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**STATE OF ARIZONA**

**NAME CHANGE**

**FAMILY PACKET**

**Control Number - AZ -NAME-3**

This packet contains the following:

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

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

- A. In Arizona, an action for a court ordered Change of Name - Family begins with the filing of an Application for Change in the Superior Court in the county in which they reside. The Petition must contain certain information. The forms in this packet include the necessary information for a Family Name Change in the State of Arizona.
- B. You can use this packet if:
  - ▶ 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. Civil Cover Sheet (AZ-NC-300) - included in the package is a general cover sheet that is accepted in most Arizona County Superior Courts.
- B. Application for Change of Name (AZ-NC-301) - This document states the reasons and other required details for your name change.
- C. Addendum to Application for Change of Name (AZ-NC-302) - If the number of people in the family requesting a name change exceeds three (3), the required information for the additional members of the family seeking a name change is entered in the appropriate section of the Addendum.
- D. Consent of Minor to Name Change (AZ-NC-303) - If any minor seeking a name change is 14 years of age or older, they must execute a Consent form.
- E. Consent of Other Parent to Name Change of a Minor Child and Waiver of Notice (AZ-NC-304) - This document provides the written consent of any necessary individuals who are not a party to the action.
- F. Non-Petitioning Parental Waiver of Notice (AZ-NC-305) - this form is required only if the adult parent is married.
- G. Marital Waiver of Notice (AZ-NC-306) - used when two married individuals are getting a name change as a Family.
- H. Notice of Hearing (AZ-NC-307) - Notice that your Application for Change of Name has been set for hearing. This is the form the Clerk may use

to advise you of the scheduled hearing date if you do not have a hearing the same day you file. Some Courts may require publication in the newspaper although this is the exception and not the rule.

- I. Affidavit by Certified Mail (AZ-NC-308) - This document demonstrates for the court that proper service was made upon interested parties.
- J. Order of Name Change (AZ-NC-309) - This is the final statement of the legalities and terms of your name change. Once this form is signed by the Judge and filed with the court, the name change is effective.

**If you did not order a completion package and need access to the download page again for any of the above forms, please check your email for a link to that will redisplay the page for you.**

**If you did order a complete service you can proceed to Section IIIB and IIIC. Also, you may receive an addendum with specific information regarding the procedures in that county. This is done whenever additional information is available and should be followed wherever it is different from these general instructions.**

### **III. PROCEDURE FOR CHANGE OF NAME (FAMILY) FOR THE STATE OF ARIZONA**

- 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 No." will be assigned by the court clerk at the time of filing.
  5. Forms that require your signature and include a notary block MUST be signed in the presence of the notary or court clerk who will complete the acknowledgement. Use your complete name - first name, middle name, last name.

6. When a form is filed with the court, request the clerk "file-stamp" one copy of the form for your file.
7. A Law Summary has been included at the end of this form packet. **Review the Law Summary before beginning the process of completing the forms.**

B. Summary of Procedure - (Title 12, Chapter 6, Sections 12-601 through 12-602, inclusive, A.R.S.A.)

1. The process for obtaining a name change for a family in the State of Arizona begins with the filing of an Application for Change of Name with the Superior Court in the jurisdiction in which Applicants resides. The Application informs the Court of the Applicant's name, the name the Applicants wish to adopt, and the reasons for the requested change of name.
2. After the Petition is filed and the required fee is paid, the Clerk of the Court may direct you to courtroom for an immediate hearing. If you will not complete the process that same day, the Clerk will set the Petition for a hearing. The Court **may** require the Applicants to give public notice of the relief requested and the date of the hearing in a local newspaper and/or by service upon any interested party.

Publication is generally not required and is at the discretion of the court. Notice to individuals occur in situations where there is a non-party parent of a minor. The Court may require notice of the application and the time and place of the hearing be served on the absent non-party parent.

3. The Hearing is generally brief and fairly informal. It is important to be on time and prepared to explain to the Court your reasons for the requested change of name.
4. At the hearing, if the court is satisfied there is no reasonable objection to the name change and that it is consistent with the public interest, the Court will issue an Order changing the Applicants names.

C. Procedure

Step 1: Complete all the forms using complete names - middle names instead of middle initials. If you ordered the completion service the forms will only need your signature.

Step 2: File the Application in the Superior Court in the county in which you are a resident and pay the appropriate fee.

- Step 3: Submit the Notice of Hearing to the Clerk of the Court for the assignment of a court date. In some counties it will be possible to immediately go to a courtroom and have a immediate hearing on the name change request. If the hearing is to be set in the future the Clerk will use this form to notify you of the hearing date.
- Step 4: Appear at the Court at the time scheduled for the hearing. Take all the forms not taken by the Clerk when you originally filed.
- Step 5: At the hearing, any persons objecting to the requested Name Change will be heard by the Court; and the Court may examine, upon oath, the Applicant(s) or other persons concerning the Petition.
- Step 6: If the Court is satisfied as to (1) the truth of the allegations contained in the Application; (2) that the required Notice has been published; and, (3) that there is a reasonable and proper basis for the requested change of name, the Court will issue the Order of Name Change.
- Step 7: When the Court signs the order, the Applicants, if any of them hold a certificate, registration, title, license, permit, or other form, must notify the Arizona Department of Transportation, Motor Vehicle Division in writing of the change of name within ten (10) days of the date of the order.
- Step 8: Request from the State Registrar of the Arizona Department of Health Services any forms they require to amend a birth certificate. Provide a certified copy of the Order Changing Name and request the Applicant's name be changed and his/her birth certificate be amended to reflect the change.

### **NOTE ABOUT COMPLETING THE FORMS**

The forms in this packet contain “form fields” created using Microsoft Word. “Form fields” facilitate completion of the forms using your computer. They do not limit your ability to print the form “in blank” and complete with a typewriter or by hand.

If you do not see the gray shaded form fields, go to the View menu, click on Toolbars, and then select Forms. This will open the forms toolbar. Look for the button on the forms toolbar that resembles a shaded letter “a”. Click in this button and the form fields will be visible.

The forms are locked which means that the content of the forms cannot be changed. You can only fill in the information in the fields.

If you need to make any changes in the body of the form, it is necessary for you “unlock” or “unprotect” the form. **IF YOU INTEND TO MAKE CHANGES TO THE CONTENT, DO SO BEFORE YOU BEGIN TO FILL IN THE FIELDS. IF YOU UNLOCK THE DOCUMENT AFTER YOU HAVE BEGUN TO COMPLETE THE FIELDS, WHEN YOU RELOCK, ALL INFORMATION YOU ENTERED WILL BE LOST.** To unlock click on “Tools” in the Menu bar and then selecting “unprotect document”. You may then be prompted to enter a password. If so, the password is “uslf”. That is uslf **in lower case letters without the quotation marks**. After you make the changes relock the document before you begin to complete the fields.

After any required changes and re-protecting the document, click on the first form field and enter the required information. You will be able to navigate through the document from form field to form field using your tab key. Tab to a form field and insert your data. If problems, please let us know.

## **LAW SUMMARY**

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

**<http://www.uslegalforms.com/az/AZ-NAME-3.htm>**

## **DISCLAIMER**

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