

## INSTRUCTIONS FOR NAME CHANGE OF A MINOR

**Filing Fees:** If no hearing is required, the deposit is \$140.00. If a hearing is required, the deposit will be \$150.00. Additional Court costs may be incurred and are due and payable prior to the issuance of the Judgment Entry.

### **Requirements:**

- You may apply for a name change **ONLY if the minor** has been a Butler County Resident for the past 60 days.

### **Process:**

- The documents listed below must be prepared by the applicant or an attorney.
- An application for name change of a minor can only be made on behalf of a minor by a parent, legal custodian, a legal guardian, or guardian ad litem.
- Once the documents have been filed with the Court, one of the following will occur:
  1. If **both natural parents' consents are provided**, the Court may dispense with a hearing and make a ruling on the filed application. Copies of the Judgment Entry will be mailed to the applicant once all additional Court fees, if any, are paid in full.
  2. If **both natural parents' consents are not provided**, the Court will set the filed application for hearing. The applicant and minor child will be required to appear before the Court.
    - If there is a valid address for the non-consenting parent, the Court will serve the non-consenting parent with a copy of the name change application, consent form, and the notice of the hearing by certified mail with a return receipt requested.
    - If the non-consenting parent will be served by publication, personal service or other method of service pursuant to Civ.R. 73, the applicant will be responsible for taking the notice to a newspaper of general circulation in Butler County for publication, or making arrangements for other service as directed pursuant to the Judgment Entry Setting Hearing and Ordering Notice. Proof of Service must be filed with the Court at least 10 days prior the hearing.
    - Affidavit for Unknown Address of a Parent (BCPC Form 640).
    - If address is unknown for the other Parent, the Applicant shall prepare and file an unsigned consent form for the Court to serve to the other Parent.
- The time frame for each name change application varies on a case by case basis. The Court will issue a Judgment Entry Setting Hearing and Ordering Notice.
- The Court reserves the right to require additional documentation be submitted to support the name change, require a criminal background check, or hold a formal hearing on the application.

**NOTE: All paperwork must be TYPED. No handwritten documents will be accepted by the Court.**

**Each form must be printed separately.**

**The Court will NOT accept notarized documents with “white-out” or correction tape.**

**The applicant MUST use their FULL NAME (i.e.: First, middle, and last name) on all filings including any suffixes (i.e.: Jr. Sr., II, III, etc....). No initials may be used.**

**All capital and lower case letters of the Applicant’s name must match the identity documents.**

**It is the applicant’s responsibility to redact all personal identifiers as this case type is public record. The Court will not redact personal identifiers.**

**Required Documents:**

1. Self-Representation Acknowledgment (BCPC Form 638).
  - Applicant must file this form if not being represented by an attorney.
2. Application Addendum (BCPC Form 639).
3. Application for Change of Name of a Minor (Form 21.2).
4. Court order appointing the applicant as anything other than a natural parent, if any.
5. Ohio Court’s Network Authorization, Waiver, and Consent (BCPC Form 641)
  - The Court will perform a records check obtaining all criminal history information and background pertaining to the minor and applicant.
6. Certified copy of birth certificate which will be kept by the Court.
7. Photocopy of driver’s license or State ID (driver’s license number, issuance date, and expiration date may be redacted).
8. Photocopy of Social Security Card (social security number must be redacted).
9. Affidavit in Support of Application for Change of Name of a Minor (Form 21.02).
  - The Affidavit must be notarized by a Notary Public before being submitted for filing.
  - Court staff cannot notarize documents.
10. Notice of Hearing form (Form 21.5).

11. Judgment Entry Changing Name of Minor (Form 21.3).
12. Waiver of Notice of Hearing and Consent to Change of Name of Minor (BCPC Form 21.4L).
  - Both parents of the minor must sign this waiver to dispense with a hearing on the application.
  - All consent forms **must** be notarized by a Notary Public.
13. If both parents' consents are not provided with the application, the following must be filed:
  - a) Judgment Entry Setting Hearing and Ordering Notice Form 21.03).
  - b) Notice of Hearing on Change of Name (Form 21.5).
14. If parents' name on minor's birth certificate is different than their present legal name, additional documentation is required (i.e.: marriage license, etc...).
15. Any documents that are illegible, incomplete, incorrect, or not suitable for scanning could result in your application being denied, delayed, or dismissed.

**NOTE:** If this is a matter of correcting legal documentation, please see "Which process is right for my situation" form located under the name change tab.