

# Name Change Petition (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-100 Petition for Change of Name (one for each child)</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-120 Order to Show Cause for Change of Name</li> <li><input checked="" type="checkbox"/> NC-130 Decree Changing Name</li> <li><input type="checkbox"/> MC-030 Declaration re: Unable to Serve Other Parent (if parents are not filing jointly)</li> <li><input type="checkbox"/> Consent of Minor (if child is between the ages of 12 and 18 – one for each child)</li> <li><input type="checkbox"/> NC-121 Proof of Service of Order to Show Cause (if parents are not filing jointly)</li> </ul>
<b>Step 2</b>	<p><b>Copies:</b> Make 2 copies, 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></p> <p>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> <p><input type="checkbox"/> <b>If you are not asking for a fee waiver</b>, you will pay the filing fee and get copies back with a file-stamp.</p> <p><input type="checkbox"/> <b>If you are 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.</p>
<p><b>Step 4</b></p> <p>The Court can’t waive the publication fee.</p>	<p><b>Publish the Order to Show Cause:</b> The <i>Order to Show Cause</i> must be published in a <b>local newspaper of general circulation</b> once a week for at least <b>four consecutive weeks</b> <u>before</u> the hearing date.</p> <p>Take your <b>filed</b> copy of the Order to Show Cause to the newspaper you choose so they can begin publication (see Local Form PB-4000 for a list of location newspapers). The newspaper is responsible for filing a <i>Proof of Publication</i> with the Court.</p>
<p><b>Step 5</b></p> <p>Skip to Step 6 if both parents are requesting this Name Change.</p>	<p><b>Serve 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 Order to Show Cause form (NC-120) to the other parent <i>at least 30 days</i> before your scheduled court hearing date.</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 Order to Show Cause form (NC-120) to the other parent <i>at least 35 days</i> before your scheduled court hearing date.</li> <li><input type="checkbox"/> <b>If you do not know where the other Parent lives</b> or how to find him or her, then fill out and file a Request to Dispense with Notice of the other Parent (local form).</li> </ul> <p>Whoever 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>

## Step 6

### What happens next:

**No objection is filed:** 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.

**Objection is filed:** You should attend your Court hearing. At the hearing, the Judge may sign the *Decree Changing Name (form NC-130)*. 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.

## WHY DO I HAVE TO PUBLISH IN THE NEWSPAPER?

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.

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

You may want to amend the child's birth record with their new name. 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