

INSTRUCTIONS FOR CHANGING A MINOR'S NAME

This is a step by step checklist with some explanations to guide you. Please read and follow the instructions carefully.

1. **Petition** - Complete the **Petition for Change of Name (Minor Child)** following the directions given. The petitioner is the minor child's legal/natural guardian. Use the present name of the minor child. If you want a name change for your child because of an adoption, if the final judgment has not yet been entered, the name change can be done as part of that case. The statute requires that the child's other natural parent be served with a copy of the Petition and Proof of Service on the other parent must be filed with the court.
2. After the Petition is completed, take it to a notary. The Petitioner must sign the Petition in the presence of the notary, who must also sign the form. Have the other natural parent of the child complete the **Consent for Name Change (Minor Child)**. It must be signed in the presence of a notary. If this Consent is filed with the Petition, then you will not have to have the sheriff serve the other natural parent.
3. Complete the **Civil Cover Sheet** and file it with your petition. Check the type of case as "Name Change." If the child's other natural parent did not complete the Consent, then you should complete the **20-Day Summons** and the **Memo to Sheriff**.
4. Make two copies of all the above documents, one for you to keep and a copy for the child's other parent. The originals must be filed with the Clerk of the Court. File the original Petition, the Notice of Limitations of Services Provided and the Civil Cover Sheet with the Clerk of the Court in the county where you live:

Indian River

2000 16th Avenue
Family Services
Indian River County Cthouse
Vero Beach, FL 32960

Martin

100 East Ocean Blvd.
Family Services
Martin County Courthouse
Stuart, FL 32994

Okeechobee

304 NW 2d Street
Family Services
Okeechobee Cthouse
Okeechobee, FL 34972

St. Lucie

201 S Indian River Drive
Family Relations
Clerk of Court's Building
Ft. Pierce, FL 34950

Bring this instruction sheet with you when you file your documents. The deputy clerk will complete the case number. When you file, you must pay a filing fee. You must submit four (4) stamped envelopes. The clerk will place the envelopes in your court file.

5. The original Summons and a copy will be returned to you by the Clerk. Take both, along with a copy of the Petition, to the Sheriff's Office or to a private process server to have the papers served on your child's other parent. The Sheriff's Office charges \$40.00 for this service.
6. After the petition has been served on the other parent, the sheriff or the process server will send proof of service to the courthouse or to you if service was outside the county. When you receive this form and the attached original summons, file both with the Clerk of the Court as proof that the child's other parent was served. Keep a copy for your records.
7. The other parent has twenty (25) days to respond to the petition from the date he or she received the summons. If other parent responds within twenty-five days by filing a Consent, your court file will be sent to the Self Help Case Manager to be set for hearing. Please allow four (4) weeks to receive your order scheduling your hearing.

** (Twenty days is the response time and the Clerk of the Court has to allow five days for mailing)

8. If the other parent does not respond in twenty-five days (not counting the day he or she was served), you may file a **Motion for Default** with the Clerk of the Court. Keep a copy of the Motion for Default for your records.
9. **If the child's other natural parent cannot be located to give consent, you will have to file an Affidavit of Diligent Search.** This Affidavit contains a list of the efforts that were made to locate the child's other natural parent. This Affidavit must be notarized. You will have to give notice by publication in the local newspaper. The Court will let you serve by publication only when you have conducted a search and you still cannot locate the other parent. Part of your diligent search is to complete the **Non-Military Affidavit** included in your packet.
10. **Once your search is complete, attach a log** showing the contacts you made while searching for the other parent. You will also need to complete the **Notice of Action** to Change Minor Child's Name. Deliver all of these forms to the Clerk of Court. The Clerk will need to sign and apply a court seal to the Notice of Action.
11. Publishing - You must publish your Notice of Action in your local newspaper of general circulation. Take the Notice of Action to the local newspaper. Your Notice of Action will be published once a week for four weeks. Get a copy of the paper the first time it will appear and notify the newspaper immediately if there is an error. If there is an error, you will need to prepare a new Notice of Action for the Clerk to sign and go through this procedure again. If the newspaper made the mistake, they should not charge you for the second publication.
12. After Publication - The other parent has twenty-eight (28) days to respond. If you do not receive a response by the date indicated in the Notice of Action, then complete the **Motion for Default** and deliver it to the Clerk of Court. Once the Clerk enters the Default, the court file will be forwarded to the Self Help Case Manager to be set for hearing. You will receive your court date and time in the mail from the court.
13. In order for the Self Help Case Manager to give you a date and time for the final hearing, your file must be complete. Complete the **Final Disposition Form**.
14. Arrive at the Courthouse at least 15 minutes before you are scheduled to have your hearing. Bring with you a copy of all documents you have filed with the court and documents sent to the child's other parent.
15. At the final hearing, you will be allowed to present evidence and the child's other parent, if in attendance, will be also allowed to present evidence. At the end of the final hearing, the judge will either grant the Petition or tell you if there is a problem with your case and what that problem is. In most cases, the Judge cannot tell you how to solve the problem.