

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

REQUIREMENTS FOR NAME CHANGE PETITIONS

(Code of Civil procedure Sections 1275-1279.5)

Please read these instructions along with page 2 of form *NC-100, Petition for Change of Name* or, if you are requesting a decree changing name and gender, form *NC-230, Petition for Changing Name and Gender* before submitting your filing. Court staff cannot advise you about completing forms on your case. If you need legal advice about your forms or other issues regarding your case, you may wish to retain an attorney. The telephone number of the Orange County Bar Association Lawyer Referral Service is: (949) 440-6747

1. FORMS IN THIS PACKET:

#	Form Name	Form Number
1	<i>Civil Case Cover Sheet</i>	CM-010
2	<i>Petition for Change of Name</i>	NC-100
3	<i>Order to Show Cause for Change of Name</i>	NC-120
4	<i>Decree Changing Name</i>	NC-130
5	<i>Attachment to Petition for Name Change</i>	NC-110
6	<i>Decree Changing Name (Change of Name of Minor by Guardian)</i>	NC-130G
7	<i>Supplemental Attachment to Petition for Name Change (Declaration of Guardian)</i>	NC-110G
8	<i>Proof of Service of Order to Show Cause</i>	NC-121
9	<i>Newspapers of General Circulation (Adjudicated)</i>	L-1116

2. **FILING FEE/FEE WAIVER:** The current filing fee may be found online at: http://www.occourts.org/general-public/fee-schedule/#civil_unlimited. If you cannot afford the filing fee you may be eligible for a fee waiver. See the Fee Waiver Packet, form L-0080 which can be obtained from the clerk's office or online at <http://www.occourts.org/forms/local/l80.pdf>.
3. **FORMS/TYPED COPIES/ELECTRONIC FILING:** Self-represented litigants may present documents for filing in person, via mail or via electronic filing. Electronic filing is mandatory for litigants represented by an attorney, unless submitted with a fee waiver application or an electronic filing exemption order. All forms must be typed or printed legibly and, unless filed electronically, submitted in duplicate; an original and at least one (1) copy. The court's address is:

Superior Court of California, County of Orange
Civil Division
700 Civic Center Drive, West
Santa Ana, CA 92701

A list of approved electronic filing vendors is located on the court's website:
<http://www.occourts.org/online-services/efiling/efiling-civil.html>

Please ensure you are submitting the correct mandatory forms to ensure efficient processing. Refer to the table below to determine which forms you need to file.

If you are...	Complete and submit forms... (numbers below refer to the "#" column in the table above)
An adult or emancipated minor	1,2,3,4,5
Both parents petitioning on behalf of a minor child	1,2,3,4,5
One parent filing on behalf of a minor child**	1,2,3,4,5 ** see page 2-3 for additional information regarding minors. You may also need the forms in packet L-0316 regarding service on the non-petitioning parent.
A legal guardian filing on behalf of a minor child	1,2,3,5,6,7
Seeking change of name and gender	Separate set of forms. See packet L-TBD
Seeking a confidential name change under the <i>Safe At Home</i> program	In addition to the forms above you will also need to submit the forms in packet L-0585
Petitioner is seeking to conform their name to match their gender identity	1, 2, 4, 5

4. **NUMBER OF PETITIONS REQUIRED:** Each adult petitioner or emancipated child filing for a name change on his or her own behalf must submit a separate set of documents and a separate filing fee. (Ex. Husband and wife each require a separate petition). A separate case number will be assigned to each adult. One adult may file on his or her own behalf and also include one or more minor children on the petition. (Ex. Mother may file on behalf of herself and her four children on the same petition). *Attachment to Petition for Name Change, form NC-110* must be completed and attached to the petition for each person whose name is to be changed.
5. **NAME/ADDRESS:** If the petitioner is not represented by an attorney, the petitioner's name, address and telephone number must be typed or printed legibly in the upper left corner of each document.
6. **CAPTIONS:** Examples of the caption and first line of each document (where the present name(s) are to be used) are listed in the table below:

If you are...	Complete the caption as follows...
An adult or emancipated minor	John Doe
One parent or a legal guardian filing on behalf of a minor child	John Doe on behalf of James Doe, a minor
Both parents filing on behalf of a minor child	John Doe and Mary Doe on Behalf of James Doe, a minor

7. **SIGNATURES:** The petition must be signed by each adult who is applying for a change of name, using that person's present legal name. If the petition requests the change of a minor child's name, the petition must be signed by one of the parents, if living, or if both are deceased, then by the guardian; and if there is no guardian, then by some relative or friend. If a guardian or someone other than a parent is signing on behalf of the minor, be sure to attach *Supplemental Attachment to Petition for Name Change (Declaration of Guardian), form NC-110G* to the petition.
8. **HEARING DATES/ATTENDANCE:** The name change calendar is heard every Tuesday, Wednesday and Thursday at 1:30 pm in the Civil Clerk's Office at Central Justice Center (Room D100). All adult petitioners and minors 12 years of age and older, must attend.
9. **PUBLICATION OF ORDER TO SHOW CAUSE:** A copy of the filed Order to Show Cause for Change of Name (Judicial Council form NC-120) must be published in an adjudicated Orange County newspaper pursuant to California Government Code Section 6064 (publication once a week for four successive weeks) and must include all language on the form. A list of adjudicated newspapers is available at the end of this packet. Select one and write or type its name on line 3a of the Order to Show Cause form. Cost of publication varies depending on the newspaper selected. Proofs of newspaper publications, proofs of service on non-petitioning parents should be filed with the court as soon as possible. Failure to submit proof of service may result in your hearing being continued.
10. **CONTINUANCE:** The hearing will only be continued one time without an appearance. After that, the petition and counsel (if represented by counsel) must attend and show good cause for additional continuances, or the matter will be dismissed.
11. **DECREE:** On the date of the hearing the *Decree Changing Name, form NC- 130*, which you have provided, will be signed and filed if your matter is approved by the Court. Certified copies of the decree may be purchased after your hearing for a fee.

**ADDITIONAL INFORMATION – CHANGE OF NAME FOR
MINOR CHILD WHEN ONLY ONE PARENT PETITIONS**

If only one parent petitions to change a child's name, item 6e of *form NC-110, Attachment to Petition for Change of Name* must be completed to state the name and address (if known) of the other parent (also known as a non-petitioning parent). If the non-petitioning parent resides outside of California, the parent must be served with a copy of the Order to Show Cause by either personal service or by first-class mail, postage prepaid requiring return receipt. The non-petitioning parent in the State of California must be personally served thirty (30) days or more before the hearing. If notice is served by mail on the out of state non-petitioning parent, it must be mailed forty (40) days or more before the hearing. Mailed notices may only be used if the non-petitioning parent resides outside of California. Service must be completed by a person who is at least 18 years of age and not a party to the action. The person who served the documents must complete and sign the proof of service.

If the location of the non-petitioning parent is unknown, he/she must be served by publishing the *Notice of Hearing to Non-Petitioning Parent, local form L-937*. An application for order for publication (accompanied by a declaration of diligent search) and proposed order for publication may be submitted to the court when the petition is filed or as soon as possible afterward. You may draft your own documents or use packet *L-0316 Name Change – Publication of Notice of Hearing to Non-Petitioning Parent Booklet* available on the court's website:

<http://www.occourts.org/forms>

NOTE: if the non-petitioning parent is not properly served before the scheduled hearing date, the petition cannot be granted and the matter will go off calendar unless continued by the court. If continued, the non-petitioning parent must be served with an amended Order to Show Cause or a newly completed Notice of Hearing to Non-Petitioning Parent which states the time, date and place of the continued hearing.