

INSTRUCTIONS: CHILD NAME CHANGE WITHOUT CONSENT

- ☐ Use this packet only when the consent of the other parent is not required.

Consent (or agreement) to the Name Change of a Minor may or may not be required. Consent is not required when, for example, the other parent has abandoned or deserted the minor, failed to communicate significantly with the minor, or if the parent has committed a crime against the child. See Indiana Code 31-19-9 for more information.

If none of the factors in Indiana Code 31-19-9 apply, then consent is required. See Indiana Code 34-28-2-2. This form packet should only be used when consent is NOT required by the other parent or guardian.

- ☐ Fill out the forms. There are two ways you can complete these forms:
- (a) You can use a computer to fill in the form blanks. After you fill in the blanks you must print out the forms; or
 - (b) You can print out the forms and handwrite your answers.
- ☐ Read your local court rules to find out how many copies you will need, and if there are any additional forms or procedures required in your county.
- ☐ Sign your forms and make copies.
- ☐ Take the originals and copies of your forms to the Clerk of the Court. The Clerk will provide the case number and process the forms. The Clerk will stamp the forms with a filing date and give you back a copy.
- ☐ The court will set a hearing date when you file your Petition. Make sure this date is filled in on the Notice of Petition for Change of Name.
- ☐ You will need to take the Notice of Petition for Change of Name for a Minor to the person who handles legal notices in your local newspaper. This Notice must appear once a week for three weeks. The last publication date must be at least thirty days before your hearing date. *If you feel unsafe putting this in the newspaper, see more instructions beginning on the twelfth page of this packet.*
- ☐ The newspaper will send a proof of publication notice to you, which you will attach to the Notice of Filing Proof of Publication and then file these forms with the Court.
- ☐ Attend the hearing. *If you feel unsafe having a public hearing, see more instructions beginning on the twelfth of this packet.*

Once the name of the minor has been changed, the court will send a copy of the Order to the state department of health and local county health department. It is your responsibility to inform government agencies, schools, and other interested agencies and businesses of the minor's new name.

STATE OF INDIANA) IN THE _____ COURT
)
 COUNTY OF _____) CAUSE NO. _____

IN RE THE NAME CHANGE OF)
 MINOR:)
)
 _____)
 Name of Minor)
)
)
 _____)
 Petitioner)

APPEARANCE BY SELF-REPRESENTED PERSON IN CIVIL CASE

1. My name is _____ and I am the Petitioner, filing this case on my own behalf. I am not represented by a lawyer.
2. Contact information for receiving legal service of document and case information as required by Court Rules.

Address: _____

Email address: _____

☐ *I will accept service at the above email address.*

Phone: _____

Fax: _____

3. This is an MI case type as defined in Administrative Rule 8(B)(3).
4. There are related cases: *(If yes, please indicate below)*
☐ Yes
☐ No

Caption and case number of related cases:

Caption: _____ Case No.: _____

Caption: _____ Case No.: _____

Additional information as required by local rule:

Signature

STATE OF INDIANA) IN THE _____ COURT
)
 COUNTY OF _____) CAUSE NO. _____

IN RE THE NAME CHANGE OF)
 MINOR:)
)
 _____)
 Name of Minor)
)
)
)
 _____)
 Petitioner)

VERIFIED PETITION FOR CHANGE OF NAME OF MINOR

Petitioner, _____, self-represented,
 respectfully petitions the court to change the name of the above-noted child. In support of this
 Petition, Petitioner states as follows:

1. Petitioner is the _____ of the child whose name is sought to be changed.
3. That child's current name is _____.
4. That the child's date of birth is _____.
5. That the child's mailing address is:

 And if different, the child's residential address is:

6. That the child:
☐ has an Indiana driver's license number/Indiana identification card number is _____;
 and I will bring the child's Indiana driver's license or identification card to my Change of Name Hearing for verification.

OR

- ☐ does not have an Indiana driver's license number/Indiana identification card.

7. The following is a list of all of the previous names of the child:

8. That the child _____ hold a valid United States passport. Proof that the child is a United States citizen is _____. I will bring this document to the Change of Name Hearing for verification.

9. That the following judgements of criminal conviction of a felony under the law of any state or the United States have been entered against the child, or I have stated immediately below that the child does not have any felony convictions:

10. That changing the child's name is not an effort to defraud any of the child's creditors.

11. That notice of the request for name change will be published in a local publication as required by law and will be brought to the Change of Name Hearing.

12. That the child is not confined to a Department of Correction facility or a sex or violent offender who is required to register under Indiana Code 11-8-8.

13. That pursuant to Indiana Code 34-28-2-1, I petition this court to change the child's name. Pursuant to Indiana Code 34-28-2-2(b), the reason the change of the child's name is requested is:

14. That I request that the child's name be changed to:

15. That I request that (select one of the following):

☐ The name on the child's birth certificate **not** be changed.

☐ The name on the child's birth certificate be changed to their new, changed name. Specifically, _____.

16. The non-petitioning parent or guardian of the minor child has been served with a copy of this Petition as required by the Indiana Trial rules.

WHEREFORE, I respectfully request that this Court grant this Petition for Name Change of a Minor, and for all other just and proper relief.

I affirm under penalties for perjury that the foregoing representations and statements are true.

Signature

STATE OF INDIANA) IN THE _____ COURT
)
 COUNTY OF _____) CAUSE NO. _____

IN RE THE NAME CHANGE OF)
 MINOR:)
)
 _____)
 Name of Minor)
)
)
 _____)
 Petitioner)

AFFIDAVIT OF DILIGENT SEARCH

Petitioner, _____, being duly sworn upon
 _____ oath, deposes and states:

1. I am the Petitioner in the above-entitled action and have personal knowledge of the matters stated herein.
2. I am the _____ of the Minor Child.
3. I am requesting to change the name of the Minor Child from
 _____ to _____.
4. The non-petitioning parent's name is _____.
5. I am unaware of the whereabouts of the non-petitioning parent.
6. I have done a diligent search and cannot find the whereabouts of the non-petitioning parent.

I affirm under penalties for perjury that the foregoing representations and statements are true.

 Date

 Signature

IN THE _____ COURT

CASE NO. _____

Name of Minor

NOTICE OF PETITION FOR CHANGE OF NAME

to change the name of _____
to _____.

Date _____

Clerk, _____ Court

STATE OF INDIANA) IN THE _____ COURT
)SS:
 COUNTY OF _____) CAUSE NO. _____

IN RE THE NAME CHANGE OF)
 MINOR:)
)
 _____)
 Name of Minor)
)
)
)
 _____)
 Petitioner)

NOTICE OF FILING PROOF OF PUBLICATION

Petitioner, _____, self represented, states as follows:

1. I have given notice of the Petition for Change of Name of Minor Child, pursuant to Indiana Code 34-28-2-3.
2. Notice was given by three (3) weekly publications in a newspaper of general circulation published:
 - ☐ in the county in which the petition is filed in court.
 - ☐ in the nearest adjacent county because no newspaper is published in the county in which the petition is filed
3. The first notice was published not more than seven (7) days after the date the Petition to Change Name of Minor Child was filed.
4. The published notice included:
 - A. The name of the petitioner.
 - B. The name of the minor child whose name is to be changed.
 - C. The new name desired.
 - D. The name of the court in which the action is pending and cause number.
 - E. The date on which the petition was filed.

- F. The date, time, and location of the hearing.
 - G. The statement that any person has the right to appear at the hearing and to file objections.
- 5. I have attached a copy of the published notice herein as Exhibit A.
 - 6. The attached notice has been verified by the affidavit of a disinterested person.
 - 7. More than thirty (30) days have passed since the final required publication of notice.

I affirm under penalties for perjury that the foregoing representations and statements are true.

Date

Signature

Printed Legal Name

STATE OF INDIANA) IN THE _____ COURT
)
 COUNTY OF _____) CAUSE NO. _____
 IN RE THE NAME CHANGE)
 OF MINOR:)
)
 _____)
 Name of Minor)
)
)
)
 _____)
 Petitioner)

ORDER SETTING HEARING

Comes now _____, pro se, having filed a Verified
 Petition for Change of Name of Minor, and the Court finds that the matter should be set for hearing.

IT IS THEREFORE ORDERED that this matter shall be heard on

_____.

So ORDERED _____

 Judicial Officer

Distribution:

STATE OF INDIANA) IN THE _____ COURT
)
 COUNTY OF _____) CAUSE NO. _____

IN RE THE NAME CHANGE OF)
 MINOR:)
)
 _____)
 Name of Minor)
)
)
)
 _____)
 Petitioner)

ORDER ON VERIFIED PETITION FOR CHANGE OF NAME OF MINOR

Comes now the Court, having reviewed the Verified Petition for Change of Name of Minor and the Notice of Filing Proof of Publication, now finds as follows:

1. The Minor Child's current name is _____
2. The Minor Child resides at :

3. The Minor Child's date of birth is : _____.
4. If the Minor Child has a felony conviction within the last ten (10) years, the required notice to the appropriate agencies has been provided.
5. The Petitioner wishes to change the Minor Child's name to:

6. The Petitioner:
☐ wishes to change the Minor Child's name on Minor Child's birth certificate.
☐ **does not wish** to change Minor Child's name on Minor Child's birth certificate.
7. This Order is in accordance with the best interest of the Minor Child as guided by Indiana Code 31-17-2-8.

WHEREFORE, IT IS ORDERED that Petitioner's Petition for Change of Name of Minor is **GRANTED**, and Minor's name is hereby changed to:

The name on Minor's birth certificate:

☐ should be changed to _____.

☐ should **not** be changed.

SO ORDERED _____

Judicial Officer

Distribution:
