

# Name and/or Gender Change (Minor)

<b>Step 1</b>	<p><b>Complete the following forms</b> in blue or black ink:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> CM-010 Civil Case Cover Sheet</li> <li><input checked="" type="checkbox"/> NC-500 Petition for Recognition of Minor’s Change of Gender and Sex Identifier and for Issuance of New Birth Certificate (and Change of Name)</li> <li><input checked="" type="checkbox"/> NC-110 Name and Information About the Person Whose Name is to be Changed</li> <li><input checked="" type="checkbox"/> NC-520 Order to Show Cause – Recognition of Minor’s Change of Gender and Issuance of New Birth Certificate (and Change of Name)</li> <li><input checked="" type="checkbox"/> NC-530 Order Recognizing Minor’s Change of Gender and Sex Identifier and for Issuance of New Birth Certificate and Decree Changing Name</li> <li><input type="checkbox"/> MC-030 Declaration re: Unable to Serve Other Parent (if parents are not filing jointly)</li> </ul>
<b>Step 2</b>	<p><b>Copies:</b> Make 2 copies of the forms, in addition to the original.</p>
<p><b>Step 3</b></p> <p>There is a filing fee, unless the fee is waived.</p>	<p><b>File:</b> File the following at the <b>Probate Clerk’s Office</b> located at:  <b>191 North First Street, San Jose, CA 95113</b>          The Clerk’s Office opens at 8:30am Monday-Friday, closing times are subject to change, visit <a href="http://www.scscourt.org">www.scscourt.org</a> or call <b>408-882-2100</b> for current office hours.</p> <p>You must bring:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Completed forms from Step 1 (originals and all copies)</li> <li><input checked="" type="checkbox"/> Self-addressed stamped envelope</li> <li><input checked="" type="checkbox"/> A check for the filing fee and each certified copy of the decree that you want (there is a fee for each certified copy) Note: If you cannot afford the fees, fill out the fee waiver forms FW-001 and FW-003</li> </ul> <p>You will be given a court date about 8 weeks out.</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <b>If you <u>are not</u> asking for a fee waiver</b>, you will pay the filing fee and get copies back with a file-stamp.</li> <li><input type="checkbox"/> <b>If you <u>are</u> asking for a fee waiver</b>, 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.</li> </ul>
<p><b>Step 4</b></p> <p>Skip to step 5, if both parents are requesting this change.</p>	<p><b>Service on the Other Parent:</b> If you are filing without the other parent:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <b>If they live in California</b>, have an adult, <i>not you</i>, <b>hand-deliver</b> a filed copy of the Petition (NC-500) and the Order to Show Cause (NC-520) to the other parent(s) at least <b>30 days</b> before your hearing date or <b>30 days from the date the court issued NC-520</b>, use whichever date occurred earlier.</li> <li><input type="checkbox"/> <b>If they do not live in California</b>, have an adult, <i>not you</i>, <b>mail</b> a filed copy of the Petition (NC-500) and the Order to Show Cause (NC-520) to the other parent(s) at least <b>35 days before your hearing date</b> or <b>35 days from the date the court issued NC-520</b>, use whichever date occurred earlier.</li> <li><input type="checkbox"/> <b>If you do not know where the other parent(s) lives</b> or how to find them, then you need to fill out and file a Request to Dispense with Notice of the other parent(s).</li> </ul> <p>Whoever delivers (“serves”) the forms must <b>complete the Proof of Service form (NC-121)</b>. This must be filed with the Clerk’s <b>at least 5 days before</b> the scheduled court date.</p>
<b>Step 5</b>	<p><b>What happens next:</b></p> <p><b>No objection is filed:</b> You will not need to attend your hearing date. If any additional steps are required, the Clerk’s Office will contact you. Make sure the court record is updated with your current phone number.</p>

<p><b>Objection is filed:</b> You should attend your Court hearing. At the hearing, the Judge may sign the <i>Order Recognizing Minor's Change of Gender and Sex Identifier and for Issuance of New Birth Certificate and Decree Changing Name (form NC-530)</i>. After the hearing, take your signed Order to the Probate Clerk's Office (room 107) for filing. You may purchase certified copies of your signed decree for additional cost.</p>
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## WHAT DO I DO AFTER I GET THE MINOR'S NAME AND GENDER CHANGE DECREE?

You may want to amend their birth record with their new name and gender. If they were born in California, contact the Office of Vital Records. You can get more information at <http://www.cdph.ca.gov>. If they weren't born in California, check with the Office of Vital Records in the state where they were born.

## HOW CAN I GET HELP?

Here are some ways to get help:

- Go to <http://www.calbar.ca.gov/Public>, then click on "Lawyer Referral services" to hire or consult with a private attorney.
- For free legal advice and information, see our "Do-It-Yourself Resources" flyer. Go to [www.scscourt.org](http://www.scscourt.org), click on "Self-Help" then "Self-Help Flyers".
- The Self-Help Center/Family Law Facilitator – See our information flyer:
  - Contact us: Go to [www.scscourt.org](http://www.scscourt.org) then click "**Contact the Self-Help Center**". Walk-in assistance is limited to emergencies so contact us remotely first.
  - Obtain Forms: Go to [www.scscourt.org](http://www.scscourt.org) then click "**Complete Forms at Home**".
  - Form Review: Email your forms as a PDF file to [SHCDocReview@scscourt.org](mailto:SHCDocReview@scscourt.org).
  - Note: We **cannot** help people who have attorneys.

Superior Court, County of Santa Clara  
**Self-Help Center/Family Law Facilitator's Office**  
201 N. First Street, San Jose, CA 95113  
408-882-2926