

**STATE OF CALIFORNIA**

**NAME CHANGE**

**FAMILY PACKET**

**Control Number - CA-2012-F**

This packet contains the following:

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

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

- A. In California, an action for a court ordered Family Change of Name begins with the filing of a Petition in the Superior court. The Petition must contain certain information. The forms in this packet include the necessary information for a Family Name Change in the State of California.
- B. You can use this packet if:
  - ▶ The Petitioners are residents of the county in which you will.
  - ▶ There is proper and reasonable cause for the requested change of name.
  - ▶ The change of name is not for the purpose of avoiding debts or defrauding creditors.

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

- A. Civil Cover Sheet
- B. Petition for Change of Name
- C. Order to Show Cause for Change of Name
- D. Proof of Service of Order to Show Cause – used only if a minor’s name is being changed and a non-party parent or guardian requires notice through service of the Order to Show Cause.
- E. Decree Changing Name

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.

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

- A. Preliminary Note:
  - 1. The attached forms may be completed by:
    - a. Printing the forms and completing by hand. Use blue 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. Sign the original in blue ink.

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 “Action/Cause 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 is available and can be printed for your State. To do so, go to where you located this package 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: The petition for change of name must be filed in the superior court in the county where the person whose name is to be changed presently lives. The petition may be used to change one's own name and, under certain circumstances, the names of others (e.g., children under 18 years of age).
- Step 2: Prepare an original and two copies of each of the following documents:
- a. *Petition for Change of Name (Form NC-100).*
  - b. *Name and Information About the Person Whose Name Is to Be Changed (Form NC-1 10)* (attach as many copies as necessary)
  - c. *Order to Show Cause for Change of Name (Form NC-120).*
  - d. *Decree Changing Name (Form NC-130 or, for guardians, Form NC-130G).* In addition, a guardian must prepare and attach a *Declaration of Guardian (Form NC-1 1 OG)* for each child whose name is to be changed.
- Step 3: Prepare an original Civil Case Cover Sheet (*Form CM-010*). File the original petition and Civil Case Cover Sheet with the clerk of the court and obtain two filed-endorsed copies of the petition. A filing fee will be charged unless you qualify for a fee waiver. (if you want to apply for a fee waiver, see *Application for Waiver of Court Fees and Costs (Form 982(a)(1 7))*; *Information Sheet on Waiver of Court Fees and Costs (Form 982(a)(1 7)(A))*; and *Order on Application for Waiver of Court Fees and Costs (Form 982(a)(18).)*)

Step 4: You should request a date for the hearing on the Order to *Show Cause* at least six weeks in the future.

**NOTE: CALIFORNIA STATUTES REQUIRES A HEARING ONLY IN THOSE CASES WHERE THERE ARE OBJECTIONS TO THE NAME CHANGE FILED OR REGISTERED WITH THE COURT. ALSO, THE COURT MAY REQUIRE A HEARING DUE TO THE PARTICULAR INDIVIDUAL FACTS CONTAINED IN YOUR FORMS.**

**AS A GENERAL RULE, IF THERE ARE NO OBJECTIONS, THE ORDER WILL BE SIGNED BY THE COURT. YOU WILL BE ADVISED WHETHER A HEARING IS NECESSARY BY THE CLERK OF THE COURT.**

Step 5: After the hearing date has been included and you have obtained a judge's signature on the Order to *Show Cause*, file the original order in the clerk's office and obtain filed-endorsed copies of the order.

Step 6: A copy of the Order to *Show Cause* must be published in a local newspaper of general circulation once a week for **at least four consecutive weeks** before the date of the hearing on the name change petition. The petitioner selects the newspaper from among those newspapers legally qualified to publish orders and notices. The newspaper used must file a Proof of Publication with the superior court before the hearing. If no newspaper of general circulation is published in the county, the court may order the *Order to Show Cause* to be posted by the clerk.

Step 7: Bring copies of all documents to the hearing. If the judge grants the name change petition, the judge will sign the original decree.

Step 8: After the decree is signed, you should obtain at least two certified copies of the decree from the clerk's office. The clerk will charge a fee for the certification. Pursuant to Section Code of Civil Procedure 12179, a certified copy of the decree of the Court changing the name of person SHALL be filed in the Office of the Secretary of State, Special Filing Unit, P.O. Box 944225, Sacramento, CA 94244-2250, within thirty (30) days from the date that the decree is issued. The fee is \$10. One certified copy of the decree must then be filed with the **county clerk** where the person lives within thirty (30) days after the date of the decree changing the person's name. The county clerk will charge a fee for filing the certified copy.

Step 9: If you want to amend a birth certificate to show the name change, you should contact the following office:

**Department of Health Services  
Office of Vital Records  
304 "S" Street  
Sacramento, CA 95814**

Local courts may supplement these instructions. Check with the court to determine whether supplemental information is available. For instance, the court may provide you with additional written information about what department handles name change petitions, when petitions are heard, and which newspapers may be used to publish the Order to *Show Cause*.

### **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 to “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 select “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.

## FORMS EXPLANATION PAGE

All forms included in this package, or needed, are identified below.

1. **Civil Cover Sheet and Addendum** (Official Form CM-010)-The document in which you are informing the court of the nature of the case.
2. **Petition For Change of Name** (Official Form NC-100)-The document in which you are asking the court to grant your name change along with any other relief requested.
3. **Attachment For Petition For Name Change** (Official Form NC-110)- Attachment that provides additional information to the document in which you are asking the court to grant your name change along with any other relief requested.
4. **Order To Show Cause For Change of Name** (Official Form NC-120)- This document provides all persons interested a hearing date to appear and present evidence as to why a name change should not be granted.
5. **Proof of Service of Order To Show Cause** (Official Form NC-121)- This document provides proof that the Order to Show Cause for Name Change has been properly served on all necessary parties when the name of a minor is being changed.
6. **Decree Changing Name** (Official Form NC-130)-This document grants the name change and any other relief requested.
7. **Proof of Service By Personal Service** (Official Form)-This form is not included in the package. Please request it if needed. This document provides proof that the Order to Show Cause for Name Change and Petition for Change of Name have been properly served on all necessary parties.

## **LAW SUMMARY**

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

<http://www.uslegalforms.com/ca/CA-2012-F.htm>



## **DISCLAIMER**

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