

CHANGE OF NAME OR SEX - MINORS

Supplemental Forms and Procedures for Lane County

These instructions are not a complete statement of the law or the name and/or sex change process. They cover basic procedures for filing a name or sex change for minor children in Lane County. There are additional forms required. You may obtain the packet of forms and instructions for:

- Name and Sex Change for a Minor *and*
- Applying for a Guardian ad Litem

on the Oregon Judicial Department's website at:

<https://www.courts.oregon.gov/programs/family/forms/Pages/name-sex-change.aspx>.

An adult previously appointed by a court to act as a guardian or a conservator of the minor child, may petition for the name or sex change on behalf of the minor. Otherwise, the name or sex change of a minor requires filing a request to be appointed guardian ad litem for the minor.

If you are seeking to change the minor's name and sex at the same time, AND you are requesting the sex change be sealed, you must complete two sets of documents; one for sex change and one for name change. You may file both requests at the same time for a single filing fee, but separate case numbers will be issued.

GENERAL INFORMATION

In addition to the forms listed above, Lane County requires additional forms.

Lane County supplemental form:

- *Declaration in Support of Petition for Name/Sex Change* (Completed by the Parent or Legal Guardian only – unless the child is 14 years of age or older – in which case both the Parent or Legal Guardian and the child must each complete a separate Declaration in Support of Petition for Minor Name/Sex Change.)

Use black or blue ink and print or type when you fill out your forms. The forms filed with the Court should be signed using the former name throughout the entire procedure.

A [filing fee](#) must be paid at the time the petition is filed.

A minor name or sex change petition will not be ruled on without a [hearing](#).

(Step 1) STARTING YOUR CASE

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

- Motion and Declaration for Appointment of Guardian Ad Litem
- Order to Appoint Guardian Ad Litem
- Petition for Change of Name/Sex of Minor Child
- Declaration(s) in Support of Petition for Minor Name/Sex Change
- Proposed General Judgment

(Step 2) FILING THE FORMS WITH THE COURT

When you have finished filling out the forms, file the forms listed above in step 1 with the Court Clerk on the 2nd floor of the Lane County Courthouse, Monday – Friday, 8am – 5pm. Pay the [fee](#) at the time of filing. The Court Clerk will give you a case number. Make sure you put the case number on all originals and copies. NOTE: You must bring a valid, government issued ID with you to file.

(Step 3) NOTIFYING THE OTHER PARENT/LEGAL GUARDIAN, CONSENT

After you file and get a case number, you must send written notice to:

- the other parent (if you are a parent)
- both parents (if you are not a parent)
- all legal guardians

After you send notice, complete and file the *Declaration of Notice* form with the Court.

The court must be satisfied that the other parent or legal guardian either consents (agrees), does not need to be notified, or has received notice of the proceedings. In general, you will need to either file the proof that the other parent or legal guardian consents, has been served *OR*, complete the section in the *Petition* and *Declaration* that notice is not required. The Court offers a *Waiver and Consent of Parent or Guardian* form.

The Court will schedule a hearing approximately 30 days from the date that all forms have been filed. The Court will send you a hearing notice. The notice includes important information about the process.

(Step 4) THE HEARING; FINALIZING YOUR CASE

You must attend the scheduled hearing. The hearing will address two issues; the appointment of a guardian ad litem and, the name change or sex change request. If the Judge allows the *Motion* signs the *Judgment*, you are done. You may get a copy of the Judgment from Court Records.

NOTE:

- A minor child 14 years of age or older must attend the hearing
- If both the parent (or parents) and the minor child are seeking name changes, a minor over the age of 8 must be present at the hearing

The judge may set your matter over for failure to notify the other parent and give you instructions on how to notify the other parent. When the judge makes the decision on your requested name or sex change, copies of the judgment will be mailed to you.

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

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

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF LANE

In the Matter of:

Case No: _____

**PETITION AND
DECLARATION FOR
APPOINTMENT OF
GUARDIAN AD LITEM IN
ORDER TO CHANGE ☐NAME
☐SEX OF MINOR CHILD**

Minor Child (*current name*)

(*PRINT Name of Proposed Guardian Ad Litem*)

I, _____ the proposed guardian ad litem,
request that this court appoint him/her as guardian ad litem of the above named minor child for
the purpose of obtaining a change of name and/or sex of the minor child.

I declare the following is true:

I am a resident of _____ County in the state of
_____.

The above referenced minor child is a resident of _____
County, state of Oregon, is _____ years of age, and is not presently represented by
guardian or conservator.

I am the minor child's _____
Relationship to minor

I am a competent adult 18 years of age or older and I am not disqualified under
any provision of applicable law from being appointed guardian ad litem hereunder, or
thereafter proceeding to petition for the above referenced change of name or sex.

I ☐ have ☐ have not participated as a party, witness or in any other capacity in
any other proceeding concerning the custody, parenting time or visitation of the child.

I know of no other proceeding that could affect this case (including any other
proceeding concerning custody, parenting time enforcement, protective orders,
termination of parental rights and adoptions) in this or any other state ☐ EXCEPT:

I know of no other person who has the physical or legal custody of the child or who claims custody, parenting time or visitation rights with the child ☐ EXCEPT:

ORCP Rule 27

☐ Proposed Guardian Ad Litem represents to the Court as the legal parent of the child under the age of 14

☐ The child, over the age of 14 but under the age of 18, consents to the petition before the Court to appoint a Guardian Ad Litem. Evidence of the consent to Guardian Ad Litem is filed herein.

☐ The other legal parent of the child consents to the petition before the Court to appoint a Guardian Ad Litem. Evidence of the consent to Guardian Ad Litem and Name Sex change is either filed herein or will be submitted along with the Judgment.

OR

☐ I have not obtained the other legal parent's consent; however, I will be sending them notice of this name change by mail. Proof of notice will be submitted along with the Judgment.

☐ I am one of the parents of the minor child. I do not intend to give notice of this proceeding to _____, who is also a parent of the minor child, because the minor child has not resided with that parent, and because that parent has not contributed or tried to contribute to the support of the minor child.

I hereby declare that the above statements are true to the best of my knowledge and belief. I understand they are made for use as evidence in court and I am subject to penalty for perjury.

Date

Signature of Proposed Guardian Ad Litem

Name (printed)

Contact Address

City, State, ZIP

Contact Phone

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF LANE

In the Matter of:

Case No: _____

**ORDER TO APPOINT
GUARDIAN AD LITEM**

Minor Child (*current name*)

Minor ☐ Name ☐ Sex Change

(*PRINT Name of Proposed Guardian Ad Litem*)

Based upon the *Petition and Declaration for Appointment of Guardian ad Litem* of the Proposed Guardian Ad Litem in order to Petition for a ☐ Name ☐ Sex Change of the above referenced minor child,

IT IS HEREBY ORDERED THAT _____ is appointed as Guardian Ad Litem to act on behalf of the above-named minor in this proceeding.

Certificate of Readiness per UTCR 5.100

This judgment is ready for signature because it is submitted ex parte as allowed by statute
Submitted by Petitioner

Judge Signature:

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF LANE

In the Matter:	)	Case No.: _____
)	
_____	)	Declaration in Support of Petition for
Minor Child, <i>(current name)</i>	)	Minor <input type="checkbox"/> Name <input type="checkbox"/> Sex Change
	)	<i>Minor Child (age 14 years or older)</i>
)	
	)	ORS 33.410 to 33.440, 33.460
)	

I, _____, the Minor Child age 14 years of age or older,
declare the following is true:

1. ☐ I have not been convicted of a crime.

OR

- ☐ I **have** been convicted of the following crime(s):

<u>Name of Court</u>	<u>State</u>	<u>Date</u>	<u>Conviction/Result</u>
_____	_____	_____	_____
_____	_____	_____	_____

2. ☐ I am not required to register as a sex offender.

OR

- ☐ I **am** required to register as a sex offender.

3. ☐ I do not know of any domestic violence, restraining order, stalking order, or criminal proceedings pending or in effect against me in Oregon or in any other state.

OR

- ☐ I **do** know of the following proceeding(s) either pending or in effect:

<u>Name of Court</u>	<u>State</u>	<u>Date Issued</u>	<u>Type of Case</u>
_____	_____	_____	_____
_____	_____	_____	_____

4. ☐ I do not have a current obligation to pay child support or support arrearages.

OR

- ☐ I **do** have an obligation to pay child support or support arrearages.

5. ☐ I have not used other names.

OR

- ☐ I **have** used the following former or other names:

6. ☐ I am a United States citizen.

OR

- ☐ I am **not** a United States citizen and I ☐ am ☐ am **not** a permanent resident legal alien.

7. I consent to the petition before the Court to appoint _____
as Guardian Ad Litem for purposes of this case. *(name of proposed Guardian Ad Litem)*

The following section applies to sex changes cases *only*:

8. ☐ I have undergone surgical, hormonal, or other appropriate treatment for the purpose of affirming gender identity.

I hereby declare that the above statements are true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury .

Dated this _____ day of _____, 20 ____.

Petitioner, Signature

Print Name

Address or Contact Address

City, State, Zip Telephone or Contact Telephone

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF LANE

In the Matter of:	)	Case No.: _____
)	
Minor Child, <i>(current name)</i>	)	Declaration in Support of Petition for
	)	Minor <input type="checkbox"/> Name <input type="checkbox"/> Sex Change
)	<input type="checkbox"/> <i>and</i> Request to Waive Written
	)	Notice to Other Parent
	)	<i>Parent or Legal Guardian</i>
)	
	)	ORS 33.410, 33.460

I, _____, the ☐ Parent ☐ Legal Guardian, declare the following is true:

1. ☐ I am a parent of the minor child in this case.

2. ☐ I am a United States citizen.
OR
☐ I am **not** a United States citizen and I ☐ am ☐ am **not** a permanent resident legal alien.

3. ☐ The minor child is a United States citizen.
OR
☐ The minor child is not a United States citizen and ☐ is ☐ is **not** a permanent resident legal alien.

4. ☐ The minor child lives in Lane County *(for name change or name and sex change)*.

Complete the following section if you are requesting a waiver of the notice requirement to the other parent:

5. The other parent of the minor child is: _____ *(name)*.

6. I request a waiver of the requirements set forth in ORS 33.420(2), which requires me to give the other parent written notice of this application for a change of the minor's name. I make this request for the following reasons:
 - a. ☐ This minor child has never resided with the parent named in line 4, above, **AND**

- b. ☐ The parent listed in line 4 above, has never contributed to, nor attempted to contribute to, the financial support of this minor child, except as follows:_____

7. I have been unable to provide notice to the other parent for the following reasons:

- c. ☐ The other parent is in prison
d. ☐ The other parent has a mental health issue
e. ☐ The other parent is homeless or transient
f. ☐ Other:_____

8. ☐ Based on the foregoing, I have not given the other parent written notice of the application for a change of the minor's name.

I hereby declare that the above statements are true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury .

Dated this _____ day of _____, 20 _____.

Parent or Legal Guardian, Signature

Print Name

Address or Contact Address

City, State, Zip Telephone or Contact Telephone

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF LANE

In the Matter of:

Case No: _____

**WAIVER AND CONSENT
OF PARENT OR GUARDIAN**

Minor Child (*current name*)

Minor ☐ Name ☐ Sex Change

I, _____, being a parent or guardian
(Type or Print Name)
of the above referenced minor child, hereby waive my rights to object to such change of ☐ Name
☐ Sex of the above referenced minor child and consent to the entry of an order of this court
directing a change of:

☐ Name
from: _____

to: _____
☐ Sex
to: ☐ male ☐ female ☐ nonbinary

of the minor child as set for in the petition of the guardian ad litem.

Date

Signature

Name (printed)

Relationship to Minor Child

Contact Address City, State, ZIP Contact Phone