

STATE OF FLORIDA

NAME CHANGE

MINOR PACKET

Control Number - FL-NAME-2

This packet contains the following:

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

I. EXPLANATION OF PETITION FOR CHANGE OF NAME

- A. In Florida, an action for a court ordered Change of Name begins with the filing of a Petition in the Circuit Court. The Petition must contain certain information. The forms in this packet include the necessary information for a Minor Name Change in the State of Florida.
- B. You can use this packet if:
 - ▶ The individual receiving the change of name is less than 18 years of age and have been a resident of and domiciled in the county in which the Petition for Name Change will be filed.
 - ▶ One Parent consents to the other Parent's petition to change the name of their minor child(ren).
 - ▶ The name change action is not filed in connection with an adoption or paternity.
 - ▶ There is proper and reasonable cause for the requested change of name.
 - ▶ The name of the minor is not being changed to avoid debts or defraud creditors.

II. WHAT FORMS ARE INCLUDED

- A. Petition for Change of Name (FL-12-982C-01-05) - Official Florida Family Law Form No. 12.982(c) - This document states the reasons and other required details for your name change.
- B. Consent for Change of Name (FL-12-982D) - Official Florida Family Law Form No. 12.982(d) - This document provides the written consent of any necessary individuals who are not party to the action.
- C. Final Judgment of Change of Name (FL-12-982E) - Official Florida Family Law Form No. 12.982(e) - 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.
- D. Affidavit of Due Diligence (FL-NC-201) - To be used when one parent is non-participating
- E. Disclosure from Non-Lawyer (FL-12-900A) - Form is required when any individual, who is not a Florida attorney, assists the petitioner in completing the forms for a fee.
- F. Civil cover Sheet (FL-NC-100) - required document containing general information required by the court. May be a general statewide form or a county specific form.
- G. Notice of Service by Publication (FL-NC-202) - This is sent to the appropriate legal newspaper.

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.

Note: This package contains forms for use throughout your State. However, some Counties, or Judges may require a different form, or modification to these forms. If this happens, please consult with your local Court Clerk. If you are required to use additional forms, please advise us by sending an e-mail to orders@uslegalforms.com.

III. PROCEDURE FOR CHANGE OF NAME (MINOR) FOR THE STATE OF FLORIDA

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 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 accompanied by a set of Petitioner's fingerprints taken by a law enforcement agency. It is suggested that you contact the local Sheriff's office or Police Department and determine the procedure and fee for being fingerprinted. It must be done at a law enforcement agency and be taken on an FBI approved fingerprint card.

NOTE: THE ADULT PETITIONER(S) FILES THE PETITION ON BEHALF OF THE MINOR AND AS SUCH A STRICT READING OF THE STATUTE INDICATES THAT THE ADULT PETITIONERS(S) MAY ALSO BE REQUIRED TO SUBMIT A FINGERPRINT CARD. SINCE THIS IS A RELATIVELY NEW REQUIREMENT, THE COURTS ARE NOT IN COMPLETE AGREEMENT AS TO THE FINGERPRINT REQUIREMENT IN THE CASE OF A MINOR NAME CHANGE. WE ARE NOT SUGGESTING THAT THE ADULT PETITIONER(S) HAVE FINGERPRINTS MADE PRIOR TO FILING THE MINOR NAME CHANGE BUT WE WOULD CAUTION YOU THAT SOME OF THE OFFICIALS IN THE CLERKS OFFICE MAY SEE THIS AS A REQUIREMENT.

Complete all the forms using complete names - middle names instead of middle initials.

The primary **petition** should only be completed for one child. If you wish to change the names of more than one child, you should complete and file a Supplemental Form for Petition for Change of Name (Minor Child) for each child.

The supplemental form is an attachment to the petition. An additional copy of the Supplemental Form for Petition for Change of Name (Minor Child) is included herein as a separate form.

NOTE: Be sure that the bottom of each page of each supplemental form is initialed by the petitioner(s).

Step 2: If **both** parents agree to the change of name and live in the county where the change of name is sought, you may both file as **petitioners**. In this situation, **service** is not necessary, and you need only to set a **hearing**. You should ask the clerk of court, **family law intake staff**, or **judicial assistant** about the local procedure for setting a hearing.

If only one parent is a resident of the county where the change of name(s) is sought **or** only one parent asks for

the child(ren)'s name(s) to be changed, the other parent must be notified and his or her consent obtained, if possible. If the other parent consents to the change of name, a **Consent for Change of Name (Minor Child(ren))**, Form 12.982(d), should be filed.

File the Petition, and Consent for Change of Name if necessary, in the Circuit Court in the county in which the Minor is a resident and domiciled and pay the appropriate fee.

Step 3: If the other parent does not consent to the change of name, you may still have a hearing on the petition **if** you have properly notified the other parent about your petition and the hearing. If you know where he or she lives, you must use **personal service**. If you absolutely do not know where he or she lives, you may use **constructive service**.

The first step in constructive service is to execute the Affidavit of Diligent Search and Inquiry. This form is to be used with **Notice of Name Change Action**, to obtain **constructive service** (also called service by publication) in a **name change** case.

This form includes a checklist of places you can look for information on the location of the non-party parent. While you do not have to look in all of these places, the court must believe that you have made a very serious effort to get information about the non-party parent's location and that you have followed up on any information you received.

This form should be typed or printed in black ink. After completing this form, you should sign the form before a **notary public** or **deputy clerk**. You should **file** the original and a **Notice of Action for Name Change of a Minor**, with the **clerk of the circuit court** in the county where your petition for name change of a minor is filed. You should keep a copy for your records.

After the **Affidavit of Diligent Search and Inquiry** is filed, the clerk will sign the **Notice of Name Change Action**. The form must then be given to a qualified local newspaper to be published for four consecutive weeks. When in doubt, ask the clerk which newspapers in your area are qualified. The newspaper will charge you for this service. In Dade, Broward, and Duval counties, you may ask the clerk to publish your notice without charge.

Step 4: Next, you must obtain a **final hearing** date for the court to consider your request. You should ask the clerk of court, family law intake staff, or judicial assistant about the local procedure for setting a hearing. You may be required to attend the hearing. Included in these forms is a **Final Judgment of Change of Name (Minor Child(ren))**, Form 12.982(e), which may be used when a judge grants a change of name for a minor child(ren). If you attend the hearing, you should take the final judgment with you. You should complete the top part of the form, including the circuit, county, case number, division, and the name(s) of the petitioner(s) and leave the rest blank for the judge to complete. It should be typed or printed in black ink.

Step 5: Obtain a certified copy of the Order from the Clerk after it has been signed by the Judge. You are now ready to notify appropriate persons and governmental agencies of the change.

NOTIFICATION OF YOUR NAME CHANGE

Now that you have completed the name change process and received your Order, Judgment or Decree of Name Change, it is very important that you immediately notify the necessary government agencies, business entities and individuals of your "new" name.

To assist in this process, we have prepared a comprehensive "name change notification package" for your state. To "Preview" and order this package, please use the following link:

<http://www.uslegalforms.com/fl/FL-9087.htm>

Good Luck with your new name! If we may be of assistance in the future, please contact Customer Service:

1-(877) 389-0141- 8:30-5:00 Central Time Zone

or

<http://www.uslegalforms.com/help/>

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/fl/FL-NAME-2.htm>

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