

# HOW TO CHANGE THE NAME OF MINOR CHILDREN IN \_\_\_\_\_ COUNTY

Name changes are governed by O.C.G.A. §19-12-1. There are two sets of forms available for name changes. One set is for adults (18 years old or older) who want to change their own name (NAME CHANGE OF AN ADULT). The other set is for people who want to change the name of a minor child or children (NAME CHANGE OF A MINOR CHILD OR CHILDREN). Decide which set of forms you need to use and follow the instructions accordingly. THIS SET OF FORMS IS FOR A NAME CHANGE OF A MINOR CHILD OR CHILDREN.

- STEP 1:** Fill out the Petition to Change Name of Minor Child(ren)
- STEP 2:** Fill out the Verification form, to go with the Petition
- STEP 3:** Have the Consent form, signed and notarized
- STEP 4:** Fill out the Notice of Petition to Change Name form
- STEP 5:** Make copies of all of the forms
- STEP 6:** Publish Notice
- STEP 7:** File the forms you just filled out
- STEP 8:** Obtain your Final Decree
- STEP 9:** File the Final Decree and obtain a certified copy of it
- STEP 10:** Change Birth Certificates

The following are detailed instructions:

**STEP 1: Fill out the Petition to Change Name of Minor Child(ren):**

- A. Print or type the current name(s) of the minor children whose names you want to change next to the word, "Children:". Then fill in your name next to the word "Petitioner". Fill in the name of the other parent or guardian next to the word "Respondent". You should not fill in the blank next to "Civil Action File No." because the clerk will assign your case a number when you file the Petition, and the clerk will fill that number in for you. This top part of the form is called the "style" of the case.
- B. Paragraph 1: Print or type your name.
- C. Paragraph 2: Print or type the name or names of the child(ren) whose name or names that you want to change.
- D. Paragraph 3: Check the box next to the word that describes your relationship to the child(ren). For example, if you are the child(ren)'s mother, check the box next to "mother." Only people who have a legal relationship (such as a parent or guardian) can change the name of a minor.
- E. Paragraph 4: Print or type the current name or names of the child(ren) in the left column and the new name or names of the child(ren) in the right column. For example, if your child(ren)'s names were Mary and John Smith, and you wanted to change them to Mary and John Jones, it would look like this:

If you require materials in alternate format, please notify the Family Law Information Center as soon as possible.



**STEP 4:**

- ▶ the parent or parents are deceased **OR**
- ▶ the parent or parents have abandoned the child(ren) **OR**
- ▶ the parent has not contributed to the support of the child(ren) for a continuous period of five years or more immediately before you file the petition.

If both parents are deceased or have abandoned the child or children, then the guardian has to sign the form. If only one parent is deceased, abandoned the child or children, or has not contributed to the support of the child in the past five years, then the remaining parent has to sign the form. Once this form is signed, have it notarized and staple it to the Petition. This is "Exhibit A," which is referred to in paragraph 7 of the Petition. (If one of the parents does not want the child(ren)'s name changed and refuses to sign the consent form, that parent can file objections to the petition once it is filed. If this happens, you may not be able to change the child(ren)'s name, but you should seek the advice of an attorney.)

- A. Fill out the style of the case like you filled out the Petition (print or type the current name(s) of the children next to the word "Children:", your name next to the word "Petitioner", and the other parent or guardian's name next to the word "Respondent").
- B. Next to the number [1], print or type the name of either the mother, the father, or one of the guardians.
- C. Next to the number [2], print or type the name of the other parent or guardian (if there is one).
- D. Next to the number [3], check the box that applies. If the parents are signing the form, check the box next to "parents". If the guardian or guardians are signing, then check the box next to "guardians".
- E. Next to the number [4], print or type the names of the child(ren).
- F. Next to the number [5], print or type your name.
- G. In the columns that follow number [6], print or type the child(ren)'s current and new names, like you filled out the petition.
- H. Next to the number [7], have one of the parents or guardians sign their name. Then check the box that describes who they are (either the father, the mother, or the guardian). Then fill in the name of the child(ren) with whom they have that relationship. Then print or type their address.
- I. Next to the number [8] do the same thing as in paragraph H above with the other parent or guardian (if there is one).
- J. The parents or guardians will also have to sign their names in front of a notary on the following page. They should also check the box that describes their relationship to the children under their signature.

**STEP 5: Fill out the Notice of Petition to Change Name form as follows:**

- A. Fill out the style of the case like you filled out the Petition (print or type the current name(s) of the child(ren) next to the word "Children:", your name next to the word "Petitioner", and the other parent or guardian's name next to the word "Respondent").
- B. Next to the number [1], print or type your current name.
- C. Next to the number [2], print or type the date that you filed the Petition.
- D. Next to the number [3], print or type the month and year that you filed the Petition.
- E. In the column marked [4], print or type the current name(s) of the minor child(ren).
- F. In the column marked [5], print or type the new name(s) that you want the court to change the child(ren)'s name(s) to.
- G. Next to the number [6], print or type the date that you are signing this document (it may be the same date that you file it).
- H. Next to number [7], print or type the month and year that you are signing this document.
- I. Then sign your name and print or type your name, address, and telephone number.

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**STEP 6: Make copies of all of the forms.** Make one copy of each of the forms for each parent and/or guardian, including yourself.

**STEP 7: Publishing Notice:** The Notice of Petition to Change Name form must be published once a week for four weeks in the \_\_\_\_\_ County Daily Report. You will have to arrange to have this notice published within 7 days after you file your petition. You can arrange to have this done at the clerk's office when you file your petition (see paragraph VII below) or by going to the \_\_\_\_\_ County Daily Report's office directly. The charge for publication of this notice is \$80.00. Be sure to include your name and address on the Notice form so that the \_\_\_\_\_ County Daily Report can mail you proof that the notice was published.

**STEP 8:** File the forms you just filled out. The filing fee is \$65.00. To begin the process you must give the original of the following documents to the clerk's office in the County where you reside (which should be \_\_\_\_\_ County if you are using our forms):

- the Petition with the Consent form attached
- the Verification, and
- the Notice of Petition to Change Name
- \$65.00 for the filing fee (or an Affidavit of Poverty)
- \$80.00 for the publishing fee (or an Affidavit of Poverty)

If you are not a resident of \_\_\_\_\_ County, then these instructions may not apply to you, and you should seek further information about filing for a name change in the county of your residence.

**STEP 9: Obtaining your Final Decree.** Thirty (30) days after the petition is filed, and after the notice has been published once a week for four weeks, you can go to court to ask the court to enter a decree of name change. When you get to court, find out the name of the presiding judge and go to that judge's chambers. You must bring with you the following documents:

- Your original Petition with the Parent Consent form attached
- A copy of the Verification, and
- A copy of the Notice of Petition to Change Name
- Proof that the notice was published (the piece of paper sent to you by the \_\_\_\_\_ County Daily Report)
- the **Final Decree Changing the Name(s) of Minor Child(ren)** form for the judge to sign. You should first fill in the style of the case like the other forms. In column [1], print or type the current name(s) of the child(ren), and next to number [2], print or type the new name(s). DO NOT FILL OUT THE REST. THE JUDGE WILL DO IT FOR YOU.

Tell the judge's secretary that you are there for a name change. When you go into the judge's chambers, the judge will have you swear to the truth of what you will say, then tell the judge the following:

- ▶ your name
  - ▶ your county of residence
  - ▶ that you are asking the judge to grant a name change
  - ▶ how you are related to the child(ren)
  - ▶ that you want to change the name(s) of the child(ren) from what to what
  - ▶ the reasons you want to change the name(s)
- Then ask the judge to sign the form decree for you.

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**STEP 10: File the Final Decree.** Take the signed decree to the clerk's office and ask for a certified copy of it. This is proof that your name has officially changed.

**STEP 11: Changing Birth Certificates.** If you wish to have the child(ren)'s birth certificate(s) changed, you must provide a certified copy of the Decree to the Department of Vital Records. If you are the natural parents of a minor who was born prior to your marriage to each other, fill out the Paternity Affidavit, and bring or send it to the Department of Vital Records with a copy of your Marriage Certificate.

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