§ 4139. Certificates of dissolution of marriages to be filed with the department; duties of county clerks in connection therewith. 1. No interlocutory decree, judgment or order of divorce, annulment, or other dissolution of marriage shall hereafter be filed or entered in the office of any county clerk of this state, unless there is submitted therewith, a certificate of dissolution of marriage on a form prescribed, printed and furnished by the commissioner. Such form may contain a confidential section for statistical and research purposes. Such section shall not be subject to subpoena or to inspection by persons other than the commissioner or authorized personnel of the department. The commissioner may, however, pursuant to appropriate rules assuring that the identity of individuals will not be revealed, approve the inspection and use of such confidential sections for scientific purposes.

2. Such certificate shall contain the names and addresses of the attorneys for the parties thereto, the names, social security numbers and addresses of the parties to the action, and such other information as prescribed by the commissioner, including but not limited to such information as may be requested by the federal agency in charge of vital statistics.

3. At such times as the commissioner shall direct, the county clerk of each county shall transmit to the department the certificates of dissolution of marriage so filed in his office for each case where the decree became final during the previous months. Such certificates of dissolution of marriage shall be kept on file and properly indexed by the department.

4. A certified copy or certified transcript of such certificate may be furnished to either party to the action by the commissioner. A certified copy or certified transcript of such certificate may be furnished by the commissioner to one other than a party to the action, only upon order of a judge of a court of record, or a judge of a family court, granted upon application of such other person, with or without notice, upon showing a proper or judicial necessity therefor, which order and the papers accompanying same shall be filed by the commissioner and given the

indexed number of the certificate of dissolution to which it relates. The commissioner shall be deemed to have complied with the applicable provisions of this subdivision by the issuance of a certified transcript of the desired certificate instead of a certified copy thereof except where the requester shall show, to the satisfaction of the commissioner or his designated representative, a demonstrated need for such certified copy, or where a court order rendered pursuant to the provisions of this subdivision contains an express recital or direction therein that the issuance of a certified transcript of such certificate instead of a certified copy thereof shall not be considered to be in compliance therewith.

5. Whenever in his opinion, information as to the dissolution of a marriage is required for a legal or other proper purpose, the commissioner may make a search of the files and, if the record of dissolution of marriage is found, he may furnish to the applicant, in the form of a certification, the names of the parties to the dissolved marriage, the name of the county and county seat of such county in which the decree dissolving the marriage was granted, and the date the decree was entered.

6. The commissioner shall be entitled to a fee of thirty dollars for each certification, certified copy or certified transcript of certificate of dissolution of marriage furnished.

7. For a search of the files where no such certification, certified copy, or certified transcript is furnished, or for a certification that a search discloses no record of a dissolution of marriage, the commissioner shall be entitled to a fee of thirty dollars.

8. Notwithstanding any other provisions of this section, the federal agency in charge of vital statistics may obtain from the department at a fee acceptable to the commissioner, information from certificates of dissolution of marriage for use solely as statistical data without the order of a justice of the supreme court. For other official purposes, subject to the provisions of subdivision four of this section, certifications, certified copies, or certified transcripts of

certificates of dissolution of marriage may be furnished, at a fee acceptable to the commissioner upon specific request therefor by a department of the state of New York or of the government of the United States.