

Instructions Name Change of Minor

It is suggested that you review the attached information sheet on Name Change, Conformity, or Birth Certificate Correction to determine which process is right for your situation. Our court staff will offer as much assistance as possible. However, our court staff cannot offer legal advice or answer legal questions. If you have questions as to which process will best suit your situation, you should seek the advice of an attorney.

Filing Fees:

Court Costs: \$124.00

* Additional costs may be incurred for certified mail service or publication

Requirements:

You may apply for a name change **only** if the minor has been a Pike County resident for the past 60 days.

The Process:

The documents listed below must be prepared by the applicant or attorney and submitted with the filing fee to the Court by mail or in person during normal business hours. Once the documents have been approved for filing by the Court, the Court will do one of the following:

- If **both natural parents' consents are provided**, the Court may dispense with a hearing and make a ruling on the application. Certified copies of the Judgment Entry will be mailed to the applicant upon approval.
- If **both natural parents' consents are not provided**, the Court will set the application for a formal in-person hearing. The applicant will be required to appear. The non-consenting parent will be served with notice of the hearing.
- All applications will be processed in a timely manner and copies of your submitted documents will be provided to you by mail. If the matter must be set for a hearing, a deputy clerk will contact you by phone with further instructions.

All hearings are set approximately 6 weeks from the date of filing. The Court will issue a Judgment Entry Setting Hearing and Ordering Notice, directing how service on the non-consenting parent will be performed.

- If the non-consenting parent is to be served by certified mail, the Court will issue service.
- In the non-consenting parent will be served by publication, personal service, or other method of service pursuant to Civ. R. 73, **the applicant will be responsible** for taking the notice to a newspaper of general circulation in Pike County for publication or making arrangements for other service as directed pursuant to the Judgment Entry Setting Hearing and Ordering Notice. Proof of service must be filed with the Court at least 7 days prior to the hearing.

The Court reserves the right to require additional documentation be submitted to support the name change, require a criminal background check, or hold a formal hearing on the application.

Note: *All paperwork must be typed. PDF fillable forms can be downloaded from the Court's website at www.pikecountypjcourt.com. If you do not have access to a printer, then forms may be completed in ink. Please print LEGIBLY. You must list the individual's full name on all paperwork (first, middle and last). No initials may be used.*

Initial Filing:

- Self-Representation Acknowledgment form, *If applicable*
 - This form **must** be filed if applicant is not represented by an attorney.
- Application for Change of Name of Minor (Form 21.2)
- Photocopy of minor's Birth Certificate
- Affidavit in Support of Application for Change of Name of Minor (Form 21.02)
 - This must be notarized by a Notary Public. If you need a member of the court staff to notarize this affidavit, please bring this into the court unsigned and bring your driver's license or State issued ID with you.
- Waiver of Notice of Hearing and Consent to Change of Name of Minor (Form 21.4)
 - Both parents of the minor must sign this waiver to dispense with a hearing on the application

If both parents' consents are not provided with the application, the following must be filed:

- Judgment Entry Setting Hearing and Ordering Notice (Form 21.03)
- Notice of Hearing on Change of Name (Form 21.5)

If Requesting the Name Change to be Confidential:

The law requires very specific criteria be met in order for someone to qualify for a confidential name change. The applicant must provide proof that it would jeopardize the applicant's personal safety to have the name change on the public record. Please refer to Ohio Revised Code section 2717.11 to determine if you meet the requirements.

In addition to the forms required for *initial filing* above, the documents listed below must also be submitted, along with any required attachments. The Judge will review all of the documents and make a determination as to whether it qualifies as a confidential name change. If so, the Court will contact the applicant or attorney to set a hearing, if determined necessary.

- Motion for Confidentiality of Proceeding (Form 21.6)
- Order Granting Confidentiality of Proceeding (Form 21.06)

***Special Notice Regarding Parental Consent**

If you are attempting to change the name of a minor, the parents of the minor, including an alleged father, must consent to the name change. If a parent or alleged father does not consent to the name change, they **must** be given proper legal notice of the name change hearing. There will be costs incurred for any notices issued, which may include certified mail and/or newspaper publication. Your filing fee of \$124.00 does not cover these costs and you will be responsible for those additional costs.

If you do not know the current mailing address of a parent of the minor, you must provide the last known address of the parent. You must provide a signed, written statement as to what steps you have taken to contact the parent and/or his or her family to obtain an address. As indicated in the instructions, notice will be given by certified mail to the last known address and will be published in the newspaper at additional cost to you.

If a parent or alleged father does not consent, the applicant must prove by clear and convincing evidence that the name of the minor should be changed. This may require witnesses and evidence to be presented at the hearing. If you have any questions as to how to present your case, you should consult an attorney.