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STATE OF SOUTH CAROLINA

NAME CHANGE

MINOR PACKET

Control Number - SC -NAME-2

This packet contains the following:

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

I. EXPLANATION OF PETITION FOR CHANGE OF NAME

- A. In South Carolina, an action for a court ordered Change of Name begins with the filing of a Petition in the Family Court of the appropriate Circuit. The Petition must contain certain information. The forms in this packet include the necessary information for a Minor Name Change in the State of South Carolina.
- B. You can use this packet if:
- ▶ If the individual receiving the change of name is less than 18 years of age and have been a resident of the county in which the Petition is filed.
 - ▶ There is proper and reasonable cause for the requested change of name.
 - ▶ The Minor's name is not being changed to avoid debts or defraud creditors.

II. WHAT FORMS ARE INCLUDED

- A. Family Court Coversheet Name Change - (SC-NC-104) This document states the reasons and other required details for your name change.
- B. Petition for Change of Name and Amendment of Birth Certificate - (SC-NC-103) This document states the reasons and other required details for your name change.
- C. Consent to Change of Name - (SC-NC-106) This document provides the written consent of any necessary individuals who are not party to the action.
- D. Order Appointing Guardian Ad Litem - (SC-NC-107) This document appoints a guardian ad litem for the minor child.
- E. Motion to Waive Filing Requirement - (SC-NC-108) This document requests the court allow waiver of the necessity of a filing requirement.
- F. Order Regarding Motion to Waive Filing Requirement - (SC-NC-109) This document allows for the waiver of the filing requirement.
- G. Order and Certificate of Name Change and Amendment of Birth Record - (SC-NC-110) 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.
- H. Waiver and Consent - (SC-NC-111) This form is used to submit the consent of the non-party parent to the court. It is used with the Motion to Waive Filing Requirement and the Order Regarding Motion to Waive Filing Requirement.

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 SOUTH CAROLINA

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 "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 the end of 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: Complete all the forms using complete names - middle names instead of middle initials. Attach a copy of the minor's birth certificate.

The parent(s) of a minor may bring the action for name change on behalf of the minor. Both Parents should act as Plaintiffs unless there is only one parent listed on the Certificate of Birth or one parent is deceased.

If the non-joining parent consents to the name change he or she may execute the Consent to Name Change which is then filed with the Petition.

If the non-joining parent refuses to consent or is unavailable, then the Motion to Waive this requirement should be completed and filed with the Petition.

Step 2: File the Petition and other forms in the Family Court in the Circuit in which the minor resides and pay the appropriate fee.

Step 3: After filing the Clerk will advise you how a hearing will be set and if publication of any notice is required. Follow the directions of the Clerk.

Step 4: Appear as directed by the Clerk. 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 Petitioner(s) or other persons concerning the Petition.

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.

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 file for this package can be located at the following address:

<http://www.uslegalforms.com/sc/SC-NAME-2.htm>

DISCLAIMER

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