

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.

Name Change, Name Conformity or Birth Certificate Correction: Which process is right for my situation?

Change of Name

- I want to change all or part of my name to a new name
- I want to change all or part of my child's name
- I want to change my last name and I did not recently get married
- I want to restore my maiden name following a divorce and I did not choose to do it when the divorce was pending

Name Conformity

- My name does not match on one or more of my official identity documents (Birth Certificate, Social Security Card, Driver's License, Passport, Marriage Certificate or Divorce Decree)
- An inconsistency in my name is prohibiting me from getting a driver's license
- I was not born in Ohio, and I have an error or misspelling on my birth certificate
- My child was not born in Ohio and has an error or misspelling on their birth certificate
- I was born in Ohio, but the name on my birth certificate doesn't match the name I have used all of my life
- I was in a common law marriage with no marriage certificate to document my name change
- The name I currently use is a name on one or more of my official identity documents

Birth Correction

- I was born in Ohio and I have an error or misspelling on my birth certificate
- I was born in Ohio and one of my parent's names is misspelled or my birth date is incorrect on my birth certificate
- My child was born in Ohio and one of the names is misspelled or the birth date is incorrect on my child's birth certificate
- The error on my or my child's birth certificate is a true error, not a desired change or alternate spelling acquired following birth

Situations Probate Court Cannot Correct

- I want to add or remove a parent from my child's birth certificate
- I want to add or remove a parent from my birth certificate
- I want paternity testing to prove the father on my child's birth certificate is not the biological father
- I was married at the time my child was born, but my husband is not my child's biological father and I want to correct my child's birth certificate

If the situation regarding your name is not referenced in one of these sections, you should contact the Probate Court or an Attorney before commencing any legal action regarding your name. The situations described that Probate Court cannot correct are generally matters outside of Probate Court's jurisdiction. It is recommended that you contact the Ohio Department of Health or an Attorney to assist you in these types of situations.

OBTAINING THE AMENDED BIRTH RECORD

The court will be submitting your paperwork directly to the Bureau of Vital Statistics (ODH/VS) for processing. Once the court paperwork has been received by our office, it will take approximately **three to four** weeks to amend your certificate and have it available for purchasing.

Below are the three ways that a certificate can be purchased. Please do not place an order for a certificate if you have not allowed at least 30 days for processing. You can confirm if the change has been completed by calling the Vital Statistics **Customer Service** line at 614-466-2531 prior to placing your order.

Local Health Department

A birth certificate can be purchased from any local health department for persons born in Ohio. It is not restricted to where the birth occurred. Below is the information for the local health department(s) in your county. Please contact the office directly to verify how an order can be placed, the cost and whether the office is available for same day service. Certificates will be available for issuance after allowing 30 days for processing.

Pike County General Health District
116 S. Market St.
Waverly, OH 45690
Phone: (740) 947-7721

Online

Ordering a birth record through the ODH/VS online portal is the fastest way to obtain a certificate. Most orders are filled within five business days and go out first class mail. Each certificate is \$21.50 and can be ordered using a credit card. Please go to the following website to place your order after allowing 30 days for processing.

<https://odhgateway.odh.ohio.gov/OrderBirthCertificates/>

Via Mail - USPS

Customers can also apply for a new certificate via mail. These requests go directly to the ODH/VS office and take approximately two to three weeks to fulfill. Applications should not be sent until four weeks after the paperwork was mailed in by the court. A check or money order can be made payable to "Treasurer, State of Ohio" for \$21.50 for each birth certificate requested. Applications can be found online at <https://odh.ohio.gov/wps/portal/gov/odh/know-our-programs/vital-statistics/How-to-Order-Certificates> and can be mailed to the address below with the appropriate payment for copies.

Ohio Department of Health
Bureau of Vital Statistics
P.O. Box 15098
Columbus, Ohio 43215-0098

PROBATE COURT OF PIKE COUNTY, OHIO
Paul Price, Judge

IN RE:

CASE NO. _____

SELF-REPRESENTATION ACKNOWLEDGMENT
[Local Rule 75.1]

I acknowledge that I have read, understand, and agree with all of the following statements:

1. The Court strongly recommended that I hire an attorney to represent me in this case. Contrary to the Court's recommendation, I have chosen to proceed with this case on my own without the assistance of an attorney.
2. I have the time, knowledge, and ability to handle all aspects of this case correctly without assistance from the Court or any other person.
3. The Court and its Deputy Clerks are prohibited by law from assisting me with any aspect of this case, including without limitation determining what forms I am required to file and how to complete those forms.
4. The Court and its Deputy Clerks cannot provide me with any information regarding how to properly handle this case beyond the information on the Court's website, www.pikecountypjcourt.com.
5. I am responsible for understanding and correctly applying those portions of the Ohio Revised Code, Rules of Superintendence for the Courts of Ohio, Pike County Probate Court Local Rules of Practice, and all other rules, regulations, policies, and case law that relate to this case.
6. The Court will hold me to the same standards that apply to attorneys and persons represented by attorneys in similar probate proceedings.
7. If I do not fulfill my responsibilities in this case properly and in a timely manner, I will be subject to the compliance policies outlined in the Pike County Probate Court Local Rules.
8. I have a duty to act fairly, honestly, impartially, and in the mutual best interest of all persons or entities that may have an interest in this case. I also have a duty to not do anything in my self-interest that is detrimental or harmful to others.
9. I may be personally liable to any person or entity that suffers financial damages as a result of anything I do in this case that does not comply with the legal requirements that apply to this case.
10. If I violate anything in this Self-Representation Acknowledgement, the Court may terminate my authority to proceed further with this case or may require that I must be represented by an attorney to continue with this case.

Applicant

Typed or Printed Name

Address

City State Zip

Telephone Number (include area code)

Email Address

PROBATE COURT OF _____ COUNTY, OHIO
_____, JUDGE

IN RE: CHANGE OF NAME OF _____

(Present Name)
TO _____

(Requested Name)
CASE NO. _____

APPLICATION FOR CHANGE OF NAME OF MINOR
[R.C. 2717.01]

Applicant is the Parent Legal Guardian Legal Custodian Guardian ad Litem of the minor. The minor has been a bona fide resident of this county for at least 60 days immediately prior to the filing of this Application. Applicant requests a change of the name of the minor from

_____ to _____
First Middle Last
_____ to _____
First Middle Last

The reason for requesting this name change is: _____

A certified copy of the minor's birth certificate is attached.

The name and address of Parent 1 of the minor is:

Name

Address

City, State, Zip Code

The Waiver of Notice of Hearing and Consent of Parent 1 accompanies this Application.

Applicant states that the address of Parent 1 is unknown. Applicant has exercised all due diligence and made every reasonable effort to find the current address but cannot locate this individual.

The name and address of Parent 2 or the alleged father of the minor is:

Name

CASE NO. _____

Address

City, State, Zip Code

- The Waiver of Notice of Hearing and Consent of Parent 2 or the alleged father accompanies this Application.
- Applicant states that the address of Parent 2 or the alleged father is unknown. Applicant has exercised all due diligence and made every reasonable effort to find the current address but cannot locate this individual.
- There is no person alleged to be the father/Parent 2 of the minor.

An Affidavit in support of this Application is attached.

The Applicant will serve Notice of the Hearing on any nonconsenting parent or alleged father as the Court requires pursuant to R.C. 2717.14.

Attorney for Applicant

Applicant's Signature

Typed or Printed Name

Typed or Printed Name

Address

Address

City State Zip

City State Zip

Telephone Number (include area code)

Telephone Number (include area code)

Email Address

Email Address

Attorney Registration No. _____

PROBATE COURT OF _____ COUNTY, OHIO
_____, JUDGE

IN RE: CHANGE OF NAME OF _____
(Present Name)
TO _____
(Requested Name)
CASE NO. _____

**AFFIDAVIT IN SUPPORT OF
APPLICATION FOR CHANGE OF NAME OF MINOR**
[R.C. 2717.06]

State of Ohio }
County of _____ } SS

The undersigned, in support of the Applicant's Application for Change of Name of Minor, deposes, says, and verifies the following:

Check all that apply:

- Applicant is the parent legal guardian legal custodian guardian ad litem of the minor;
- The minor has been a bona fide resident of _____, County, Ohio, for at least sixty (60) days immediately prior to the filing of the Application;
- The Application is not made for the purpose of evading any creditors or other obligations;
- The minor has not been adjudicated a delinquent child for identity fraud;
- The minor does not have a duty to comply with R.C. 2950.04 or R.C. 2950.041 because the minor was NOT adjudicated a delinquent child for having committed a sexually oriented offense or a child-victim-oriented offense;

Any other information relevant to the Application _____

All documentary evidence submitted with the Application is true, accurate, and complete.

Applicant

Sworn to before me and subscribed in my presence the _____ day of _____

Notary Public/Deputy Clerk

PROBATE COURT OF _____ COUNTY, OHIO
_____, JUDGE

IN RE: CHANGE OF NAME OF _____
(Present Name)
TO _____
(Requested Name)
CASE NO. _____

CONSENT TO CHANGE OF NAME
[R.C. 2717.14]

The undersigned _____

[check one of the following 2 capacities by which your consent is given]

- Parent
 Alleged Father

hereby waives notice of the hearing on the Application for Change of Name and consents to the change of
name of _____
to _____
as proposed in the Application.

Sworn to before me and signed in my presence this _____ day of _____, 20____.

Deputy Clerk/Notary Public

PROBATE COURT OF _____ COUNTY, OHIO
_____, JUDGE

IN RE: CHANGE OF NAME OF _____
(Present Name)
TO _____
(Requested Name)
CASE NO. _____

**JUDGMENT ENTRY SETTING HEARING AND
ORDERING NOTICE**
[R.C. 2717.08 and 2717.14]

The Court sets the Application for Change of Name in this case for hearing on _____, 20__
at _____ M.

The Court orders the Applicant to serve a Notice of Hearing in the following manner on all necessary parties who have not waived notice:

- By certified mail, return receipt requested
- By personal service
- By publication once in a newspaper of general circulation in this county at least 30 days before the hearing
- Other: _____

Applicant shall file proof of service with the Court before the hearing.

Date

Probate Judge

PROBATE COURT OF _____ COUNTY, OHIO
_____, JUDGE

IN RE: CHANGE OF NAME OF _____

(Present Name)
TO _____

(Requested Name)
CASE NO. _____

**JUDGMENT ENTRY
CHANGING NAME OF MINOR
[R.C. 2717.09]**

On _____, an Application for Change of Name of Minor was heard by this Court. The Court finds that all parties entitled to notice, e.g., legal parents, parent, father, or alleged father, either have waived notice of hearing and consented to the Application or were properly served and failed to object to the Application. The Court finds that Applicant has provided sufficient proof that the facts in the Application show reasonable and proper cause for changing the minor's name as requested.

The Court finds the minor's complete name at birth was _____. The minor's date of birth was _____, and the place of birth was _____

City County State

Therefore, it is **ORDERED** the name of _____
First Middle Last

be changed to _____
First Middle Last

Date Probate Judge

CERTIFICATION OF JUDGMENT ENTRY

The above Judgment Entry Changing Name of Minor is a true copy of the original kept by me as custodian of the records of this Court.

_____, Probate Judge

(Seal)

By: _____
Deputy Clerk

Date