

CLACKAMAS COUNTY COURT

GENERAL INSTRUCTIONS FOR NAME CHANGES

READ BEFORE FILLING OUT FORMS

Use black ink only.

Print very clearly, or type, everything except your signature.

The place for posting notices is on the bulletin board located on the ground floor hallway of the Clackamas County Courthouse on the south wall. It is clearly marked. There are separate places to post the first posting and the second posting.

The steps, forms and time lines are critical.

If you fail to follow any step in a timely manner, your proceeding will be dismissed.

In calculating time, you exclude the first day and include the last day of the relevant time period, unless the last day falls on a legal holiday, Saturday, or Sunday in which case those days are added to the time period.

After the process is complete, the Court will provide one certified copy of the General Judgment of Name Change at no cost. Additional certified copies are \$5.25.

The filing fee is \$105.00 and must be paid at the time of the filing of the Petition.

Your proposed name must include your entire name chosen, including your first and middle name (even if they are unchanged). Your complete name must appear **exactly** as you want it and be on all the documents, including the notices.

If an objection is filed, a hearing will be set. Notice of the hearing will be mailed to you. The process will be halted until after the hearing.

THE JUDGE HAS THE AUTHORITY TO REFUSE TO APPROVE YOUR PROPOSED NAME.

The Court requires strict compliance with the statutes (ORS 33.410-440) and these instructions. Your name change judgment may be denied for failure to comply with the above.

The forms provided do not cover every possible situation. You may need to consult with an attorney for additional information.

BE SURE THAT ALL DOCUMENTS SHOW THE ENTIRE NEW NAME THAT YOU WANT, EVEN IF YOU ARE KEEPING THE SAME FIRST, MIDDLE OR LAST NAME.

THE CLERKS AT THE COURT CANNOT AND WILL NOT GIVE YOU LEGAL ADVICE OR DIRECTIONS ON FILING OUT THE FORMS OR FOLLOWING ANY STEP OF THE PROCESS. You may need to consult an attorney. If you do not have an attorney, you may contact the Oregon State Bar at (503) 684-3763, or (800) 452-7636 from within Oregon, or www.osbar.org/public for a referral to an attorney.

OREGON REVISED STATUTES
(<http://www.leg.state.or.us/ors/033.html>)

CHANGE OF NAME

33.410 Jurisdiction; grounds. Application for change of name of a person may be heard and determined by the probate court or, if the circuit court is not the probate court, the circuit court if its jurisdiction has been extended to include this section pursuant to ORS 3.275 of the county in which the person resides. The change of name shall be granted by the court unless the court finds that the change is not consistent with the public interest. [Amended by 1967 c.534 §11; 1975 c.733 §1]

33.420 Notice of application and judgment; notice for change of name of minor child. (1) Before entering a judgment for a change of name, except as provided in ORS 109.360, the court shall require public notice of the application to be given, that all persons may show cause why the same should not be granted. The court shall also require public notice to be given of the change after the entry of the judgment.

(2) Before entering a judgment for a change of name in the case of a minor child the court shall require that, in addition to the notice required under subsection (1) of this section, written notice be given to the parents of the child, both custodial and noncustodial, and to any legal guardian of the child.

(3) Notwithstanding subsection (2) of this section, notice of an application for the change of name of a minor child need not be given to a parent of the child if the other parent of the child files a verified statement in the change of name proceeding that asserts that the minor child has not resided with the other parent and that the other parent has not contributed or tried to contribute to the support of the child. [Amended by 1983 c.369 §6; 1997 c.872 §22; 2001 c.779 §12; 2003 c.576 §308]

33.430 Change of name on birth certificate; court conference with child. (1) In the case of a change, by court order, of the name of the parents of any minor child, if the child's birth certificate is on file in this state, the State Registrar of the Center for Health Statistics, upon receipt of a certified copy of the court order changing the name, together with the information required to locate the original birth certificate of the child, shall prepare a new birth certificate for the child in the new name of the parents of the child. The name of the parents as so changed shall be set forth in the new certificate, in place of their original name.

(2) The evidence upon which the new certificate was made, and the original certificate, shall be sealed and filed by the State Registrar of the Center for Health Statistics, and may be opened only upon demand of the person whose name was changed, if of legal age, or by an order of a court of competent jurisdiction.

(3) When a change of name by parents will affect the name of their child under subsection (1) of this section, the court, on its own motion or on request of a child of the parents, may take testimony from or confer with the child and may exclude from the conference the parents and other persons if the court finds that such action would be in the best interests of the child. However, the court shall permit an attorney for the parents to attend the conference, and the conference shall be reported. If the court finds that a change of name would not be in the best interests of the child, the court may provide in the order changing the name of the parents that such change of name shall not affect the child, and a new birth certificate shall not be prepared for the child. [Amended by 1983 c.369 §7; 2005 c.22 §25]

33.440 Application by minor child; court conference. When a minor child applies for a change of name under ORS 33.410, the court may, upon its own motion, confer with the child and may exclude from the conference the parents and other persons if the court finds that such action would be in the best interests of the child. However, the court shall permit an attorney for the child to attend the conference, and the conference shall be reported. [1983 c.369 §5]