

How to Change Your Name (Minor)

Step 1

Complete the following forms in blue or black ink:

- CM-010 Civil Case Cover Sheet
- NC-100 Petition for Change of Name (one for each child)
- NC-110 Name and Information of About the Person Whose Name is To Be Changed
- NC-120 Order to Show Cause for Change of Name
- NC-130 Decree Changing Name
- Request to Dispense with Notice (local form) (not needed if both parents are making application together for name change or other parent's address is known).
- Consent of Minor (if child is between the ages of 12 and 18 – one for each child)
- NC-121 Proof of Service of Order to Show Cause (not needed if both parents are making application together for name change)

* Additional documents may be necessary if the child's guardian, and not the child's parent, is making the petition for change of name.

Step 2

Copies: Make 2 copies, in addition to the original.

Step 3

There is a filing fee, unless the fee is waived.

File your forms in the Probate Clerk's Office at the courthouse located at:

191 North First St., San Jose, CA

Monday-Friday from 8:30am to 4:00pm.

Bring (1) your forms (originals and all copies), (2) a self-addressed stamped envelope, and (3) a check for each certified copy of the decree that you want (\$15.00 each) to the Clerk's Office. You will be given a court date about 8 weeks out.

If you are not asking for a fee waiver, you will pay the filing fee and get copies back with a file-stamp.

If you are asking for a fee waiver, there is a 24 to 48 hour hold on the papers. During that time, the Judge will determine if the filing fee will be waived. The clerk will tell you when to come back to pick up your forms.

Step 4

There is a fee to publish. The Court can't waive this fee.

Publish the Order to Show Cause:

Government Code section 6064 says that 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 hearing date. A list of newspapers is attached. Take your "**file-endorsed**" copy of the Order to Show Cause to the newspaper you choose so they can begin publication. (The newspaper is responsible for filing a *Proof of Publication* with the Court.)

Please turn over for important information 

<p>Step 5</p> <p>If both parents are requesting Name Change, skip to “Step 6”</p>	<p>Serve the Other Parent:</p> <p>A. If the Parent lives in California, you must have the file-stamped Order to Show Cause form (NC-120) PERSONALLY handed to the Parent at least 30 days before your scheduled court hearing date.</p> <p>B. If the Parent lives outside of California you must have the file-stamped Order to Show Cause form (NC-120) MAILED to the Parent at least 35 days before your scheduled court hearing date.</p> <p>C. If you do not know where the other Parent lives or how to find him or her, then you need to fill out and file a Request to Dispense with Notice of the other Parent (local form).</p> <p>“Service” means that someone, NOT YOU, who is at least 18 years old must hand-deliver or mail a copy of your forms to the other party in the case. You can ask a friend, relative, etc. to serve (deliver) the papers for you or you can look in the yellow pages and hire a “process server” to deliver the papers for you for a fee.</p> <p>D. Whoever delivers (“serves”) the forms must complete & sign the Proof of Service form (NC-121). This must be filed with the Clerk’s Office located at 191 North First Street at least 5 days before the scheduled court date.</p>
<p>Step 6</p>	<p>Go to Your Court Date/Get your Name Change:</p> <p>You do not need to attend the hearing if all of the required documents have been turned into the court, UNLESS an objection is filed. However, you will need to include a self-addressed stamped envelope for your “endorsed-filed” copies.</p> <p>If you do have a Court hearing you will go to have the Judge sign the <i>Decree Changing Name (form NC-130)</i>. After the hearing, take your signed Decree to the Probate Dept. for filing. You may purchase certified copies of your signed decree for additional cost.</p>

WHAT DO I DO AFTER I GET MY NAME CHANGE DECREE?

You may want to amend your birth record with your new name. To do this, contact the Office of Vital Records if you were born in California. You can get more information at <http://www.cdph.ca.gov>.

If you weren’t born in California, check with the Office of Vital Records in the State where you were born.

CAN THE JUDGE DENY MY REQUEST TO CHANGE MY NAME?

Yes. Read the attached Restrictions to Name Changes. It tells you about when you can’t change your name.

HOW CAN I GET THE FORMS?

There are a few ways that you can get the forms:

- hire an attorney;
- get the forms online at the state's website, (www.courts.ca.gov);
- use a self-help legal book;
- Go to the Probate Clerk's Office at 191 N. First St., San Jose
- For the forms AND help filling them out, visit the Self-Help Center in person, Monday through Thursday, starting at 8:30 am. Please go to www.scselselfservice.org for details on how to sign up for help at our office. **Please note: we cannot help people who have attorneys.**

Self-Help Center/Family Law Facilitator's Office
Superior Court, County of Santa Clara
99 Notre Dame Avenue, San Jose, CA 95113
(408) 882-2926

www.scsccourt.org

Superior Court, County of Santa Clara

www.courts.ca.gov/selfhelp

State of California Courts Self-Help

SANTA CLARA SUPERIOR COURT RULES

The following list is not intended to be an exclusive listing of newspapers of general circulation.

<u>Newspaper</u>	<u>Phone No.</u>	<u>Fax No.</u>	<u>Publishes</u>	<u>Pick-Up</u>	<u>Est. Fees</u>
CAMPBELL EXPRESS Campbell	408-374-9700 Deadline: Friday before 12:00 noon	408-374-0813	Wednesday	No	\$185.00
CUPERTINO COURIER Cupertino	408-200-1024 Deadline: Friday at 12:00 noon E-mail: legalads@SVCN.com	408-200-1010	Wednesday	No	\$327.00
GILROY DISPATCH Gilroy San Martin	408-842-6400 Deadline for Tues.: Thurs. at 2:00 p.m. Deadline for Fri.: Tues. at 2:00 p.m. E-mail: legals@svnewspapers.com	408-842-3817	Tues./Fri.	No	\$300.00
LOS ALTOS TOWN CRIER Los Altos Los Altos Hills	650-948-9000 Deadline: Thursday at 12:00 noon	650-948-9213	Wednesday	No	\$275-\$325
LOS GATOS WEEKLY TIMES Los Gatos Monte Sereno	408-200-1024 Deadline: Friday at 12:00 noon E-mail: legalads@SVCN.com	408-200-1010	Wednesday	No	\$327.00
MILPITAS POST Milpitas	408-262-2454 x23 Deadline: Wednesday at 5:00 p.m. (8 days) prior	408-263-9710	Thursday	No	\$331.00
MORGAN HILL TIMES Morgan Hill San Martin	408-842-6400 Deadline for Tues: Thurs., at 2:00 p.m. Deadline for Fri.: Tues., at 2:00 p.m. Email: legals@svnewspapers.com	408-842-3817	Tues./Fri	No	\$300.00
MOUNTAIN VIEW VOICE Mountain View	650-326-8210 x239 Deadline: Friday (1 week) prior	650-326-3928	Friday	No	\$441.00
PALO ALTO WEEKLY Palo Alto	650-326-8210-x239 Deadline for Wed.: Thurs., at 12:00 noon Deadline for Fri.: Tues., at 12:00 noon	650-326-3928	Wed./Fri.	No	\$441.00
SAN JOSE CITY TIMES San Jose	408-200-1024 Deadline: Friday at 12:00 noon E-mail: legalads@SVCN.com	408-200-1010	Wednesday	No	\$117.00
SAN JOSE POST-RECORD Mountain View San Jose	408-287-4866 Deadline: 3 days prior	408-287-2544	Tues/Wed/Fri	Yes	\$145.00
SANTA CLARA WEEKLEY Santa Clara	408-243-2000 Deadline: Friday E-mail: scweekly@ix.netcom.com	408-243-1408	Wednesday	No	\$350.00
SARATOGA NEWS Saratoga	408-200-1024 Deadline: Wednesday (1 week) prior E-mail: legalads@SVCN.com	408-200-1010	Wednesday	No	\$327.00
SUNNYVALE SUN Sunnyvale	408-200-1024 Deadline: Friday at 12:00 noon E-mail: legalads@SVCN.com	408-200-1010	Wednesday	No	\$327.00

**THESE ARE THE DOCUMENTS
YOU HAVE TO COMPLETE,
COPY, FILE AND SERVE.**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
TELEPHONE NO.:
FAX NO.:
ATTORNEY FOR (Name):

FOR COURT USE ONLY
CASE NUMBER:
JUDGE:
DEPT.:

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Santa Clara
STREET ADDRESS: 191 North First Street
MAILING ADDRESS: 191 North First Street
CITY AND ZIP CODE: San Jose, CA 95113
BRANCH NAME: Probate

CASE NAME: NAME CHANGE OF:

CIVIL CASE COVER SHEET
[X] Unlimited (Amount demanded exceeds \$25,000)
[] Limited (Amount demanded is \$25,000 or less)

Complex Case Designation
[] Counter [] Joinder
Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER:
JUDGE:
DEPT.:

Items 1-6 below must be completed (see instructions on page 2).

- 1. Check one box below for the case type that best describes this case:
Auto Tort
Contract
Provisionally Complex Civil Litigation
Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort
Real Property
Enforcement of Judgment
Non-PI/PD/WD (Other) Tort
Unlawful Detainer
Miscellaneous Civil Complaint
Employment
Judicial Review
Miscellaneous Civil Petition

- 2. This case [] is [X] is not complex under rule 3.400 of the California Rules of Court.
a. [] Large number of separately represented parties
b. [] Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
c. [] Substantial amount of documentary evidence
d. [] Large number of witnesses
e. [] Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
f. [] Substantial postjudgment judicial supervision
3. Remedies sought (check all that apply): a. [] monetary b. [X] nonmonetary; declaratory or injunctive relief c. [] punitive
4. Number of causes of action (specify):
5. This case [] is [X] is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date:
(TYPE OR PRINT NAME)
(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE
Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
File this cover sheet in addition to any cover sheet required by local court rule.
If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

Auto (22)-Personal Injury/Property Damage/Wrongful Death
Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)
Asbestos Property Damage
Asbestos Personal Injury/Wrongful Death
Product Liability (*not asbestos or toxic/environmental*) (24)
Medical Malpractice (45)
Medical Malpractice-Physicians & Surgeons
Other Professional Health Care Malpractice
Other PI/PD/WD (23)
Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress
Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)
Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)
Defamation (e.g., slander, libel) (13)
Fraud (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice (*not medical or legal*)
Other Non-PI/PD/WD Tort (35)

Employment

Wrongful Termination (36)
Other Employment (15)

Contract

Breach of Contract/Warranty (06)
Breach of Rental/Lease
Contract (*not unlawful detainer or wrongful eviction*)
Contract/Warranty Breach-Seller Plaintiff (*not fraud or negligence*)
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Collections (e.g., money owed, open book accounts) (09)
Collection Case-Seller Plaintiff
Other Promissory Note/Collections Case
Insurance Coverage (*not provisionally complex*) (18)
Auto Subrogation
Other Coverage
Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

Eminent Domain/Inverse Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (26)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

Unlawful Detainer

Commercial (31)
Residential (32)
Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

Judicial Review

Asset Forfeiture (05)
Petition Re: Arbitration Award (11)
Writ of Mandate (02)
Writ-Administrative Mandamus
Writ-Mandamus on Limited Court Case Matter
Writ-Other Limited Court Case Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal-Labor
Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400-3.403)

Antitrust/Trade Regulation (03)
Construction Defect (10)
Claims Involving Mass Tort (40)
Securities Litigation (28)
Environmental/Toxic Tort (30)
Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

Enforcement of Judgment

Enforcement of Judgment (20)
Abstract of Judgment (Out of County)
Confession of Judgment (*non-domestic relations*)
Sister State Judgment
Administrative Agency Award (*not unpaid taxes*)
Petition/Certification of Entry of Judgment on Unpaid Taxes
Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

RICO (27)
Other Complaint (*not specified above*) (42)
Declaratory Relief Only
Injunctive Relief Only (*non-harassment*)
Mechanics Lien
Other Commercial Complaint Case (*non-tort/non-complex*)
Other Civil Complaint (*non-tort/non-complex*)

Miscellaneous Civil Petition

Partnership and Corporate Governance (21)
Other Petition (*not specified above*) (43)
Civil Harassment
Workplace Violence
Elder/Dependent Adult Abuse
Election Contest
Petition for Name Change
Petition for Relief from Late Claim
Other Civil Petition

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Santa Clara STREET ADDRESS: 191 North First Street MAILING ADDRESS: 191 North First Street CITY AND ZIP CODE: San Jose, CA 95113 BRANCH NAME: Probate	
PETITION OF (Name of each petitioner):	
PETITION FOR CHANGE OF NAME	CASE NUMBER:

Before you complete this petition, you should read the *Instructions for Filing a Petition for Change of Name* on the next page. You must answer all questions and check all boxes on this petition that apply to you. You must file this petition in the superior court of the county where the person whose name is to be changed resides.

1. Petitioner (name): _____ resides in this county.

2. Petitioner requests that the court decree the following name changes (list every name that you are seeking to change):

<u>Present name</u>		<u>Proposed name</u>
a. _____	changed to	_____
b. _____	changed to	_____
c. _____	changed to	_____
d. _____	changed to	_____

Continued (if you are seeking to change additional names, you must prepare a list and attach it to this petition as Attachment 2).

3. Petitioner requests that the court issue an order directing all interested persons to appear and show cause why this petition for change of name of the persons identified in item 2 should not be granted.

4. The number of persons under 18 years of age whose names are to be changed is (specify): _____

5. If this petition requests the change of name of any person or persons under 18 years, this request is being made by
 - a. both parents.
 - b. mother only.
 - c. father only.
 - d. near relative (name and relationship): _____
 - e. guardian (name): _____
 - f. other (specify): _____

6. For each person whose name is to be changed, petitioner provides the following information (you must attach a completed copy of the attachment Name and Information About the Person Whose Name Is to Be Changed (form NC-110) for each person identified in item 2):
 - a. The number of attachments included in this petition is (specify number): 1
 - b-f. (Attachment page or pages)

(Instructions on next page)



**INSTRUCTIONS FOR FILING A PETITION
FOR CHANGE OF NAME**

1. Where to File

The petition for change of name must be filed in the superior court of the county where the person whose name is to be changed presently lives.

2. Whose Name May Be Changed

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).

3. What Forms Are Required

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 (Attachment to Petition)*(form NC-110) (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 (Supplemental Attachment to Petition)*(form NC-110G) for each child whose name is to be changed.

4. Filing and Filing Fee

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 FW-001); *Information Sheet on Waiver of Court Fees and Costs* (form FW-001-INFO); and *Order on Application for Waiver of Court Fees and Costs* (form FW-003.))

5. Requesting a Court Hearing Date and Obtaining the Order to Show Cause

You should request a date for the hearing on the *Order to Show Cause* at least six weeks in the future. Take the completed form to the clerk's office. The clerk will provide the hearing date and location, obtain the judicial officer's signature, file the original, and give you a copy.

6. Publishing the Order to Show Cause

In most cases, 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. 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. But petitioners do not have to publish the order if they are participants in (1) the State Witness Program or (2) in the Address Confidentiality Program and the petition alleges that they are (a) petitioning to avoid domestic violence, or (b) petitioning to avoid stalking, or (c) the petitioner is, or is filing on behalf of, a victim of sexual assault.

7. Name Change for Children

- a. If a petitioning parent is requesting the name change for a child under 18 years of age, and one of the parents, if living, does not join in consenting to the name change, the petitioning parent must have a copy of the *Order to Show Cause* or notice of the time and place of the hearing served on the nonconsenting parent. Service must be made **at least 30 days prior to the hearing** under Code of Civil Procedure section 413.10, 414.10, 415.10, or 415.40.
- b. If the nonconsenting parent resides in California, the order or notice must be personally served on the nonconsenting parent. The petitioning parent cannot personally serve this document.
- c. If the nonconsenting parent resides outside California, he or she may be served by sending a copy of the order or notice by first-class mail, postage prepaid, return receipt requested.
- d. If a petition to change the name of a child has been filed by a guardian, the guardian must (1) provide notice of the hearing to any living parent of the child by personal service at least 30 days before the hearing, or (2) if either or both parents are deceased or cannot be located, serve notice of the hearing on the child's grandparents, if living, not less than 30 days before the hearing under Code of Civil Procedure section 413.10, 414.10, 415.10, or 415.40.

If you have served a parent or grandparents, file a copy of the completed *Proof of Service of Order to Show Cause* (form NC-121) with the court before the hearing.

8. Confidentiality of Certain Names

In cases where the petitioner is a participant in the domestic violence confidentiality program and is exempt from publishing the *Order to Show Cause* as explained in 6, the petition for name change and the decree should, instead of giving the proposed name, indicate that the name is confidential and on file with the Secretary of State.

9. Court Hearing

If no written objection is filed at least two court days before the hearing, the court may grant the petition without a hearing. Check with the court to find out if a hearing will be held. If there is a hearing, bring copies of all documents to the hearing. If the judge grants the petition, the judge will sign the original decree.

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

**California Department of Health Services, Office of Vital Records
MS 5103, P.O. Box 997410, Sacramento, CA 95899-7410
Phone: (916) 445-2684, Web site: www.dhs.ca.gov**

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 identifying the department that handles name change petitions, the times when petitions are heard, and the newspapers that may be used to publish the *Order to Show Cause*.

PETITION OF (Name of petitioner or petitioners):

CASE NUMBER:

FOR CHANGE OF NAME

**NAME AND INFORMATION ABOUT THE PERSON
WHOSE NAME IS TO BE CHANGED**

Attachment ____ of ____

Attachment to Petition (Form NC-100 or form NC-200)

(You must use a **separate** attachment for **each person** whose name is to be changed. If petitioner is a guardian of a minor, a supplemental attachment, Declaration of Guardian (Form NC-110G), must also be completed and attached for each minor whose name is to be changed.)

6. (Continued) Petitioner applies for a decree to change the name of the following person:

b. Self Other

(1) Present name (specify) :

(2) Proposed name (specify) :

(3) Born on (date of birth) :

and presently under 18 years of age over 18 years of age

(4) Born at (place of birth) :

(5) Sex (as stated on original birth certificate): Male Female

(6) Current residence address (street, city, county, and zip code):

c. Reason for name change (explain) :

d. Relationship of the petitioner to the person whose name will be changed:

(1) self

(4) near relative (indicate relationship) :

(2) parent

(5) other (specify) :

(3) guardian

e. If the person whose name will be changed is under 18 years of age, provide the names and addresses, if known, of the following persons:

(1) Father (name) : (address) :

(2) Mother (name) : (address) :

(3) (Only if neither parent is living) Near relatives (names, relationships, and addresses):

f. If the person whose name will be changed is 18 years of age or older, that person must sign the following declaration:

DECLARATION

I declare under penalty of perjury under the laws of the State of California that I am not I am under the jurisdiction of the California Department of Corrections (in state prison or on parole) and I am not I am required to register as a sex offender under Penal Code section 290.

Date:

(TYPE OR PRINT NAME OF PERSON WHOSE NAME IS TO BE CHANGED)

(SIGNATURE OF PERSON WHOSE NAME IS TO BE CHANGED)

(If petitioner is represented by an attorney, the attorney's signature follows):

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF ATTORNEY)

(Each petitioner must sign this petition in the space provided below or, if additional pages are attached, at the end of the last attachment.) I declare under penalty of perjury under the laws of the State of California that the information in the foregoing petition is true and correct.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF PETITIONER)

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF PETITIONER)

ADD ADDITIONAL SIGNATURE LINES FOR ADDITIONAL PETITIONERS

SIGNATURE OF PETITIONERS FOLLOWS LAST ATTACHMENT

**ONLY FILL OUT THE NEXT 2 FORMS IF YOU
CANNOT FIND THE OTHER PARENT TO
SERVE THE ORDER TO SHOW CAUSE**

ATTORNEY OR PARTY WITHOUT AN ATTORNEY (Name, state bar number, and address) TELEPHONE NO.: _____ FAX NO: _____ ATTORNEY FOR (Name): Pro Per	<i>FOR COURT USE ONLY</i>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA PROBATE DIVISION 191 North First Street San Jose, California 95113	
PETITION OF <i>(Name)</i> : _____	
ORDER TO DISPENSE WITH NOTICE	CASE NUMBER: _____

THE COURT FINDS that a Petition for Name Change of _____, a minor has been filed by _____, and the minor's father/mother, _____, cannot with reasonable diligence be given notice.

THE COURT ORDERS that Notice of Hearing on the Petition for Name Change of minor, _____, is dispensed with to the minor's father/mother, _____.

Dated: _____

Judge of the Superior Court

ORDER TO DISPENSE WITH NOTICE
(Name Change)

PETITIONER OR ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Santa Clara STREET ADDRESS: 191 North First Street MAILING ADDRESS: 191 North First Street CITY AND ZIP CODE: San Jose, CA 95113 BRANCH NAME: Probate	
PETITION OF (Name of each petitioner): <p style="text-align: right;">FOR CHANGE OF NAME</p>	
ORDER TO SHOW CAUSE FOR CHANGE OF NAME	CASE NUMBER: _____

TO ALL INTERESTED PERSONS:

1. Petitioner (name): _____ filed a petition with this court
 for a decree changing names as follows:
- | | | |
|---------------------|----|----------------------|
| <u>Present name</u> | | <u>Proposed name</u> |
| a. _____ | to | _____ |
| b. _____ | to | _____ |
| c. _____ | to | _____ |
| d. _____ | to | _____ |
| e. _____ | to | _____ |

Continued on Attachment 1.

2. THE COURT ORDERS that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.

NOTICE OF HEARING

a. Date: _____ Time: _____ <input checked="" type="checkbox"/> Dept.: _____ <input type="checkbox"/> Room: _____
b. The address of the court is <input type="checkbox"/> same as noted above <input type="checkbox"/> other (specify): _____

3. a. A copy of this *Order to Show Cause* shall be published at least once each week for four successive weeks prior to the date set for hearing on the petition in the following newspaper of general circulation, printed in this county (specify newspaper): _____

b. Other (specify): _____

Date: _____ JUDGE OF THE SUPERIOR COURT

NOTE: When a *Petition for Change of Name* has been filed for a child and the other parent, if living, does not join in consenting to the name change, the petitioner must have a notice of the time and place of the hearing or a copy of the *Order to Show Cause* served on the other parent not less than 30 days prior to the hearing under Code of Civil Procedure section 413.10, 414.10, 415.10, or 415.40. If a petition to change the name of a child has been filed by a guardian, the guardian must (1) provide notice of the hearing to any living parent of the child by personal service at least 30 days before the hearing, or (2) if either or both parents are deceased or cannot be located, serve notice of the hearing on the child's grandparents, if living, not less than 30 days before the hearing under Code of Civil Procedure section 413.10, 414.10, 415.10, or 415.40. (This Note is included for the information of the petitioner and shall not be included in the *Order to Show Cause* published in the newspaper.)

PETITIONER OR ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Santa Clara STREET ADDRESS: 191 North First Street MAILING ADDRESS: 191 North First Street CITY AND ZIP CODE: San Jose, CA 95113 BRANCH NAME: Probate	
PETITION OF (Name of each petitioner): FOR CHANGE OF NAME	
DECREE CHANGING NAME	CASE NUMBER: _____

1. The petition was duly considered:
- a. at the hearing on (date): _____ in Courtroom: _____ of the above-entitled court.
- b. without hearing.

THE COURT FINDS

2. a. All notices required by law have been given.
- b. Each person whose name is to be changed identified in item 3 below
- (1) is not is under the jurisdiction of the Department of Corrections, and
- (2) is not is required to register as a sex offender under section 290 of the Penal Code.
- These determinations were made by using CLETS/CJIS based on information provided to the clerk of the court by a local law enforcement agency.
- c. No objections to the proposed change of name were made.
- d. Objections to the proposed change of name were made by (name): _____
- e. It appears to the satisfaction of the court that all the allegations in the petition are true and sufficient and that the petition should be granted.
- f. Other findings (if any): _____

THE COURT ORDERS

3. The name of Present name _____ New name _____
- a. _____ is changed to _____
- b. _____ is changed to _____
- c. _____ is changed to _____
- d. _____ is changed to _____
- e. _____ is changed to _____
- Additional name changes are listed on Attachment 3.

Date: _____

 JUDGE OF THE SUPERIOR COURT
 SIGNATURE OF JUDGE FOLLOWS LAST ATTACHMENT



SAMPLES

MI NOR NAME CHANGE

**Use the samples to help you complete
the packet of blank forms.**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

YOUR CURRENT NAME
YOUR STREET ADDRESS
YOUR CITY, STATE AND ZIP CODE

TELEPHONE NO.: **YOUR PHONE #** FAX NO.:

ATTORNEY FOR (Name): **In Pro Per**

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA
 STREET ADDRESS: **191 North First Street**
 MAILING ADDRESS: **191 North First Street**
 CITY AND ZIP CODE: **San Jose, CA 95113**
 BRANCH NAME: **Probate**

CASE NAME: **NAME CHANGE OF: (CHILD'S CURRENT NAME HERE)**

FOR COURT USE ONLY

**SAMPLE
ONLY**

**Do not write
on this copy!**

CASE NUMBER: **LEAVE BLANK**

JUDGE:

DEPT.:

Items 1-6 below must be completed (see instructions on page 2).

1. Check **one** box below for the case type that best describes this case:

<p>Auto Tort</p> <p><input type="checkbox"/> Auto (22)</p> <p><input type="checkbox"/> Uninsured motorist (46)</p> <p>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</p> <p><input type="checkbox"/> Asbestos (04)</p> <p><input type="checkbox"/> Product liability (24)</p> <p><input type="checkbox"/> Medical malpractice (45)</p> <p><input type="checkbox"/> Other PI/PD/WD (23)</p> <p>Non-PI/PD/WD (Other) Tort</p> <p><input type="checkbox"/> Business tort/unfair business practice (07)</p> <p><input type="checkbox"/> Civil rights (08)</p> <p><input type="checkbox"/> Defamation (13)</p> <p><input type="checkbox"/> Fraud (16)</p> <p><input type="checkbox"/> Intellectual property (19)</p> <p><input type="checkbox"/> Professional negligence (25)</p> <p><input type="checkbox"/> Other non-PI/PD/WD tort (35)</p> <p>Employment</p> <p><input type="checkbox"/> Wrongful termination (36)</p> <p><input type="checkbox"/> Other employment (15)</p>	<p>Contract</p> <p><input type="checkbox"/> Breach of contract/warranty (06)</p> <p><input type="checkbox"/> Rule 3.740 collections (09)</p> <p><input type="checkbox"/> Other collections (09)</p> <p><input type="checkbox"/> Insurance coverage (18)</p> <p><input type="checkbox"/> Other contract (37)</p> <p>Real Property</p> <p><input type="checkbox"/> Eminent domain/Inverse condemnation (14)</p> <p><input type="checkbox"/> Wrongful eviction (33)</p> <p><input type="checkbox"/> Other real property (26)</p> <p>Unlawful Detainer</p> <p><input type="checkbox"/> Commercial (31)</p> <p><input type="checkbox"/> Residential (32)</p> <p><input type="checkbox"/> Drugs (38)</p> <p>Judicial Review</p> <p><input type="checkbox"/> Asset forfeiture (05)</p> <p><input type="checkbox"/> Petition re: arbitration award (11)</p> <p><input type="checkbox"/> Writ of mandate (02)</p> <p><input type="checkbox"/> Other judicial review (39)</p>	<p>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)</p> <p><input type="checkbox"/> Antitrust/Trade regulation (03)</p> <p><input type="checkbox"/> Construction defect (10)</p> <p><input type="checkbox"/> Mass tort (40)</p> <p><input type="checkbox"/> Securities litigation (28)</p> <p><input type="checkbox"/> Environmental/Toxic tort (30)</p> <p><input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41)</p> <p>Enforcement of Judgment</p> <p><input type="checkbox"/> Enforcement of judgment (20)</p> <p>Miscellaneous Civil Complaint</p> <p><input type="checkbox"/> RICO (27)</p> <p><input type="checkbox"/> Other complaint (not specified above) (42)</p> <p>Miscellaneous Civil Petition</p> <p><input type="checkbox"/> Partnership and corporate governance (21)</p> <p><input checked="" type="checkbox"/> Other petition (not specified above) (43)</p>
---	---	--

2. This case is is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

a. <input type="checkbox"/> Large number of separately represented parties	d. <input type="checkbox"/> Large number of witnesses
b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve	e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
c. <input type="checkbox"/> Substantial amount of documentary evidence	f. <input type="checkbox"/> Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a. monetary b. nonmonetary; declaratory or injunctive relief c. punitive

4. Number of causes of action (specify):

5. This case is is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: **TODAY'S DATE**

PRINT YOUR CURRENT NAME HERE (TYPE OR PRINT NAME) **▶ SIGN YOUR CURRENT NAME HERE** (SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on **all** other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

YOUR CURRENT NAME
YOUR STREET ADDRESS
YOUR CITY, STATE AND ZIP CODE
 TELEPHONE NO.: **YOUR PHONE #** FAX NO. (Optional):
 E-MAIL ADDRESS (Optional):
 ATTORNEY FOR (Name): **In Pro Per**

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA
 STREET ADDRESS: **191 North First Street**
 MAILING ADDRESS: **191 North First Street**
 CITY AND ZIP CODE: **San Jose, CA 95113**
 BRANCH NAME: **Probate**

PETITION OF (Name of each petitioner):
YOUR CURRENT NAME

FOR COURT USE ONLY

SAMPLE ONLY

Do not write on this copy!

PETITION FOR CHANGE OF NAME

CASE NUMBER:
LEAVE BLANK

Before you complete this petition, you should read the *Instructions for Filing a Petition for Change of Name* on the next page. You must answer all questions and check all boxes on this petition that apply to you. You must file this petition in the superior court of the county where the person whose name is to be changed resides.

- Petitioner (name): **YOUR CURRENT NAME** resides in this county.
- Petitioner requests that the court decree the following name changes (list every name that you are seeking to change):

Present name	Proposed name
a. <u>CHILD'S CURRENT NAME</u>	changed to <u>NEW NAME FOR THE CHILD</u>
b. (FILL OUT ONE LINE FOR EACH CHILD)	changed to _____
c. _____	changed to _____
d. _____	changed to _____

Continued (if you are seeking to change additional names, you must prepare a list and attach it to this petition as Attachment 2).
- Petitioner requests that the court issue an order directing all interested persons to appear and show cause why this petition for change of name of the persons identified in item 2 should not be granted.
- The number of persons under 18 years of age whose names are to be changed is (specify): **NUMBER OF KIDS**
- If this petition requests the change of name of any person or persons under 18 years, this request is being made by

a. <input type="checkbox"/> both parents.	CHECK ONE BOX - a THROUGH f
b. <input type="checkbox"/> mother only.	
c. <input type="checkbox"/> father only.	
d. <input type="checkbox"/> near relative (name and relationship):	
e. <input type="checkbox"/> guardian (name):	
f. <input type="checkbox"/> other (specify):	
- For each person whose name is to be changed, petitioner provides the following information (you must attach a completed copy of the attachment Name and Information About the Person Whose Name Is to Be Changed (form NC-110) for each person identified in item 2):

a. The number of attachments included in this petition is (specify number): **NUMBER OF PAGES**

b-f. (Attachment page or pages)

(Instructions on next page)



INSTRUCTIONS FOR FILING A PETITION FOR CHANGE OF NAME

1. **Where to File**
The petition for change of name must be filed in the superior court of the county where the person whose name is to be changed presently lives.

2. **Whose Name May Be Changed**

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).

3. **What Forms Are Required**

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 (Attachment to Petition)* (form NC-110) (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 (Supplemental Attachment to Petition)* (form NC-110G) for each child whose name is to be changed.

4. **Filing and Filing Fee**

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 FW-001); *Information Sheet on Waiver of Court Fees and Costs* (form FW-001-INFO); and *Order on Application for Waiver of Court Fees and Costs* (form FW-003).)

5. **Requesting a Court Hearing Date and Obtaining the Order to Show Cause**

You should request a date for the hearing on the *Order to Show Cause* at least six weeks in the future. Take the completed form to the clerk's office. The clerk will provide the hearing date and location, obtain the judicial officer's signature, file the original, and give you a copy.

6. **Publishing the Order to Show Cause**

In most cases, 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. 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. But petitioners do not have to publish the order if they are participants in (1) the State Witness Program or (2) in the Address Confidentiality Program and the petition alleges that they are (a) petitioning to avoid domestic violence, or (b) petitioning to avoid stalking, or (c) the petitioner is, or is filing on behalf of, a victim of sexual assault.

7. **Name Change for Children**

a. If a petitioning parent is requesting the name change for a child under 18 years of age, and one of the parents, if living, does not join in consenting to the name change, the petitioning parent must have a copy of the *Order to Show Cause* or notice of the time and place of the hearing served on the nonconsenting parent. Service must be made **at least 30 days prior to the hearing** under Code of Civil Procedure section 413.10, 414.10, 415.10, or 415.40.

b. If the nonconsenting parent resides in California, the order or notice must be personally served on the nonconsenting parent. The petitioning parent cannot personally serve this document.

c. If the nonconsenting parent resides outside California, he or she may be served by sending a copy of the order or notice by first-class mail, postage prepaid, return receipt requested.

d. If a petition to change the name of a child has been filed by a guardian, the guardian must (1) provide notice of the hearing to any living parent of the child by personal service at least 30 days before the hearing, or (2) if either or both parents are deceased or cannot be located, serve notice of the hearing on the child's grandparents, if living, not less than 30 days before the hearing under Code of Civil Procedure section 413.10, 414.10, 415.10, or 415.40.

If you have served a parent or grandparents, file a copy of the completed *Proof of Service of Order to Show Cause* (form NC-121) with the court before the hearing.

8. **Confidentiality of Certain Names**

In cases where the petitioner is a participant in the domestic violence confidentiality program and is exempt from publishing the *Order to Show Cause* as explained in 6, the petition for name change and the decree should, instead of giving the proposed name, indicate that the name is confidential and on file with the Secretary of State.

9. **Court Hearing**

If no written objection is filed at least two court days before the hearing, the court may grant the petition without a hearing. Check with the court to find out if a hearing will be held. If there is a hearing, bring copies of all documents to the hearing. If the judge grants the petition, the judge will sign the original decree.

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

California Department of Health Services, Office of Vital Records
MS 5103, P.O. Box 997410, Sacramento, CA 95899-7410

Phone: (916) 445-2684, Web site: www.dhs.ca.gov

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 identifying the department that handles name change petitions, the times when petitions are heard, and the newspapers that may be used to publish the *Order to Show Cause*.

PETITION OF (Name of petitioner or petitioners):
YOUR CURRENT NAME

CASE NUMBER:
LEAVE BLANK

FOR CHANGE OF NAME

**NAME AND INFORMATION ABOUT THE PERSON
WHOSE NAME IS TO BE CHANGED**

Attachment **1** of **1**

Attachment to Petition (Form NC-100 or form NC-200)

(You must use a **separate** attachment for **each person** whose name is to be changed. If petitioner is a guardian of a minor, a supplemental attachment, Declaration of Guardian (Form NC-110G), must also be completed and attached for each minor whose name is to be changed.)

6. (Continued) Petitioner applies for a decree to change the name of the following person:

b. Self Other

(1) Present name (specify): **CHILD'S NAME RIGHT NOW**

(2) Proposed name (specify): **NAME YOU WANT YOUR CHILD TO HAVE**

(3) Born on (date of birth): **CHILD'S BIRTH DATE**

and presently under 18 years of age over 18 years of age

(4) Born at (place of birth): **WHERE YOU WERE BORN**

(5) Sex (as stated on original birth certificate): Male Female

← **CHECK ONE**

(6) Current residence address (street, city, county, and zip code):

WHERE DO YOU LIVE?

c. Reason for name change (explain):

WHY DO YOU WANT TO CHANGE YOUR CHILD'S NAME?

d. Relationship of the petitioner to the person whose name will be changed:

(1) self (4) near relative (indicate relationship):

(2) parent (5) other (specify):

(3) guardian

e. If the person whose name will be changed is under 18 years of age, provide the names and addresses, if known, of the following persons:

(1) Father (name): (address):

(2) Mother (name): (address):

(3) (Only if neither parent is living) Near relatives (names, relationships, and addresses):

f. If the person whose name will be changed is 18 years of age or older, that person must sign the following declaration:

DECLARATION

I declare under penalty of perjury under the laws of the State of California that I am not I am under the jurisdiction of the California Department of Corrections (in state prison or on parole) and I am not I am required to register as a sex offender under Penal Code section 290.

Date:

(TYPE OR PRINT NAME OF PERSON WHOSE NAME IS TO BE CHANGED)

(SIGNATURE OF PERSON WHOSE NAME IS TO BE CHANGED)

(If petitioner is represented by an attorney, the attorney's signature follows):

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF ATTORNEY)

(Each petitioner must sign this petition in the space provided below or, if additional pages are attached, at the end of the last attachment.) I declare under penalty of perjury under the laws of the State of California that the information in the foregoing petition is true and correct.

Date: **TODAY'S DATE**

YOUR CURRENT NAME

(TYPE OR PRINT NAME)

SIGN YOUR CURRENT NAME HERE

(SIGNATURE OF PETITIONER)

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF PETITIONER)

ADD ADDITIONAL SIGNATURE LINES FOR ADDITIONAL PETITIONERS

SIGNATURE OF PETITIONERS FOLLOWS LAST ATTACHMENT

ATTORNEY OR PARTY WITHOUT AN ATTORNEY (Name, state bar number, and address) YOUR NAME YOUR ADDRESS TELEPHONE NO.: YOUR TELEPHONE NUMBER FAX NO: ATTORNEY FOR (Name): Pro Per	FOR COURT USE ONLY CASE NUMBER:
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA PROBATE DIVISION 191 North First Street San Jose, California 95113	
PETITION OF (Name): YOUR NAME	
REQUEST TO DISPENSE WITH NOTICE	

1. I am the minor's mother father guardian other: MARK THE BOX THAT DESCRIBES YOUR RELATION TO THE CHILD

2. I should not have to give notice to the following people because I have not been able to find them:
 Name: NAME OF OTHER PARENT Relation to child: WRITE "FATHER" OR "MOTHER"

I have tried to find this person by doing these things:

DESCRIBE WHAT YOU HAVE DONE SO FAR TO TRY TO LOCATE THE OTHER PARENT?

I declare under penalty of perjury under the laws of the State of California that the above information is true and correct.

Date DATE OF SIGNATURE My signature: YOUR SIGNATURE

REQUEST TO DISPENSE WITH NOTICE
(Name Change)

ORDER TO DISPENSE WITH NOTICE
(Name Change)

Judge of the Superior Court

Dated: _____

NAME OF PARENT WHO
CANNOT BE FOUND

NAME OF MINOR

_____ is dispensed with to the minor's father/mother,

THE COURT ORDERS that Notice of Hearing on the Petition for Name Change of minor,

with reasonable diligence be given notice.

filed by **YOUR NAME**, _____, and the minor's father/mother, **NAME OF PARENT WHO CANNOT BE FOUND**, cannot

THE COURT FINDS that a Petition for Name Change of **NAME OF CHILD**, a minor has been

ORDER TO DISPENSE WITH NOTICE	
<i>FOR COURT USE ONLY</i>	ATTORNEY OR PARTY WITHOUT AN ATTORNEY (Name, state bar number, and address)
	YOUR NAME YOUR ADDRESS TELEPHONE NO.: YOUR PHONE NUMBER FAX NO: _____ ATTORNEY FOR (Name): Pro Per
	SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA PROBATE DIVISION 191 North First Street San Jose, California 95113
	PETITION OF (Name): YOUR NAME
CASE NUMBER: _____	

PETITIONER OR ATTORNEY (Name, State Bar number, and address):
YOUR CURRENT NAME
YOUR STREET ADDRESS
YOUR CITY, STATE AND ZIP CODE
 TELEPHONE NO.: **YOUR PHONE #** FAX NO. (Optional):
 E-MAIL ADDRESS (Optional):
 ATTORNEY FOR (Name): **In Pro Per**

FOR COURT USE ONLY

SAMPLE ONLY

Do not write on this copy!

CASE NUMBER:
LEAVE BLANK

SUPERIOR COURT OF CALIFORNIA, COUNTY OF **SANTA CLARA**
 STREET ADDRESS: **191 North First Street**
 MAILING ADDRESS: **191 North First Street**
 CITY AND ZIP CODE: **San Jose, CA 95113**
 BRANCH NAME: **Probate**

PETITION OF (Name of each petitioner):
YOUR CURRENT NAME

FOR CHANGE OF NAME

ORDER TO SHOW CAUSE FOR CHANGE OF NAME

TO ALL INTERESTED PERSONS:

1. Petitioner (name): **YOUR CURRENT NAME** filed a petition with this court for a decree changing names as follows:
- | | | | |
|----|------------------------------------|----|-----------------------------------|
| | <u>Present name</u> | | <u>Proposed name</u> |
| a. | CHILD'S CURRENT NAME | to | THE NEW NAME FOR THE CHILD |
| b. | (FILL OUT ONE LINE FOR EACH CHILD) | to | |
| c. | | to | |
| d. | | to | |
| e. | | to | |

- Continued on Attachment 1.
2. THE COURT ORDERS that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.

NOTICE OF HEARING

- a. Date: _____ Time: _____ Dept.: _____ Room: _____
- b. The address of the court is same as noted above other (specify): _____
3. a. A copy of this *Order to Show Cause* shall be published at least once each week for four successive weeks prior to the date set for hearing on the petition in the following newspaper of general circulation, printed in this county (specify newspaper):
USE THE LIST OF NEWSPAPERS IN THIS PACKET TO SELECT THE NEWSPAPER YOU WANT TO USE.
- b. Other (specify): _____

Date: **LEAVE BLANK**

LEAVE BLANK

JUDGE OF THE SUPERIOR COURT

NOTE: When a *Petition for Change of Name* has been filed for a child and the other parent, if living, does not join in consenting to the name change, the petitioner must have a notice of the time and place of the hearing or a copy of the *Order to Show Cause* served on the other parent not less than 30 days prior to the hearing under Code of Civil Procedure section 413.10, 414.10, 415.10, or 415.40. If a petition to change the name of a child has been filed by a guardian, the guardian must (1) provide notice of the hearing to any living parent of the child by personal service at least 30 days before the hearing, or (2) if either or both parents are deceased or cannot be located, serve notice of the hearing on the child's grandparents, if living, not less than 30 days before the hearing under Code of Civil Procedure section 413.10, 414.10, 415.10, or 415.40. (This Note is included for the information of the petitioner and shall not be included in the *Order to Show Cause* published in the newspaper.)

PETITIONER OR ATTORNEY (Name, State Bar number, and address): YOUR CURRENT NAME YOUR STREET ADDRESS YOUR CITY, STATE AND ZIP CODE TELEPHONE NO.: Your Phone # FAX NO. (Optional) E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): In Pro Per	NOTE: THIS WILL BE THE COURT ORDER SO THE JUDGE WILL FILL OUT MOST OF THIS; JUST FILL OUT THE PARTS AS DIRECTED.	FOR COURT USE ONLY <h1 style="margin: 0;">SAMPLE ONLY</h1> <h2 style="margin: 0;">Do not write on this copy!</h2>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA STREET ADDRESS: 191 North First Street MAILING ADDRESS: 191 North First Street CITY AND ZIP CODE: San Jose, CA 95113 BRANCH NAME: Probate	CASE NUMBER: LEAVE BLANK	
PETITION OF (Name of each petitioner): YOUR CURRENT NAME <div style="text-align: right;">FOR CHANGE OF NAME</div>		
DECREE CHANGING NAME		

1. The petition was duly considered:
 a. at the hearing on (date): _____ in Courtroom: _____ of the above-entitled court.

b. without hearing.

YOU MAY HAVE TO CHECK BOX 1a IF (1) SOMEONE FILES AN OBJECTION, (2) YOU WANT TO ATTEND A HEARING, OR (3) THE COURT ORDERS YOU TO ATTEND A HEARING. SEE INSTRUCTIONS.

THE COURT FINDS

2. a. All notices required by law have been given.
 b. Each person whose name is to be changed identified in item 3 below
 (1) is not is under the jurisdiction of the Department of Corrections, and
 (2) is not is required to register as a sex offender under section 290 of the Penal Code.
 These determinations were made by using CLETS/CJIS based on information provided to the clerk of the court by a local law enforcement agency.
 c. No objections to the proposed change of name were made.
 d. Objections to the proposed change of name were made by (name): _____

 e. It appears to the satisfaction of the court that all the allegations in the petition are true and sufficient and that the petition should be granted.
 f. Other findings (if any): _____

THE COURT ORDERS

3. The name of Present name New name

a. CHILD'S CURRENT NAME is changed to NEW NAME FOR THE CHILD

b. _____ is changed to _____

c. _____ is changed to _____

d. _____ is changed to _____

e. _____ is changed to _____

Additional name changes are listed on Attachment 3.

Date: **LEAVE BLANK**

LEAVE BLANK

JUDGE OF THE SUPERIOR COURT

SIGNATURE OF JUDGE FOLLOWS LAST ATTACHMENT

