

**STATE OF ALASKA**

**NAME CHANGE**

**MINOR PACKET**

**Control Number - AK-NAME-2**

This packet contains the following:

1. Instructions;
2. Forms; and
3. Access to Alaska Law Summary.

## **I. EXPLANATION OF PETITION FOR CHANGE OF NAME**

- A. In Alaska, an action for a court ordered Change of Name for a Minor is started by filing a Petition in the Superior Court in the county in which the Petitioner resides. A Petition is a formal written request for relief. The Petition to the court must contain certain information. The forms in this packet include the necessary information for a Minor Name Change in the State of Alaska.
- B. You can use this packet if:
  - ▶ You are less than 18 years of age and have been a resident of the county in which you will file for the required amount of time as reflected in the law summary.
  - ▶ You have proper and reasonable cause for the requested change of name.
  - ▶ You are not changing your name to avoid debts or defraud creditors.

## **II. WHAT FORMS ARE INCLUDED**

- A. Petition to Change Child's Name (AK-NC-200) - This document states the reasons and other required details for your name change.
- B. Parental Consent (AK-NC-201) - this form provides the consent of the natural parents or legal guardian to the name change.
- C. Objection to Change of Name (AK-NC-202) - this form is used to register with the court the objection to the name change of a parent or legal guardian.
- D. Application or Report of Change of Name (AK-NC-101) - Reports the name change to the bureau of vital records.

## **III. PROCEDURE FOR CHANGE OF NAME (MINOR) FOR THE STATE OF ALASKA**

- A. Preliminary Note:
  - 1. The attached forms may be completed by:
    - a. Printing the forms and completing by hand. Use black ink and print neatly.
    - b. Printing the forms and completing using a typewriter.
    - c. By completing the forms on your computer using a word processing program and then printing the forms.

2. Use complete names and not initials. Check your spelling carefully, a misspelled word can delay your name change.
3. Print three (3) complete sets of forms.
4. All forms with a heading - the name of the court, the Petitioner's name, the case number, and the name of the document - require that the heading be completed. You will need to add the name of the court and the full name of the Petitioner. The case number will be assigned by the court clerk.
5. Forms that require your signature and include a notary block should be signed in the presence of the notary or court clerk who will complete the acknowledgement. Use your complete name - first name, middle name and last name. Ask the notary or clerk to notarize your signature on all copies of the form.
6. When a form is filed with the court, request the clerk "file-stamped copy of the form for your file.
7. A Law Summary is available and can be printed for your State. To do so, go to the end of this document and select the Law Summary link under the form title and print. Review the Law Summary before beginning the process of completing the forms.

B. Procedure

Step 1: Fill out the following forms:

Print or type the information, using black ink.

- a. Petition to Change Child's Name (AK-NC-200).

On the "AT" line at the top of the form, write the city where the court is located.

On the "A Minor Child" line, write the current legal name of the child.

On the "Petitioner" line, write your current legal name.

Leave the "CASE NO." line blank.

Fill in the rest of the blanks and check the appropriate boxes. Attach any documents the instructions on the form require.

You must sign the form in front of a notary public and swear (or affirm) that all statements in it are true. A court

clerk can provide this notary service for you (at no charge) when you bring the *Petition* to court. You must bring a photo ID with you for the notarization.

b. *Parental Consent* (AK-NC-201).

Fill out the form, and have the other parent sign it in front of a notary public (or court clerk). The other parent will need to bring a photo ID for the notarization.

If the other parent refuses to sign the consent or cannot be located, see section 8 below.

c. *Application or Report of Change of Name* (AK-NC-101).

Fill in items 1 through 8b. Sign and date the form where it asks for applicant's signature and date. The court clerk will fill in items 9 through 12, and sign and date the bottom of the form.

Step 2: Make a copy of the *Petition* and *Consent* for yourself.

Step 3: File the originals of all three forms at the nearest superior court filing location (see list on page 6) and pay the \$150 filing fee.

Step 4: Order for Hearing. The court clerk will then give or mail to you an *Order For Hearing, Publication and Posting*. This order will tell you (1) the date of your court hearing, (2) which newspaper you must use to publish notice, and (3) whether or not you must post the notice in addition to publishing it. The hearing date will be at least 40 days after the date of the *Order*.

If you did not file a *Parental Consent* form from the other parent (or a copy of that parent's death certificate), you will also need to get a *Summons* from the clerk and have it served on the other parent as explained in section 8 below.

Step 5: Publication of Notice. Take the *Order* to the newspaper listed in it right away, and tell the newspaper personnel that you need to publish the "Notice of *Petition to Change Name*" (at the bottom of the *Order*) in the legal notices section of their newspaper once each week for four consecutive weeks before the date of the court hearing. You will have to pay the newspaper for this service. Do not delay in doing this. All four publications of the notice must be completed before the court hearing.

Step 6: Affidavit of Publication. After the notice has been published all four times, the newspaper will give you an "Affidavit of Publication" which will contain a copy of the published notice and the dates when it was published. File this affidavit with the court before the court hearing.

Step 7: Posting. If the Order requires you to post the notice, you must make copies of the notice and post it in the places listed in the Order for the number of days stated in the Order.

Step 8: Serve a Summons on the Other Parent. You can skip this section if you are the child's parent and you filed the other parent's Parental Consent form with your Petition. If you did not file a Parental Consent form from the other parent (or a copy of that parent's death certificate), you will need to get a Summons from the clerk and have it and some other documents served on the other parent. The documents you will need to serve are:

- a. Summons - Child's Change of Name
- b. a copy of your filled-out and signed Petition to Change Child's Name
- c. a blank Parental Consent form, and
- d. a blank Objection to Name Change form.

The clerk will fill out the Summons form and sign it. You must have it and the other documents served on the other parent at least 30 days before the date set for the hearing. You can have these documents served either (1) by a process server, or (2) by certified mail with restricted delivery.

Proof of Service. After the documents have been served, you must file proof with the court that this has been done.

● If you use a process server, the process server will give you a "Return of Service" which lists the documents served, on whom and when they were served. File the original "Return of Service" with the court. Make a copy for yourself.

● If you use certified mail, give the court the original green card that you get back from the Post Office, showing that the certified mail was delivered to the other parent. Make a copy of it for yourself.

Step 9: Court Hearing. The hearing is usually short and fairly informal. The judge will first check to make sure that proof of publication (and posting, if ordered) has been filed and that the file contains proof that the other parent

was served with the Summons and other required documents at least 30 days before the hearing (unless a Parental Consent has already been filed).

You must tell the judge why you want to change the child's name. If the child is old enough, the judge may wish to ask the child about the name change. The judge will make sure that both parents agree to the change and that everyone understands that the name change will not change any of the legal rights or responsibilities of the parents.

If an objection to the change is made, the judge will allow you to respond to it. The judge will then decide whether it is in the best interests of the child to allow the name change in spite of the objection.

- Step 10: Judgment For Change of Name. If the judge finds sufficient reasons for the change and also finds it consistent with the public interest, the judge will sign a judgment allowing the child to take the new name. However, you cannot begin using the new name yet, because the judgment will not be effective until the following steps are completed.
- Step 11: Publication of Notice of Judgment. The judgment will require you to publish a "Notice of Judgment" once in a newspaper. After publication, ask the newspaper for an "Affidavit of Publication" and file this Affidavit with the court.
- Step 12: Posting of Notice of Judgment. If the judgment also requires you to post it, follow the judgment's instructions for posting. After posting is completed, fill out an Affidavit of Posting (AK-NC-105) and file it with the court.
- Step 13: Certificate of Name Change. After you file proof of publication (and any required posting), the clerk will issue a Certificate of Name Change (CIV-705). You can begin using the child's new name on the date stated in the certificate. This date will be at least 30 days after the judgment was distributed. The clerk will give you two copies of the Certificate. One will be a free certified copy. If you need additional certified copies, there will be a charge for them.

## **LAW SUMMARY**

The law summary for this package may be located and printed from the following address:

<http://secure.uslegalforms.com/lawsummary/AK/AK-NAME-2.htm>

## **DISCLAIMER**

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