

INSTRUCTIONS FOR CHANGE OF NAME (MINOR)

Please advise clerk if child's name has been changed before.

One or both parents must reside in Marshall County.

You will need the following:

- Valid (non-expired) Alabama issued photo ID (driver or non-driver) of parent(s) – **NO exceptions.**
 - Your Marshall county address must be current on ID presented.
 - Certified copy of child's birth certificate with state ID number.
 - Filing fees vary – we accept cash, check or money orders.

Completing the forms:

1. Must answer questions 1 through 5 of the petition. **BLACK INK ONLY.** Do not mark through or use white out/liquid paper on forms. Petitioner(s) signature must be the same as identified on the birth certificate and signed before a notary public. **Use full names – NO initials.**

This form does not require the assistance of an attorney so leave "Attorney for Petitioner" part blank.

Clerks in this office are **NOT** allowed to assist you in completing the form.

2. You must file a copy of the child's birth certificate containing the State ID #. This document must remain with the Court as a permanent part of the file.
3. IF BOTH PARENTS names appear on the child's birth certificate, **both** parents must sign the petition to have the child's name changed. A physical street address for both parents is required – **NO PO Boxes will be accepted.**

If one parent's rights have been terminated, you must file a copy of the order. Their signature will then NOT be required.

If one parent is not available to sign the petition, or if the father's name is not listed on the birth certificate, then QUESTION #2 on the petition **must be completed in FULL** and the matter will be set for a hearing. The Court will give notice to the parent who has not signed the petition, whether in state or out of state. Notification by publication may be necessary if address is unknown or if biological father is unknown.

Parent must bring minor child to the hearing.

*If minor is over age 14, they must submit a consent statement to the change of name (attached). Signature of the minor must be the same as it appears on their birth certificate and it also must be signed and notarized. **(This may be an informal handwritten statement but signed before a notary public).***

A hearing date is required to be set by this court for the following reasons:

- If putative Father's name does not appear on the child's birth certificate, or he is now deceased.
 - If the named putative Father is not available to sign the petition.
- If "mother refused" or "not stated" is shown on child's birth certificate under "Fathers Name"

A publication fee of \$73.00 is required to be paid, along with filing fees (cost will vary) when filing a petition that must be set for a hearing. Additional court cost may occur after the hearing

CASH, CHECK OR MONEY ORDER ONLY – Absolutely NO fees will be waived.

4. Bring the completed, signed notarized forms to this office. Filing fees will vary and are due at time of filing.

PLEASE HAVE YOUR PAPERWORK NOTARIZED BEFORE FILING IN PROBATE COURT.

STATE OF ALABAMA

PETITION AND DECLARATION FOR CHANGE OF NAME OF MINOR CHILD

IN THE PROBATE COURT OF ALABAMA COUNTY,

COUNTY

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Case No.:

IN RE: THE NAME CHANGE OF

To The Honorable Judge Of Probate Of County, Alabama:

COME(S) NOW and as: Parent(s),

Guardian(s), Next of Friend, and represent(s) to this Honorable Court as follows:

- 1. That the Minor's present true, correct legal name is:
2. The minor child is a bona fide resident of County, Alabama, has resided in said county for months preceding this petition and is residing at:
3. That a true and correct certified copy of the minor child's birth certificate is attached hereto;
4. That the Minor's date of birth is and the minor is years of age;
5. That Petitioner(s) is/are the true and lawful legal guardian(s) of the minor child pursuant to law;
6. That there are no pending or prior civil legal case(s) involving the minor child, or the Petitioner regarding or involving the child, such as but not limited to: custody, visitation, child support, contempt, domestic violence, adoption, protection from abuse, termination of parental rights, delinquency or dependency in any state, territory or possession of the United States or any foreign country;
7. That there is no federal, state, county, or other governmental agency that has current or pending oversight, custody, or control over the minor child (such as the Department of Human Resources - DHR, Juvenile Court, District Court, Circuit Court, etc.);
8. That the Minor has never been convicted of a felony or crime involving moral turpitude, is not currently facing criminal charges, and has never been a criminal defendant, ward, delinquent, dependent or Child In Need of Supervision, in any federal, state, district or juvenile court in any state, territory or possession of the United States; and
9. That the Minor is not and has never been married;
10. The name(s), relationship(s), age(s), and home or business address(es) of a/the person(s) known to the Petitioner(s) at the time of the filing of this Petition from whom (a) consent(s) to this Petition are required by law are as follows:

Table with 3 columns: Name/Relationship, Age, Home or Business Address

NOTE: if the Petitioner(s) cannot attest to the validity of any of the above statements, please explain as follows, or attach additional sheets to this petition:

WHEREFORE, THE PREMISES considered, the Petitioner(s) pray(s) that this Honorable Court will grant his/her/their prayer, and issue an Order changing the Minor's name to:

I, the undersigned authority, a Notary Public, in and for said County in said State, hereby certify that said Petitioner(s) whose name is/are signed to the foregoing instrument, and who is/are known to me, acknowledged before me on this day, that being informed of the contents of said petition, that he/she/they executed the same voluntarily on the day the same bears date.

Petitioner Address: Phone:

Petitioner Address: Phone:

Signature of Minor if 14 years of age or older

SEAL

NOTARY PUBLIC My Commission Expires:

IN THE PROBATE COURT OF MARSHALL COUNTY, ALABAMA

CASE NO. _____

IN THE MATTER OF THE NAME CHANGE OF _____.

CONSENT OF MINOR

TO THE HONORABLE TIM MITCHELL, JUDGE OF PROBATE, MARSHALL COUNTY:

Comes now _____ and shows unto the Court as follows: That he/she is a resident citizen of Marshall County, that he/she is the natural child of _____ born in _____, Alabama on _____.

I hereby consent to the name change of _____ to _____.

This the _____ day of _____, 20__.

Minor's name

STATE OF ALABAMA

COUNTY OF MARSHALL

I, _____, a Notary Public in and for said State at large, hereby certify that _____, whose name is signed to the foregoing Consent of Name Change and who is known to me, acknowledge before me on this day that, being informed of the contents of the Consent of Name Change, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the _____ day of _____, 20__.

Notary Public, State at Large

My Commission expires: _____

INSTRUCTIONS FOR CHANGE OF NAME (ADULT)

General Information:

- You must be a resident of Marshall County, Alabama. If you are a resident of another county or state, you must seek the name change in the county or state of residence which you reside.
- All name changes require a simple background check. There is no additional charge for the background check. The form is provided by the Probate Office. The form must be completed and taken to the Marshall County Sheriff's Office. The Sheriff's office will provide you a letter of the background results. Bring your results with your petition to the Probate Office. ***Background check must be completed before you can file your petition.***
- Cost will vary (Fee \$65-\$85) to be determined by number of pages filed. Cash, check or money order accepted.
- The following identification is required upon filing a petition:
 - Alabama driver's license or photo ID.
 - Birth certificate.

Instructions:

1. Complete the forms in **BLACK INK ONLY**. Do not mark through or use white out/liquid paper on the forms. Please write your name **LEGIBLY** in all appropriate areas on these 2 forms.
2. Please notify the clerk if you have had your name changed previously.
3. This form does not require an attorney to file. However, clerks are **NOT** allowed to assist you in completing the form. If you have not hired an attorney to help you complete this form, please leave "Attorney for Petitioner" part **BLANK**.
4. The petition must be notarized prior to submission to the Probate office. We do **NOT** provide notary services.
5. **PETITIONER** refers to your **FULL PRESENT LEGAL NAME** (or the name you are changing from). Please sign your **FULL PRESENT LEGAL NAME** (or the name you are changing from) as **PETITIONER** and have that same signature notarized. Do **NOT** sign in the notary section, sign only your **FULL PRESENT LEGAL NAME** (or the name you are changing from). Use **FULL** names, **NO** initials.
6. Be sure to give your **COMPLETE PHYSICAL ADDRESS**. **NO** post office boxes will be accepted.
7. Bring the completed, signed AND notarized forms to the Guntersville Courthouse, Probate Office on the 1st floor.

PS-12 8/08	Request to Change Name (For An Adult)	Case Number: <i>(the clerk fills this in)</i>
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In the Probate Court of (county): _____ County, Alabama

Your current name: _____
first
middle
last

To ask the court to change your name, you must fill out this form, and:

- Attach a **certified** copy of your birth certificate and a copy of your photo ID, and
- File your form and attachments in the same county where you live.

I declare that the following information is true:

- ① My current name is: _____
first
middle
last
- ② My address is: _____
street
city
state
zip
- ③ My phone numbers are (home): _____ (work): _____
- ④ My date of birth is (mm/dd/yyyy): _____
- ⑤ My name at birth was: _____
first
middle
last
- ⑥ I am an adult (19 or older), of sound mind, and live in (name of Alabama county): _____
- ⑦ The attached copy of my photo ID is my (check one): Driver's license, # _____
 Non-driver's photo, ID #: _____
- ⑧ I ask the court to change my name because (explain why you want to change your name): _____

- ⑨ I want my new name to be: _____
first
middle
last
- ⑩ I also declare:
 - I am not now facing criminal charges, nor am I involved in any other court case.
 - I have **never** been convicted of a criminal sex offense (as defined in Alabama Code § 15-20-21), a crime of moral turpitude, or a felony.
 - I am not asking to change my name to avoid paying my debts or to commit fraud.
 - I swear that all of the information I have provided above is complete and accurate.

I ask the court to grant this request and to issue an order changing my name.

Sign below in front of a notary:

_____ Date: _____

Notary fills out below—

Sworn to and subscribed before me, the undersigned authority, ┌

By (Print name of notary): _____ └

On this date: _____ (Notary's seal here)

_____ / / _____
Notary signs here Date notary's commission expires ┌ └

Marshall County Background Information

Completed by Applicant

I hereby AUTHORIZE and request any law enforcement agency to furnish bearer with criminal history and identity check information in their possession regarding me in connection with my application to the Marshall County Probate Office.

PRINT NAME: _____
Last First Middle

OTHER NAMES YOU HAVE USED: _____

CURRENT ADDRESS: _____
Street Number & Name City State Zip

HOME PHONE #: _____ BUSINESS PHONE #: _____

DATE OF BIRTH: _____ SOCIAL SECURITY #: _____

DRIVER'S LICENSE INFORMATION: _____
License number Expiration Date

SINCE YOUR 18TH BIRTHDAY, HAVE YOU BEEN CONVICTED OF A FELONY, FELONY-REDUCED-TO MISDEMEANOR OR MISDEMEANOR BY ANY COURT.

YES No

If yes, please indicate date, location and explanation (continue on reverse side if necessary):

I hereby certify that all statements on this application are true and correct to the best of my knowledge and belief.

APPLICANT SIGNATURE: _____ DATE: _____