



Ottawa County
Clerk | Register of Deeds

**Information on filing for a Name Change of a Minor 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. This packet is designed to give you procedural information only. Clerk staff cannot answer legal questions or give legal advice. You may wish to consult an attorney. 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 in its entirety, as it applies to your situation (3-page document)
- Note: In Section 1, indicate any previous court case such as a support, divorce, paternity, name change, adoption, neglect/abuse, etc.
- Sign the petition

A NOTE REGARDING PERSONAL IDENTIFYING INFORMATION:

- Please note that the petition is designed to omit personal identifying information, such as dates of birth. Please do not include that information on the petition.
- Use the included form **MC 97a – Addendum to Protected Personal Identifying Information** to provide the court with this information. It must be filed with your petition.

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 consent either by signing the petition or properly executing a Waiver/Consent form

HOW TO FILE WITH CLERK:

- The filing fee is \$175 and is ***non-refundable*** in the event that your petition is denied, dismissed, or withdrawn for any reason. The Clerk's Office does not accept personal checks. You may pay by cash, money order, or credit card (Mastercard, Visa, or Discover). The filing fee must be submitted with the petition.
- You may request a waiver of the filing fee by completing the fee waiver form included in this packet. Your request must be approved by either the Clerk's Office or the Judge according to state law. If your fee waiver is denied, you will be notified and permitted to either pay the filing fee or elect not to proceed with the case.
- You may file the petition and MC 97a either in-person or by mail at:
 - 12120 Fillmore Street, West Olive, MI 49460
- 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 THE PETITION:

- 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
 - Phone number to call to schedule your hearing
- Once you get this information in the mail, you must call the clerk to schedule your hearing.

PUBLISH NOTICE IN THE NEWSPAPER

- After receiving a hearing date, complete the **Publication of Notice of Hearing for Name Change** form and arrange for it to be published in a newspaper of your choosing, according to the below requirements:
 - The newspaper must circulate in Ottawa County;
 - The publication must run one time;
 - The publication must occur ***at least 14 days prior to*** your scheduled hearing date. You must call the Clerk's Office to reschedule your hearing if you miss the deadline;
 - The newspaper must provide the court with an ***Affidavit of Publication***, which is a sworn statement showing what was published and when.
- If you have not gotten the consent of the non-custodial parent, and their whereabouts are unknown, include their name in the Publication of Notice of Hearing for Name Change form in the "To all persons, including:" section.
- Retain the original Publication of Notice of Hearing for Name Change form to file with the court. Also keep a copy of the form to serve the noncustodial parent, if necessary (see below).

SERVING THE NON-CUSTODIAL PARENT

- You must mail the non-custodial parent the Petition to Change Name and the Publication of Notice of Hearing for Name Change according to service requirements.
- 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.
- The non-custodial parent may consent by signing the petition under the "Signature of Parent" section, or may sign the Waiver/Consent form to waive notice of the hearing and/or consent to the petition.

AFTER YOU PUBLISH IN THE NEWSPAPER:

- Approximately one week prior to your scheduled hearing, call the Clerk's Office to make sure that we have received the 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, or you may give us your Affidavit if they sent you one.

AT AND AFTER THE HEARING:

- Hearings are held at the West Olive Courthouse, and will either be in person, or by Zoom at the court's direction. Ask the scheduling clerk how hearings are being held when you call to set yours.
- Minors age 14 and older must consent to the name change in front of the judge at the hearing using the included Consent to Name Change form.
- You are welcome to file a proposed order for the judge to sign. If you do not do so, the Clerk's Office will create a proposed order based on your petition. The Court will make any needed changes to the order.
- The Order is in two parts to comply with Michigan's laws regarding Personal Identifying Information.
 - Part 1, which includes identifying information, will be provided to you after the hearing for a certified copy fee of \$12 (for hand-sealed paper copy) or \$10 (for electronically certified, emailed copy).
 - Part 2, which redacts the identifying information, will be retained for the court record. Any future certified copies that you need will be the redacted version.

HOW TO OBTAIN A BIRTH CERTIFICATE AFTER YOUR HEARING:

- You are responsible for contacting vital records in Lansing, MI (if the child was born in Michigan) for them to create a new birth certificate in the child's 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 with that office as to the current fee for a birth certificate and pay the required fee to them for the creation of a new birth certificate.
- Vital Records creates a new birth certificate in two ways:
 - If item #13 ***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 #13 ***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 the applicable state.
 - Inquire as to their process for creating a new birth record.

CONTACT INFORMATION FOR QUESTIONS:

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	CASE NO. and JUDGE
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Court address _____ **Court telephone no.** _____

Note: This petition must be accompanied by a notice of hearing prepared for publication under MCR 3.613 (see PC 50). 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 _____
 Present first, middle, and last name(s) (type or print)

Petitioner's name, address, and telephone no.

Petitioner's attorney, bar no., address, and telephone no.

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 _____ Name (Attach letters of guardianship.)

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 noncustodial parent has been convicted of first degree murder (MCL 750.316) or second degree murder (MCL 750.317). (Attach judgment of sentence.)
 - d. 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:

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

FROM	TO	DATE OF BIRTH
Petitioner		Put DOB in Ref. No. row 10 on MC 97a.
Spouse		Put DOB in Ref. No. row 11 on MC 97a.
Minor child		Put DOB in Ref. No. row 12 on MC 97a.
Minor child		Put DOB in Ref. No. row 13 on MC 97a.
Minor child		Put DOB in Ref. No. row 14 on MC 97a.
Minor child		Put DOB in Ref. No. row 15 on MC 97a.
Minor child		Put DOB in Ref. No. row 16 on MC 97a.

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 under the penalties of perjury 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

SIGNATURE OF PARENT/GUARDIAN FOR MINOR

Date

Signature

Name (type or print)

Address

City, state, zip

Telephone no.

Date

Signature

Name (type or print)

Address

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

Name (type or print)

Attorney signature

Attorney name (type or print)

Bar no.

Address

City, state, zip

Telephone no.

Address

City, state, zip

Telephone no.

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY	ADDENDUM TO PROTECTED PERSONAL IDENTIFYING INFORMATION	CASE NO. and JUDGE
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Court address _____ Court telephone no. _____

Plaintiff's/Petitioner's name	v	Defendant's/Respondent's name
In the matter of _____		

This form is nonpublic because it contains personal identifying information (PII) that is protected from public inspection under MCR 1.109(D)(9)(a). Use this form to provide PII only for a person who is a NOT a defendant, respondent, or decedent. If the person is a defendant, respondent, or decedent use form MC 97.

Instructions:

- When PII (such as date of birth) must be filed with the court on a public document, DO NOT include it on that public document. Instead, you must provide it on this form.
- **Provide only** the protected PII required for your particular case. For example, if you are filing a public document that requires you to provide a date of birth to the court, complete only that field on this form.

Name of form/document that this MC 97a is being filed with: _____

Printed name of individual completing form and date

Ref. No.	Instructions: Provide the name of the person that the PII applies to, followed by the specific PII that is required. For Other, specify the type of PII in addition to the PII itself - for example, Social Security No. XXXX. Use the below reference number (Ref. No.) in the public document in place of the protected PII. For example, insert "Ref. No. XX" in place of the DOB in the public document.		
10	Name	DOB	Other
11	Name	DOB	Other
12	Name	DOB	Other
13	Name	DOB	Other
14	Name	DOB	Other
15	Name	DOB	Other
16	Name	DOB	Other
17	Name	DOB	Other
18	Name	DOB	Other

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	PUBLICATION OF NOTICE OF HEARING FOR NAME CHANGE	CASE NO. and JUDGE
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Court address _____ Court telephone no. _____

In the matter of _____
Current name of the subject of the petition

TO ALL PERSONS, including: (specify non-custodial parent's name here, if applicable)

whose address is unknown and whose interest in the matter may be barred or affected by the following:

TAKE NOTICE: A hearing will be held on _____
Date and time

at _____
Location

before Judge _____ to change the name of:

_____ to _____
Current name Proposed name

_____ to _____
Current name Proposed name

_____ to _____
Current name Proposed name

_____ to _____
Current name Proposed name

_____ to _____
Current name Proposed name

_____ to _____
Current name Proposed name

PUBLISH ABOVE INFORMATION ONLY

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

Furnish _____ copies to _____ .

Furnish affidavit of publication to the court. Petitioner shall file affidavit of publication with the court clerk.

Forward statement for publication charges to _____ .

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

_____		_____	
Attorney name (type or print)		Date	
_____		_____	
Bar no.		Signature	
_____		_____	
Address		Name (type or print)	
_____		_____	
City, state, zip		Address	
_____		_____	
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 (Part 1)	CASE NO. and JUDGE
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Court address

Court telephone no.

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

THE COURT FINDS:

1. A petition for name change has been filed.
2. Notice of hearing was given by publication.
3. Each person for whom a name change is sought has been a resident of the county for at least one year.
4. The court has received the required criminal record report(s) from the Michigan Department of State Police.
5. _____ has a criminal record.
 Name (type or print)
6. The request for the name change of _____
 Name (type or print)
 - is is not made with fraudulent intent.
7. The petitioner, having legal custody, requests the name change of a minor. The noncustodial parent has consented to the name change.
8. 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.
9. The minor(s) 14 years of age or older signed a written consent to change name in the presence of the court.
10. The minor(s) under the age of 14 has/have stated a preference to a name change.
11. The minor(s) is/are not of sufficient age to express a preference to a name change.

12. 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

13. 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.

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

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

Judge signature and date

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.

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	ORDER FOLLOWING HEARING ON PETITION TO CHANGE NAME (Part 2)	CASE NO. and JUDGE
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Court address

Court telephone no.

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

THE COURT FINDS:

1. A petition for name change has been filed.
2. Notice of hearing was given by publication.
3. Each person for whom a name change is sought has been a resident of the county for at least one year.
4. The court has received the required criminal record report(s) from the Michigan Department of State Police.
5. _____ has a criminal record.
 Name (type or print)
6. The request for the name change of _____
 Name (type or print)
 - is is not made with fraudulent intent.
7. The petitioner, having legal custody, requests the name change of a minor. The noncustodial parent has consented to the name change.
8. 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.
9. The minor(s) 14 years of age or older signed a written consent to change name in the presence of the court.
10. The minor(s) under the age of 14 has/have stated a preference to a name change.
11. The minor(s) is/are not of sufficient age to express a preference to a name change.

12. 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

13. 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.

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

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

 Judge signature and date

 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.

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE	FEE WAIVER REQUEST	CASE NO. and JUDGE
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Court address _____ **Court telephone no.** _____

Plaintiff/Petitioner's name, address, and telephone no.	v	Defendant/Respondent's name, address, and telephone no.
Plaintiff/Petitioner's attorney, bar no., address, and telephone no.		Defendant/Respondent's attorney, bar no., address, and telephone no.

In the matter of _____

Instructions: Complete this form and file it with the court. After you receive a decision on your request, you must serve your request and the decision on the other party(ies).

I request a waiver of my filing fees for the following reason: (Check 1, 2, or 3)

1. I receive the following type(s) of public assistance because of indigence:
- Food Assistance Program through the State of Michigan (also known as FAP or SNAP)
 - Medicaid (including Healthy Michigan, CHIP, and ESO)
 - Family Independence Program through the State of Michigan (also known as FIP or TANF)
 - Women, Infants, and Children benefits (WIC)
 - Supplemental Security Income through the federal government (SSI)
 - Other means-tested public assistance: _____

My public assistance case number(s) (if any) is _____
Write "none" if no case number. Do not write your SSN.

2. I am represented by a legal services program or I receive assistance from a law school clinic because of indigence. The name of the legal services program or law school clinic is _____

3. I am unable to pay the fees and I did not check item 1 or 2 above.
- My gross household income is \$ _____ every _____
Week/Two weeks/Month/Year
- The number of people in my household is _____
- My source of income is _____
- List assets and their worth, such as bank accounts. If you need more space, attach a separate sheet.

List obligations and how much you pay, such as rent or other debts. If you need more space, attach a separate sheet.

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

 Date Signature

CLERK WAIVER

1. Payment of filing fees is waived.

Signature of court clerk and date

ORDER

IT IS ORDERED:

1. Payment of filing fees is waived because:
- a. Your gross household income is under 125% of the federal poverty guidelines.
 - b. Your gross household income is above 125% of the federal poverty guidelines, but payment of the fees would constitute a financial hardship for you.
 - c. Other:

If you become able to pay the fees before this case is resolved, you must notify the court.

2. The fee waiver request is denied because:
- a. Your gross household income is above 125% of the federal poverty guidelines and payment of the fees would not constitute a financial hardship for you.
 - b. Other:

Judge/Magistrate (when authorized) signature and date

NOTICE

IF YOUR REQUEST WAS DENIED: To continue your case and preserve your filing date, you have 14 days from the issue date below to pay the filing fees or request a review. To request a review, fill out a Request for Review of Denied Fee Waiver (form MC 114) and file it with the court.

Issue date (completed by clerk)