

## **INSTRUCTIONS FOR MINOR CHILD NAME CHANGE**

These instructions are not a complete statement of the law. They cover basic procedures for filing a minor name change. Read through these instructions carefully before proceeding with the name change. The legality and the content of the forms are YOUR RESPONSIBILITY. Court staff is not allowed to give legal advice. If you have questions about a minor name change that are not answered in the instructions, you should contact an attorney.

### **GENERAL INFORMATION**

Other than the Declaration in Support of Petition for Name Change form (only required in cases where child is 14 years of age or older), the Court does not provide the forms needed for a minor name change. You may obtain the forms from a stationary store. The forms required to change the name of a minor will vary depending upon the circumstances and age of the child and you may not end up using every form provided in the packet you purchase.

Use black or blue ink and print or type when you fill out your forms.

A filing fee must be paid at the time the petition is filed.

Copies may be obtained from the clerks' office for \$.25 per page. A certified copy of any form will be an additional \$5.00.

**The Court Clerks do not notify any agency or department of the name change.**

### **STARTING YOUR CASE**

#### **(Step 1) COMPLETING THE FORMS**

To begin the process, you must fill out the following forms:

- Petition for Appointment of Guardian Ad Litem in Order to Change Name of Minor Child*
- Declaration re Petition for Appointment of Guardian Ad Litem on Order to Change Name of Minor Child*
- Order Appointing Guardian Ad Litem in Order to Change Name of Minor Child*
- Petition for Change of Name of Minor Child*
- Declaration in Support of Petition for Name Change (only required in cases where child is 14 years of age or older- **both** the Guardian Ad Litem and the child **must each** complete separate declarations)*
- Order to Give Notice and Appear and Show Cause*

#### **(Step 2) ATTEND AN EX PARTE HEARING**

Attend an Ex Parte proceeding to have a judge sign the Order Appointing Guardian Ad Litem and set a hearing date. Ex Parte is held between 8:30 a.m. and 8:50 a.m. Monday through Friday except legal holidays. Check in at 8:00 a.m. with the information booth to find the courtroom. No appointment

is necessary to attend. The hearing date set by the judge will be on a judicial day (Monday through Friday except holidays) at least 15 calendar days after the date the notice will be posted.

### **(Step 3) NOTICE OF CHANGE OF NAME HEARING**

Use the date the Judge set on the Order to Show Cause (step 2) to complete the Notice of Change of Name Hearing form. **A copy of the Notice must be posted in a public place for at least 14 calendar days.** The cashier will file the original forms and will make 2 sets of copies, one for your records, and one for you to post. The cashier can direct you to the available locations to post in the courthouse.

### **(Step 4) NOTIFICATION TO THE OTHER PARENT, CONSENTS**

Before the court will consider signing a judgment of name change of a minor, the court must be satisfied that the other parent either consents, does not need to be notified, or has received notice of the proceedings and not objected.

In general, you will need to either file the consent of the other parent, a declaration that notice is not required, or proof that the other parent has been served.

If the minor child is 14 years of age or older and consents to the name change, file the signed consent form.

### **(Step 5) DECLARATION- PROOF OF POSTING NOTICE OF HEARING**

On the date of the hearing take the posting off the bulletin board and check in with the cashier on the 2<sup>nd</sup> floor for the location of your hearing. Bring the following forms with you on the date of the hearing:

*-Declaration re Proof of Posting Notice of Hearing (The copies of the Order to Show Cause and Notice of Change of Name Hearing will be attached to this form)*

*-Declaration re Proof of Mailing or Delivery of Notice re Filing of Petition for Change of Name of Minor or Waiver and Consent of Name of Minor Child – Parent or Guardian*

*-Consent to Change of Name of Minor Child, Consent of Child 14 years of age or older*

*-General Judgment of Change of Name and Order to Post*

The copies of the ORDER TO SHOW CAUSE and NOTICE OF CHANGE OF NAME HEARING forms (steps 2/3) will be attached to the step 5 form.

**(Step 6) GENERAL JUDGMENT OF CHANGE OF NAME AND ORDER TO POST**

This is the form the judge will sign. On the date of the hearing take this form along with the forms listed in step 5 above to the courtroom. Be sure you are here by 8:00 a.m. to check in with the cashier to find out which courtroom you will go to. The judge is in the court room for only 20 minutes. **Once the Judge signs the Judgment, a clerk will take the forms and direct you back to the cashiers.** You may purchase a certified copy of the name change after it has been filed with the cashier.

**(Step 7) NOTICE OF CHANGE OF NAME JUDGMENT**

Post this notice in a public place for fourteen (14) complete calendar days.

**(Step 8) DECLARATION-POSTING NOTICE OF NAME CHANGE**

After fourteen (14) complete calendar days, file this form with the cashier with a copy of the NOTICE OF CHANGE OF NAME JUDGMENT attached. Please make sure to sign the Declaration. The name change is not effective until this step is completed.