

MINOR NAME CHANGE INFORMATION SHEET

THURSTON COUNTY DISTRICT COURT
2000 Lakeridge Drive SW, Building 3
Olympia, WA 98502-6045
Telephone (360) 754-4102

IF YOU WANT TO CHANGE THE NAME OF A MINOR:

Please read this Minor Name Change Information Sheet carefully before you file your Petition for Name Change.

NAME CHANGE MUST PROMOTE THE MINOR'S BEST INTEREST:

Washington law requires that a change of a minor's name will **promote the minor's best interest**. When you complete the Petition for Name Change for a minor, please remember to include the reason(s) why the requested name will promote the minor's best interest.

CONSENT OF BOTH LIVING BIRTH PARENTS IS REQUIRED:

Unless one of the minor's birth parents is deceased (in which case a copy of the certificate of death is required), **both birth parents must consent to changing the minor's name**. You must present the minor's birth certificate to the clerk when filing for the name change. Whether or not both parents are listed on the minor's birth certificate, each birth parent must consent to the name change. Consent must be in the form of a notarized affidavit similar to the form of **Affidavit of Consent to Name Change of Minor by Birth Parent** which you may obtain from the clerk or the courts web page. If the minor resides in the same household with both parents then the signature of each parent on the petition is satisfactory to show consent.

If both parents do not consent, the Court must determine the best interest of the minor after notice of the proposed name change has been given to the nonconsenting parent, as is explained in the next paragraph.

WHERE ONE PARENT DOES NOT CONSENT TO THE NAME CHANGE:

If one parent does not consent to the proposed name change of the minor, the nonconsenting parent must be served with a Notice of Hearing for Name Change form which the Clerk will give you. This notice may be served by personal service or by publication.

1. **Personal Service:** Personal service is used when the Petitioner knows the address or location of the non-consenting parent. The Notice of Hearing for Name Change must be personally served on the nonconsenting parent at least seven (7) days before the hearing date set by the Court. You cannot personally serve the notice on the nonconsenting parent. Service of the notice can be done by one of these methods:

- a. **Process Server:** A listing may be found in the Yellow Pages under the heading PROCESS SERVERS. The process server will provide the court with an affidavit of service stating that the nonconsenting parent has been served.

- b. **Mail:** By mailing a copy of the notice to the non-consenting parent via Registered Mail, with Restricted Delivery and Return Receipt Requested, so that **ONLY** the nonconsenting parent may sign for the notice. If someone other than the absent parent signs for the notice or refuses to sign for the notice, you must serve the Notice by Publication, which is explained in the next paragraph.

2. **Publication:** You must serve the Notice of Hearing for Name Change by publication when you cannot locate the non-consenting parent or the nonconsenting parent cannot be served by personal service. The Clerk will provide you with a Notice of Hearing for Name Change, which must be published in a newspaper:

The publication time is once a week for three consecutive weeks, with the last publication occurring at least seven (7) days before the scheduled court hearing date.

The notice must be published in a newspaper in the city of the last known address of the non-consenting parent.

Proof of the publication **MUST** be provided. Be sure that the newspaper you choose will provide you with an **AFFIDAVIT OF PUBLICATION**. The Affidavit of Publication should have a copy of the published notice attached to it and should state the dates the notice was published.

IF THE MINOR IS A PERSON CURRENTLY UNDER JURISDICTION OF DEPARTMENT OF CORRECTIONS:

You must show the court proof that the minor has submitted a copy of the petition for Name Change to the Department of Corrections DOC as least five (5) days before the court hears the petition.

IF THE MINOR IS REQUIRED TO REGISTER AS A SEX OFFENDER:

The petition must show the court proof that the minor has submitted a copy of the Petition for Name Change to the sheriff of the county of residence and to the Washington State Patrol at least five (5) days before the court hears the petition. If the petition is granted then the minor must submit a copy of the Court's Order to the same agencies within five (5) days of the entry of the Order.

WHO AND WHAT SHOULD YOU BRING TO THE COURT HEARING:

You should bring:

1. The minor child if the child is ten (10) years of age or older, unless there are extenuating circumstances and you are requesting, in your name change petition, the waiver of the minor's attendance.
2. Proof that both birth parents have consented to the minor's name change, or, if this is not so, proof that one birth parent is deceased or proof that the nonconsenting birth parent has been served with a copy of the Notice of Hearing for Name Change either personally, by registered mail, RESTRICTED DELIVERY, with Return Receipt Requested, or by publication. If you do not have the required proof, the Court can reset your hearing to allow more time to serve the non-consenting parent.
3. If both consenting parents **cannot** be present at the hearing they can present the court their consent in the form of a notarized affidavit: **Affidavit of Consent to Name Change of Minor by Birth Parent** which you may obtain from the clerk or the courts web page.

FEES:

The fee to file a Petition for Name Change is \$282.50. This fee is broken down as follows:

\$73.00 Filing Fee
\$203.50 Auditor's Recording Fee
\$6.00 Administration Fee

COPIES OF ORDER CHANGING NAME:

You will receive one (1) certified copies of the Order Changing Name without additional cost. Each additional certified copy of the Order will cost \$5.00.

HEARING AND COURTROOM PROCEDURE:

When you file your Petition for Name Change, the Clerk will assign a courtroom hearing date. **If one parent has not consented to the name change, PLEASE LET THE CLERK KNOW THIS.** The hearing date will need to be set far enough in the future to allow you time to serve or publish the Notice of Hearing for Name Change. (Please read the Minor Name Change Information Sheet carefully).

On the hearing date, please come to the front of the courtroom when the judge calls your name. The judge will ask you some general questions. If the judge allows the name change, one certified copy of the signed Order Changing Name will be given to you in open Court.

WHO SHOULD RECEIVE COPIES OF THE ORDER:

- The Court will transmit the Order Changing Name to the Thurston County Auditor to be recorded as a public record. The fee for recording the Order is included in your filing fee.

- **IF THE NAMED MINOR'S BIRTH STATE IS WASHINGTON STATE:**

Then the Department of Vital Records **requires** a certified copy of your Order. You should mail the certified copy to the Washington State Department of Health, Center for Health Statistics, PO Box 9709, Olympia, WA 98507-9709. You may wish to request from Vital Records a copy of your birth certificate reflecting the name change. The charge for this is \$20.00. Include a stamped, self-addressed envelope.

- **IF THE NAMED MINOR'S BIRTH STATE IS OTHER THAN WASHINGTON STATE:**

You should check with that State's Department of Vital Records or equivalent agency to determine if they require a copy of the Order Changing Name.

- The Social Security Administration requests and keeps a certified copy of the Order Changing Name. The address of the local office is: 402 Yauger Way, Olympia, WA 98502.
- You must change the name on the minor's driver's license. The Department of Licensing will require that you show them a certified copy of your Order Changing Name to issue a new driver's license.
- If the minor whose name is changed is required to register as a sex offender then a copy of the order must be provided to the sheriff's office of the county of residence and the Washington State Patrol.