs.gov/pub/irs-pdf/f4506.pdf>), if applicable write the disaster’s FEMA declaration number (e.g., “California Wildfires (DR-4610)”) in bold letters at the top of the form, and send it to the relevant address indicated in the instructions on the form. To apply for a transcript of a tax return from the IRS, go to <https://www.irs.gov/individuals/get-transcript> or complete Form 4506-T, Request for Transcript of Tax Return (<https://www.irs.gov/pub/irs-pdf/f4506t.pdf>). If applicable, write the disaster’s FEMA declaration number in bold letters at the top of Form 4506-T, and send it to the address indicated in the instructions on the form. Both forms may be obtained online at the links listed above. Copies and transcripts of tax returns from the IRS are free and expedited for taxpayers affected by FEMA-declared disasters.

State Income Tax Returns

To get a free copy of your lost or damaged California state returns, complete Form FTB 3516, Request for Copy of Personal Income or Fiduciary Tax Return (<https://www.ftb.ca.gov/forms/misc/3516.pdf>). Write the name of the specific disaster at the top of the request (e.g., “Dixie Fire”). You may download the form at the link above or order one by calling (800) 852-5711 (TTY (800) 822-6268). There is a \$20 fee for each tax return you request, but there is no charge if you are requesting a return for a tax year in which you were a victim of a designated California state or federal disaster. It may take up to four weeks from the date of your request to receive a copy of your return.

Passport

Information and forms for replacing lost U.S. passports are available at <https://travel.state.gov/content/travel/en/passports/after/lost-stolen.html> or through the U.S. Passport Information Center at (877) 487-2778 (TTY (888) 874-7793). You must file a statement regarding the lost or stolen passport with Form DS-64, available online at the link above, in person when you apply for a new passport, or to download at https://eforms.state.gov/Forms/ds64_pdf.pdf. You must also file for a new passport with Form DS-11, available to download at https://eforms.state.gov/Forms/ds11_pdf.pdf. If you have your passport but it is damaged, you must submit a signed statement explaining the damaged or mutilated condition of the passport, and the damaged passport should be submitted with Form DS-11. Follow the instructions on Form DS-64 and Form DS-11 to submit those forms. While Form DS-64 can be submitted online to report your passport lost or stolen, in order to replace your passport, you will need to submit Form DS-11 in person. If a country other than the United States issued your passport, you should contact that country’s consulate and file an application for a replacement passport.

Immigration Documents

My Green Card was damaged or destroyed by a disaster. How can I replace it?

If your Green Card was damaged or destroyed, you should replace it as soon as possible by completing a USCIS Form I-90. **Note: If you have been arrested since your Green Card was last approved, you should consult an attorney before applying for a replacement.**

To fill out this form, you must use your complete name, Alien Registration Number (also known as A-number), and date of admission into the United States. If you do not have this information, you can make an appointment to see a USCIS officer by calling USCIS at (800) 375-5283. If you no longer have access to your A-number we recommend that you contact an attorney or a legal services organization for assistance.

Once you have this information you can fill out Form I-90 at <https://www.uscis.gov/i-90>. If you have a credit card in your name or your spouse’s name, the Form I-90 may be filed electronically online or in paper form by mail. You cannot file your form I-90 online if you are seeking a fee waiver. All paper I-90 forms must be mailed to **one** of these addresses (based on which carrier you choose): (A) for the U.S. Postal Service – USCIS, P.O. Box 21262, Phoenix, AZ 85036; and (B) for FedEx, UPS, and DHL – USCIS, Attention: I-90, 1820 E. Skyharbor, Circle S, Fl. 1, Ste. 100, Phoenix, AZ 85034. These addresses are subject to change, so you should always check USCIS’s website for the latest filing addresses.

USCIS recommends that you set up an online account and file those forms online. To create an online USCIS account, you or your attorney should visit https://myaccount.uscis.gov/users/sign_up.

As of April 1, 2024, the filing fee for the I-90 is \$465 for paper filing and \$415 for online filing. These costs include biometric services. (You should check the USCIS website for any updated fee amounts.) Checks and money orders should be made payable to the U.S. Department of Homeland Security. Alternatively, you may file a Form I-912 fee waiver (available at <https://www.uscis.gov/i-912>) if you are eligible for a complete or partial fee waiver based on annual income or receipt of means-tested benefits (e.g., SNAP/CalFresh, TANF/CalWORKs, or SSI) and can demonstrate financial hardship. If your Form I-90 is accompanied by a Form I-912 fee waiver request, it must be filed by mail.

Once a paper Form I-90 has been received by USCIS via mail, a receipt will be mailed to you within one to two months. If you file Form I-90 electronically, the receipt will be generated immediately. Typically a biometric appointment will be scheduled for you within two months of submitting Form I-90 (by mail or electronically). When you go to this biometric appointment, be sure to bring an identity document such as a driver's license, passport, or a copy of another document containing your name, date of birth, photograph, and signature. As of June 3, 2024, eighty percent of I-90 cases are completed within twenty-four months.

How can I obtain temporary proof that I am a lawful permanent resident while my Form I-90 is being processed?

Once you have the Form I-90 filing receipt, you may request an "I-551 stamp," which is legal proof of your lawful permanent residency status and valid for both travel and employment purposes. **Please note that an I-551 stamp is valid for one year only and is required for travel outside the United States.** To request this stamp, contact USCIS at (800) 375-5283 to make an appointment. Bring your foreign passport to your appointment so the USCIS officer can place the stamp on your unexpired passport. If you don't have a valid passport at the time of your appointment, bring two passport photos taken within 30 days of your appointment. The USCIS officer will create an I-94 document with the I-551 stamp, which will serve as temporary proof of lawful permanent residency status for a period of one year from issuance. You will not be charged a fee for the I-551 stamp.

My Naturalization Certificate was destroyed by the disaster. How do I replace it?

If your Naturalization Certificate of Citizenship Certificate ("Citizenship Paper") was destroyed, you must replace it as soon as possible by filing a USCIS Form N-565 by mail or electronically at the USCIS website. Form N-565 is available online at <http://www.uscis.gov/n-565>. Use your full name, A-number and Certificate Number to fill out the N-565 form. If you do not have this information, make an appointment with a USCIS officer by calling (800) 375-5283.

All paper N-565 forms must be mailed to **one** of these addresses (based on which carrier you choose): (A) for the U.S. Postal Service – USCIS, P.O. Box 20050, Phoenix, AZ 85036; and (B) for FedEx, UPS, and DHL – USCIS, Attention: N-565, 1820 E. Skyharbor Circle S, Ste. 100, Phoenix, AZ 85034. Two identical passport-size photos of yourself taken within 30 days of filing must be included with your form. As of April 1, 2024, the filing fee for a paper N-565 is \$555 and an online N-565 is \$505. (Addresses and fees may change, so it is best to check USCIS's website for updated information.) Checks and money orders should be made payable to the U.S. Department of Homeland Security. You may file a Form I-912 fee waiver with your Form N-565 if you are eligible for a complete or partial fee waiver based on annual income, receipt of means-tested benefits (e.g., SNAP, TANF, or SSI), and can demonstrate financial hardship.

A receipt will be mailed to you within one to two months of receipt of your Form N-565 by USCIS. As of June 3, 2024, eighty percent of N-565 cases are completed within nine months. If you have an emergency and would like to request expedited processing, contact USCIS at (800) 375-5283.

California Driver's License/ID Card/Vehicle Documents

For a limited time, you may be able to replace the following items at no cost if they are lost or damaged due to disaster: driver's licenses, state identification cards, vehicle registrations and titles, and disabled person parking placards. In addition, you can acquire substitute license plates and stickers, vehicle disposal paperwork, and driver record printouts, as well as process a change of address. For more information check out <https://www.dmv.ca.gov/portal/customer-service/natural-disaster-assistance/>. You can receive help by calling DMV customer service at (800) 777-0133 (TTY (800) 368-4327) during regular business hours or by visiting your local DMV field office and identifying yourself as a disaster victim. Find your local DMV field office by visiting https://www.dmv.ca.gov/portal/dmv/detail/fo/offices/toc_fo.

To replace your California driver's license or state identification card, follow the directions at <https://www.dmv.ca.gov/portal/driver-licenses-identification-cards/replace-your-driver-license-or-identification-dl-id-card/> or go to your DMV field office to fill out a paper application. You must submit application Form DL 44 to apply for a driver's license or identification card with a fingerprint scan and, unless waived due to a disaster, the application fee (\$36.00 for replacement driver's license, \$39.00 for state ID card, or free for a senior citizen ID card). Information regarding application fees can be found on the DMV website: <https://www.dmv.ca.gov/portal/driver-licenses-identification-cards/licensing-fees/>. When you submit your application, you will be issued an interim license or receipt for your state ID card. The DMV will mail the replacement driver's license or state ID card to you within 60 days of your application.

When getting a replacement driver's license, the DMV is giving most applicants the option of choosing a REAL ID driver's license/ID card. (Those with an AB 60 driver's license are not eligible for a REAL ID driver's license.) Existing California driver's license/ID cards will be accepted by the TSA when you are entering a secured area for a domestic flight and by federal agents when you are entering secure federal facilities until May 7, 2025. After that date, individuals will need a REAL ID, or other federally approved identification, for these purposes. You do not need to obtain a REAL ID at this time, but if you choose to do so when replacing your driver's license or ID card, you will be required to present additional documentation in person at your local DMV. Information about REAL IDs and their requirements can be found on the DMV website: <https://www.dmv.ca.gov/portal/driver-licenses-identification-cards/real-id/>.

To obtain a replacement certificate of title, you must complete an Application for Duplicate or Paperless Title (REG 227) (<https://www.dmv.ca.gov/portal/uploads/2020/06/reg227.pdf>), attach the damaged title if mutilated, and, unless waived due to a disaster, pay the duplicate title fee of \$27.00 (\$15.00 for boats and other vessels). REG 227 may be obtained online at the link listed above or at your local DMV office. You may submit the application either in person at your local DMV office or mail it to:

Department of Motor Vehicles
Registration Operations
P.O. Box 942869
Sacramento, CA 94269-0001

Instructions are available at <https://www.dmv.ca.gov/portal/htvr-10>.

To obtain a replacement registration card for a highway vehicle, you may complete an online application (<https://www.dmv.ca.gov/wasapp/rsr/start.do>) or complete an Application for Replacement Plates/Stickers/Documents (REG 156) (<https://www.dmv.ca.gov/portal/file/application-for-replacement-plates-stickers-documents-reg-156-pdf>), to submit either in person at your local DMV office or by mail to the address above. Unless waived due to a disaster, payment of the duplicate registration fee of \$27.00 will be required.

To obtain a replacement registration card for a vessel, boat, or off-highway vehicle, you must complete an Application for Replacement Plates/Stickers/Documents (REG 156) (<https://www.dmv.ca.gov/portal/file/application-for-replacement-plates-stickers-documents-reg-156-pdf>) and, unless waived due to a disaster, pay the duplicate registration fee of \$27.00. You may submit the application either in person at your local DMV office or mail it to the address above.

Instructions are available at <https://www.dmv.ca.gov/portal/vehicle-registration/online-replacement-sticker-or-registration-card/>.

Birth Certificates, Marriage Certificates, Death Certificates, and Divorce Decrees

Certified copies of birth, marriage, and death certificates can be obtained from the County Recorder's office in the county where the birth, marriage, or death occurred. You can also go to <https://www.cdc.gov/nchs/w2w/index.htm> to get detailed information on where to find vital records for all fifty states and the U.S. territories.

To obtain copies of these types of records, you must fill out an application with information such as the full name of the person, date, and place of event. You will need to submit a sworn statement that you were impacted by a disaster along with your application and a fee waiver to potentially receive a copy of your vital records for free. Call your County Recorder or visit their website for updated information, including county-specific requirements. If you need the documents quickly, you may be able to go directly to the County Recorder's office to apply for them. Check with the County Recorder's office before planning an in-person visit.

Certified copies of birth, marriage, and death certificates can also be obtained from the Office of Vital Records by submitting a request online at <https://www.cdph.ca.gov/Programs/CHSI/Pages/Obtaining-Certified-Copies-Online.aspx> or by mailing your records application to:

California Department of Public Health
Vital Records – MS 5103
P.O. Box 997410
Sacramento, CA 95899-7410

Instructions and forms for requesting such certified copies from the Office of Vital Records are available at <https://www.cdph.ca.gov/Programs/CHSI/Pages/Vital-Records.aspx>. Unless waived due to disaster, a fee of \$29.00 for a birth certificate, \$17.00 for a marriage certificate, and \$24.00 for a death certificate is required for requests by mail. Online requests will likely require higher fees. You can check the following website for an estimate on processing times for these requests: <https://www.cdph.ca.gov/Programs/CHSI/Pages/Vital-Records-Processing-Times.aspx>. Note that all marriage certificates issued from 2000 through 2008 must be requested through a County Recorder's office.

To replace a divorce decree or judgment, contact the clerk of the superior court in the county where the judgment was issued. Procedures and fees vary from court to court. To find the location, phone number, and website of the applicable superior court, visit <http://www.courts.ca.gov/find-my-court.htm>.

Military Service Records

Instructions for requesting military service records can be found at <https://www.archives.gov/veterans/military-service-records>. Military service records can be requested online using eVetRecs at the same link, by mail, or by fax.

For priority service to replace a separation document (usually DD Form 214 or equivalent), write “Natural Disaster” in the “Comments” section of eVetRecs or in the “Purpose” section of Form SF-180, Request Pertaining to Military Records, then fax your request to customer service at (314) 801-0764.

Immunization Records

Immunization records for yourself or your child may be obtained from the California Immunization Registry (CAIR). Go to <https://www.cdph.ca.gov/Programs/CID/DCDC/CAIR/Pages/CAIR-updates.aspx#> to request your vaccine records. If a matching record exists, you can then complete the full request. For questions related to your request, you can call the CAIR Help Desk at (800) 578-7889, Monday – Friday, 8:00 a.m. – 5:00 p.m.

If your immunization records are not found in CAIR, look for copies kept by the physician or medical group that administered the immunizations, at your local health department, or at your child’s school.

As a result of a disaster, records related to real property I own (such as the deed to my house) were destroyed. What should I do?

Certified copies of deeds to real property may be obtained from the County Recorder’s office in the county where the property is located. To apply, you will need the name of the owner of the property as it appears on the deed, property address, and, if possible, the recorded year of the deed and the title of the document (or document number). Unless waived due to disaster, copy fees vary from county to county. A list of County Recorders’ offices is provided at the end of this chapter.

As a result of the wildfires, my will or family trust document was destroyed. What should I do?

If the will or family trust was prepared by an attorney, you may be able to obtain a copy of the document by contacting the attorney who prepared it. If you do not have the attorney’s current address, search for it at <http://members.calbar.ca.gov/fal/membersearch/quicksearch> or contact the State Bar of California at (415) 538-2000. If the attorney does not have a copy of the document, you should consider whether the document may have been recorded and check with the appropriate County Recorder’s office by using the contact information provided below. Otherwise, you should have a new will, trust, or other document prepared. If you do not have an attorney, you may want to seek one out.

As a result of the wildfires, my insurance policy, premium notice, or other insurance-related document was destroyed. What should I do?

If insurance documents are destroyed, contact your insurance agent or insurance company to obtain new copies.

County Assessor and Recorder Offices

To find your county’s Registrar of Births and Deaths and recorder, go to <https://www.cdph.ca.gov/Programs/CHSI/Pages/County-Registrars-and-Recorders.aspx#>.