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STATE OF WISCONSIN

NAME CHANGE PACKET

MINOR - UNDER THE AGE OF 14

Control Number - WI-NAME-2

This packet contains the following:

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

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

- A. In Wisconsin, an action for a court ordered Change of Name for a minor under the age of 14 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 (under age of 14) in the State of Wisconsin.
- B. You can use this packet if:
- ▶ You are less than 14 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 for Name Change - (WI-NC-201) This document states the reasons and other required details for your name change.
- B. Notice and Order for Hearing - (WI-NC-102) This document officially sets the matter for hearing.
- C. Affidavit of Attempted Service on Non-Petitioning Parent (WI-NC-206) - This is a sworn statement regarding an attempt to serve the non-petitioning parent with the Petition and Notice and Order for Hearing.
- D. Order for Name Change - (WI-NC-104) - This is the actual order of the court granting the name change. Once this form is signed by the Judge and filed with the court, the name change is effective.
- E. Order Denying Change of Name Change - (WI-NC-106) - This is the actual order of the court granting the 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.

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 UNDER THE AGE OF 14) FOR THE STATE OF WISCONSIN

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 the Petition for Name Change form.

Form WI-NC-201 is the Petition for Name Change for a minor under 14 years of age. Please note that a Petition for Name Change signed in front of a notary. The form has step-by-step instructions on the left side.

If the person whose name is proposed to be changed is a minor under 14 years of age, the petition must be made by:

- a. Both living parents, the sole surviving parent, or the sole adoptive parent of the minor child.
- b. One of the parents of the minor child who has two living parents and paternity has been established.
- c. The mother, and the minor child is a non-marital minor child who is not adopted or whose parents have not married, and paternity of the minor child has not been established.
- d. The legal guardian/custodian of the minor child because either both parents are dead or the parental rights of both parents have been terminated by judicial proceedings.

Once you have filled out the Petition for Name Change form, you should make at least two copies of the completed form.

Step 2. Fill out a Notice and Order for Name Change Hearing form.

The form WI-NC-102 (CV-460) has step-by-step instructions on the left side. Once you have filled it out, you should make at least two copies of the completed form. NOTE: some counties do not require this form. Complete the form and if the clerk says it is unnecessary, then it should be discarded.

Step 3. Fill out an Order for Name Change form - WI-NC-104.

The form WI-NC-104 (CV-470) has step-by-step instructions on the left side. Once you have filled it out, you should make at least two copies of the completed form.

Step 4. File the Petition for Name Change, Notice and Order for Name Change Hearing and Order for Name Change (if in your county) forms.

The original forms and **any required copies** must be filed and a fee paid to the Clerk of Court in the county where you are filing your case. Exact procedures vary locally, but you will be assigned a date and time for the hearing and some of your copies will be authenticated and returned to you.

Step 5. Publish the Notice and Order for Name Change Hearing form in a local newspaper.

State law requires publication of third class notice (printed once a week for three weeks) of the Notice of Hearing form in a local newspaper prior to the hearing date. There are official newspapers in many municipalities, but generally you can use any

newspaper
village, or town
charged for
newspaper will
local court rules for
of Courts before the
name change hearing.

regularly published at least once a week in the city,
where the petitioner resides. There will be a fee
publication. After the publication is completed, the
provide you with a "Affidavit of Publication". Follow
filing the proof of publication with the Clerk
hearing date or presenting it at the

If one parent is filing on behalf of a minor under 14 whose paternity has been established (1.b., above), have the non-petitioning parent served with a copy of the Petition for Name Change of Name and Notice and Order for Name Change Hearing forms. For the court to hear the case, the non-petitioning parent must be provided with a copy of the Petition for Name Change and Notice and Order for Name Change Hearing far enough in advance of the hearing. A sheriff or private process server must attempt to personally serve the non-petitioning parent. You will be charged a fee for this task. Once the documents have been served, you will be sent a proof of service. When proof of service is returned, take the original to the Clerk of Courts for filing after you make a copy of the proof of service for yourself. Bring the document to the hearing.

If personal service cannot be accomplished, proof of due diligence in service attempt must be filed with the court. An Affidavit/Certificate of Non-Service will be sent to you by the sheriff or process server and the Affidavit of Attempted Service on Non-Petitioning Parent form WI-NC-206 (CV-465) can be used to demonstrate attempted service on the non-petitioner. File these documents with the Clerk of Court at or before the first court date according to local court rules.

Step 6. Attend the Name Change Hearing.

Be on time and be polite. Don't get emotional. You must have the original or certified copy of the birth certificate for the judge's review. The judge will ask you for the "Affidavit of Publication." If one living parent is filing on behalf of a minor, proof of service or attempted service on the other living parent must also be provided at the hearing. You may be placed under oath and questioned about the information on the Petition. If your petition is granted, the judge will sign the Order for Name Change. If your petition is not granted, the judge will complete an Order Denying Name Change WI-NC-106 (CV-475).

For minors under 14 whose paternity has been established and one parent is the petitioning party, if the non-petitioning parent does not appear at the hearing or otherwise answer the petition, the action may proceed. If the non-petitioning parent appears at the hearing or otherwise answers the petition and shows that he or she has not abandoned the minor, or failed to assume parental responsibility for the minor, the court shall require the consent of the non-petitioning parent before changing the name of the minor.

Step 7. File the Order for Name Change according to local court procedure and complete any post-decision activities.

File the Order for Name Change with the Clerk of Courts office. Follow local procedure for recording a certified copy of the order in the Register of Deeds office in the county where the name occurred. A fee will be charged.

change

NOTES ON COMPLETING THESE FORMS

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

It is also helpful to be able to see the location of the 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.

In order to use the form fields properly, it is necessary to “lock or protect” the document. If you wish to make any changes in the body of the form, it is necessary for you “unlock” or “unprotect” the form.

This is done by clicking 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**.

It is very important to understand that, once the document is unprotected, any data entered in the form fields will be lost when the document is again protected. If changes are necessary, unlock the document, using the password “uslf” if necessary, and make any changes that you feel are required. Then protect the document once again.

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. Inserting data will result in the default line disappearing. You will have sufficient space to enter any required information.

LAW SUMMARY

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

<http://www.uslegalforms.com/wi/WI-NAME-2.htm>

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