



**Information on filing for a minor's name change in the
20th Circuit Court
Family Division - Provided by Ottawa County Clerk's Office**

Please read these instructions in their entirety before completing any of the forms.

Petition for a Name Change of a Minor:

The following are steps to follow for the name change of a minor (under 18 years old)

FILL OUT THE PETITION:

- Fill out the Petition to Change Name form (2 page document)
- Indicate any previous court case such as a support, divorce, paternity, name change, adoption, neglect/abuse
- Sign the form as the petitioner
- If the parents are married, both parents must sign the petition
- **MAKE A COPY OF YOUR PETITION BEFORE YOU FILE IT**
 - If you do not, and need a copy from the clerk at the time of filing, the cost is \$2.00

IF PARENTS ARE NOT MARRIED, OR ARE SEPARATED:

- Only the custodial parent may file a petition to change name of a minor
- The custodial parent must obtain the non-custodial parent's signature on the Waiver/Consent form (there are two options to choose on the form)
- The waiver/Consent form that contains the original signature of the non-custodial parent must be filed with the clerk's office

HOW TO FILE WITH CLERK:

- Mail to clerk at (ONLY):
 - 12120 Fillmore Street, West Olive, MI 49460 with a money order for \$175.00 payable to Ottawa County Clerk's Office **OR**
- File in person with the clerk at(ONLY):
 - 12120 Fillmore Street, West Olive, MI 49460 with cash, money order, credit/debit card that has a MasterCard, Visa, or Discover logo
 - **PERSONAL CHECKS ARE NOT ACCEPTED**
- Office hours are 8:00 am – 5:00 pm Monday through Friday (except county observed holidays-see county website at www.miottawa.org)

AFTER FILING WITH THE CLERK:

- The clerk will mail to you:
 - A copy of your filed petition
 - A receipt for the filing fee
 - A half sheet of paper that indicates your:
 - Case number/File number
 - Assigned judge
 - Telephone numbers to call to schedule your hearing (You must call the clerk)

WHEN YOU RECEIVE THE ABOVE INFORMATION FROM THE CLERK:

- Call the clerk to schedule your name change hearing that will be held in front of your assigned judge
- Once you receive your hearing date, fill out in its entirety, the PUBLICATION OF NOTICE OF HEARING FORM with the included information as listed below
- A Publication of Notice of Hearing form (title of document at the top of its page) should contain:
 - The County of Ottawa and Circuit Court listed on top, left box
 - The file number in top, right box
 - In the matter of line should contain your current, full legal name
 - If you do not know the whereabouts of the non-custodial parent, include their name next to the “to all interested parties including” section
 - In the take notice section insert your hearing date, time, court address (same as clerk’s address), and your assigned judge with their corresponding bar number
 - The “for the following purpose” section needs to include:
 - A statement that you are changing your name from your current, full legal name to the name you are petitioning the court to change it to
 - Your legal name must be spelled out
 - The name you are wishing to change to must be spelled out
 - Date and sign the document in the section for petitioner
 - If you have an attorney, they will fill out attorney information
 - The “publish above information only” section should include
 - Publish 1 time in (the name of paper you are using), in Ottawa County
 - Furnish 1 copy to Ottawa County Clerk at 12120 Fillmore Street, West Olive, MI 49460
- **MAKE A COPY OF THIS FORM ONCE IT IS FILLED OUT**
- **MAIL THE ORIGINAL OF THIS FORM TO THE CLERK**

IF YOU ARE UNABLE TO OBTAIN CONSENT OF NON-CUSTODIAL PARENT:

- You must mail the non-custodial parent the petition to change name and the notice of hearing according to service requirements
 - Clerk’s cannot interpret court rules or compiled laws for you
 - You may consult an attorney for any legal help
 - You must mail the petition to change name and the publication of notice of hearing form to the non-custodial parent at least 14 days prior to the scheduled hearing
- If their whereabouts are unknown after attempts to locate and serve you may:
 - Include their name in the Publication of Notice of Hearing form in the TO ALL INTERESTED PERSONS INCLUDING section
- Once you have mailed required documents to the non-custodial parent, you need to fill out the proof of service form indicating what documents were served and how they were served. File the original of the proof of service with the clerk

PUBLISH 1 TIME IN A NEWSPAPER (of your choice-you may call to check pricing at newspaper directly)

- After scheduling a hearing date and filling out your publication of notice of hearing form, you will need to publish 1 time in a newspaper

- The publication requirement must follow these rules:
 - The publication must be published in a paper that circulates in Ottawa county
 - The publication must run 1 time
 - The publication must occur **at least 14 days PRIOR** to your scheduled hearing date
 - Failure to publish according to requirements may result in
 - The judge requiring you to re-publish or
 - The judge denying your petition to change name

AFTER YOU PUBLISH IN THE PAPER:

- 1 week prior to your scheduled hearing, place a call to the clerk to make sure that we have received a document titled “affidavit of publication” from the newspaper. This must be an original, notarized document
- If the clerk has not received an affidavit from the paper, you will need to contact them and have them send one

WHAT YOU NEED FOR THE HEARING:

- You will need to appear at Family Court at the courthouse at 12120 Fillmore Street, West Olive, MI 49460
- You need to submit to the clerk the minor’s consent to change name form (pre-filled out) for the minor to sign in front of the judge at the hearing.
 - THIS ONLY APPLIES TO MINORS 14 YEARS OF AGE OR OLDER
 - The minor needs to appear at hearing if 14 years of age or older
- You need to bring the document from the name change packet titled “order following hearing on petition to change name”
- The order needs the top portion through number 1 filled out on the first page
- The file number and information in number 13 and 14 on the second page need filled out
- Each certified copy of the order, if granted at the hearing will cost \$12.00
- Cash, MasterCard, Visa, Discover or money orders are accepted

HOW TO OBTAIN A BIRTH CERTIFICATE AFTER YOUR HEARING:

- You are responsible for contacting vital records in Lansing, MI (if you were born in Michigan) for them to create a new birth certificate in the new name
 - Vital records may be contacted at:
 - State of Michigan
Department of Public Health
3423 N. Logan Street
P.O. Box 30195
Lansing, MI 48909
517-335-8656 or 517-335-8666
- You will need to inquire as to the current fee for a birth certificate and pay their required fee to them for the creation of a new birth certificate
- Vital Records creates a new birth certificate in two ways:
 - If item #14 is filled out on your order that the judge signs, vital records will create a new birth certificate and will seal the original birth certificate
 - If item #14 is NOT filled out, they will leave the original birth certificate in its original form and create an addendum to it that indicates the new name
- If you were NOT born in Michigan you must:
 - Call the agency responsible for creating birth records for that state

- Inquire as to their process for creating a new birth record

IMPORTANT THINGS TO REMEMBER:

- If proper procedure is not followed, the judge may not sign an order at the hearing
- If publication is not done successfully, according to instructions, you may be required to re-publish
- Please remember that this packet of information is designed to give you procedural information only
- **CLERK STAFF CANNOT ANSWER LEGAL QUESTIONS**
- You may wish to consult an attorney

CONTACT INFORMATION FOR QUESTIONS OR CONCERNS:

Ottawa County Clerk
Family Division
12120 Fillmore Street
West Olive, MI 49460
Phone: (616) 786-4108
Fax: (616) 738-4638

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	PETITION TO CHANGE NAME	FILE NO.
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Note: Every person 22 years of age or older who is requesting a name change must have a criminal background check. For details, go to michiganlegalhelp.org.

In the matter of the name change of _____
Present first name(s), middle name(s), and last name(s) (type or print)

1. An action within the jurisdiction of the family division of circuit court involving the family or family members of person(s) named above has/have been previously filed in _____ Court, Case Number _____, was assigned to Judge _____, and _____ remains _____ is no longer _____ pending.

2. The name change is for
a. a married person who wishes to also include a name change for his/her spouse.
minor child(ren), of whom the petitioner has legal custody. (For a minor 14 years or older, written consent is required. See form PC 51b.)
b. an adult.
c. a minor, whose natural or adopted parents are _____
Parent _____ Deceased _____
and _____
Parent _____ Deceased _____

Both parents are deceased. The guardian is _____ . (Attach letters of guardianship.)
Name _____

3. The name change is for the following reason: _____
4. The name change is not sought for any fraudulent intent.
5. The following person(s) seeking a name change has/have a criminal record: _____

6. Each person for whom a name change is sought has been a resident of the county for at least one year.

Note: Skip item 7 if the noncustodial parent consents to the name change or if there is not a noncustodial parent.

7. I have legal custody of the minor.
a. The noncustodial parent has had the ability to visit, contact, or communicate with the child and has regularly and substantially failed or neglected to do so for a period of two years or more before the filing of this petition and either: a support order has been entered, and the noncustodial parent has failed to substantially comply with the order for a period of two years or more before the filing of this petition; or a support order has not been entered and the noncustodial parent, having the ability to support or assist in supporting the child, has failed or neglected to provide regular and substantial support for two years or more before the filing of this petition.
b. The noncustodial parent has been convicted of child abuse (MCL 750.136b), criminal sexual conduct (MCL 750.520b, 750.520c, 750.520d, or 750.520e), or assault with intent to commit criminal sexual conduct (MCL 750.520g) and the child or a sibling of the child was the victim. (Attach judgment of sentence.)
c. The last known address of the noncustodial parent is: _____

_____ .
The noncustodial parent is not living at the above address, and I have taken the following steps to locate him/her:

(SEE SECOND PAGE)

Do not write below this line - For court use only

8. I request the following name change(s): (Type or print first name, middle name, and last name.)

FROM	TO	DATE OF BIRTH
Petitioner		month, day, year
Spouse		month, day, year
Minor child		month, day, year
Minor child		month, day, year
Minor child		month, day, year
Minor child		month, day, year

If you want a new live birth certificate, check item 9. A special order is not needed if you only want to add the changed name(s) to the original certificate(s).

9. I request the court to order the State Registrar to create a new live birth certificate that does not disclose the name of

_____ at birth and to seal the original certificate.
Name

I declare that this petition has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Date

Petitioner signature

Address

Name (type or print)

City, state, zip Telephone no.

SIGNATURE OF PARENT/GUARDIAN FOR MINOR

Date

Date

Signature

Signature

Name (type or print)

Name (type or print)

Address

Address

City, state, zip Telephone no.

City, state, zip Telephone no.

CONSENT BY SPOUSE OF PETITIONER If the petition is filed for a spouse, this consent must be signed by the spouse of the petitioner.

I am the spouse of the petitioner and consent to the granting of this petition to change my name.

Date

Signature

Address

Name (type or print)

City, state, zip Telephone no.

Attorney signature

Address

Attorney name (type or print) Bar no.

City, state, zip Telephone no.

STATE OF MICHIGAN PROBATE COURT COUNTY OF	PUBLICATION OF NOTICE OF HEARING	FILE NO.
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In the matter of _____

TO ALL INTERESTED PERSONS including:

whose address(es) is/are unknown and whose interest in the matter may be barred or affected by the following:

TAKE NOTICE: A hearing will be held on _____ at _____
Date Time

at _____ before Judge _____
Location Bar no.

for the following purpose:

_____	_____	_____	_____
Attorney name (type or print)	Bar no.	Petitioner name (type or print)	
_____	_____	_____	_____
Address		Address	
_____	_____	_____	_____
City, state, zip	Telephone no.	City, state, zip	Telephone no.

PUBLISH ABOVE INFORMATION ONLY

Publish _____ time(s) in _____ in _____ County.
Name of publication

Furnish _____ copies to _____.

Furnish affidavit of publication to the court.

Forward statement for publication charges to _____.

USE NOTE: If this form is being filed in the circuit court family division, please enter the court name and county in the upper left-hand corner of the form.

Do not write below this line - For court use only

STATE OF MICHIGAN PROBATE COURT COUNTY CIRCUIT COURT - FAMILY DIVISION	WAIVER/CONSENT	FILE NO.
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In the matter of _____

1. I am interested in the matter as _____ .

2. I waive notice of the hearing and consent to the application/petition for _____
Nature of application/petition and name of applicant/petitioner

_____, and I declare that I have received a copy of this application/petition.

3. I waive notice of the hearing concerning _____
Nature of hearing

_____		_____	
Date		Date	
_____		_____	
Signature		Signature	
_____	_____	_____	_____
Attorney name (type or print)	Bar no.	Name (type or print)	
_____	_____	_____	_____
Address		Address	
_____	_____	_____	_____
City, state, zip	Telephone no.	City, state, zip	Telephone no.

NOTE: Do not use for waivers pursuant to MCL 700.3310.

Do not write below this line - For court use only

STATE OF MICHIGAN JUDICIAL CIRCUIT-FAMILY DIVISION COUNTY	MINOR'S CONSENT TO CHANGE NAME	FILE NO.
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In the matter of the name change of _____
Present first name, middle name, and last name (type or print)

1. I consent to change my name as stated in the petition filed on _____
Date

Date

Minor's signature

In my presence, the minor who is the subject of this petition signed this consent before me.

Date

Judge Bar no.

NOTE: A minor 14 years of age or older must sign a written consent in the presence of the judge before an order to change name can be entered for that minor. The written consent may be signed at the hearing on the petition to change name.

STATE OF MICHIGAN PROBATE COURT COUNTY OF	PROOF OF SERVICE	FILE NO.
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In the matter of _____

1. Titles of the papers served or mailed: _____

2. According to court rule, I served by first-class mail registered mail (copy of return receipt attached)
 certified mail (copy of return receipt attached) the papers described above on:

Name	Complete address of service	Date

3. According to court rule, I served by **personal service** the papers described above on:

Name	Complete address of service	Date and Time

4. After diligent search and inquiry, I have been unable to find and serve the following interested persons. I have served these persons by publication. Attached are copies of form PC 617.

I declare under the penalties of perjury that this proof of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Service fee	Miles traveled	Fee	
\$		\$	
Incorrect address fee	Miles traveled	Fee	TOTAL FEE
\$		\$	\$

Date

Signature

Name (type or print)

USE NOTE: If this form is being filed in the circuit court family division, please enter the court name and county in the upper left-hand corner of the form.

Do not write below this line - For court use only

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	ORDER FOLLOWING HEARING ON PETITION TO CHANGE NAME	FILE NO.
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In the matter of the name change of _____
Present first name(s), middle name(s), and last name(s) (type or print)

1. Date of Hearing: _____ Judge: _____
Bar no.

THE COURT FINDS:

2. A petition for name change has been filed.
3. Notice of hearing was given by publication.
4. Each person for whom a name change is sought has been a resident of the county for at least one year.
5. The court has received the required criminal record report(s) from the Michigan Department of State Police.
6. _____ has a criminal record.
Name (type or print)
7. The request for the name change of _____
Name (type or print)
is is not made with fraudulent intent.
8. The petitioner, having legal custody, requests the name change of a minor. The noncustodial parent has consented to the name change.
9. The petitioner requests the name change of a minor. The custodial parent has consented to the name change. The noncustodial parent was given notice of the hearing.
 - a. The noncustodial parent has had the ability to visit, contact, or communicate with the minor but has regularly and substantially failed or neglected to do so for the past two years, **and** a support order has been entered, and the noncustodial parent has failed to substantially comply with the order for a period of two years or more before the filing of the petition for name change. **or** a support order has not been entered and the noncustodial parent, having the ability to support or assist supporting the child, has failed or neglected to provide regular and substantial support for two years or more before the filing of the petition for name change.
 - b. The noncustodial parent has been convicted of child abuse (MCL 750.136b), criminal sexual conduct (MCL 750.520b, 750.520c, 750.520d, or 750.520e), or assault with intent to commit criminal sexual conduct (MCL 750.520g), and the child or a sibling of the child was the victim.
10. The minor(s) 14 years of age or older signed a written consent to change name in the presence of the court.
11. The minor(s) under the age of 14 has/have stated a preference to a name change.
12. The minor(s) is/are not of sufficient age to express a preference to a name change.

(SEE SECOND PAGE)

Do not write below this line - For court use only

13. The name(s) of the following person(s) is/are changed.

FROM	TO	DATE OF BIRTH
Petitioner		month, day, year
Spouse		month, day, year
Minor child		month, day, year
Minor child		month, day, year
Minor child		month, day, year
Minor child		month, day, year

14. The State Registrar shall create a new live birth certificate for _____
Name
 that does not disclose the name at birth and shall seal the original certificate.

15. The request to change the name of _____ is denied.
Name

16. The request is denied and the petition is dismissed.

 Date

 Judge

 Attorney Name (type or print) Bar no.

 Address

 City, state, zip Telephone no.

Note to Petitioner: You must provide this order to the State Registrar if you want to change your birth certificate.

Note to Clerk: Under MCL 711.1(3), if the court enters an order to change the name of a person who has a criminal record, the court shall forward the order to the Criminal Justice Information Center of the Michigan State Police and to one or more of the following:

- The Department of Corrections if the person named in the order is in prison or on parole or has been imprisoned or released from parole in the immediately preceding two years.
- The sheriff of the county in which the person named in the order was last convicted if the person was incarcerated in a county jail or released from a county jail within the immediately preceding two years.
- The court that has jurisdiction over the person named in the order if the person named in the order is under the jurisdiction of the family division of the circuit court.