

INSTRUCTIONS FOR PETITION CHANGE THE NAME OF MINOR CHILDREN IN FULTON COUNTY

Name changes are governed by O.C.G.A. §19-12-1. These forms are for people who want to change the name of a minor child or children (child(ren) under the age of 18 years).

STEP 1: Fill out the Petition to Change Name of Minor Child(ren).

STEP 2: Fill out the Verification form.

STEP 3: Fill out the Domestic Relations Initiation Form

STEP 4: Have the Consent form, signed and notarized.

STEP 5: Fill out the Notice of Petition to Change Name form

STEP 6: Make copies of all of the forms.

STEP 7: File the forms with the Clerk of the Superior Court and obtain a court date.

STEP 8: Publish Notice.

STEP 9: Appear on scheduled court date to obtain final ruling.

STEP 10: Final Decree will be filed with the Clerk of the Superior Court, and a certified copy can be obtained at that time (for a nominal fee). The following are detailed instructions:

1. Fill out the Petition to Change Name of Minor Child(ren):

Enter the current name(s) of the minor children whose name(s) you want to change next to the word, "Children." Then fill in your name above the word "Petitioner". Fill in the name of the other parent or guardian above the word "Respondent". You should not fill in the blank next to "Civil Action File No.:" because the clerk will assign your case a number when you file the Petition, and the clerk will fill that number in for you.

Paragraph 1: Read this sentence and if it is true, proceed to paragraph 2. If it is not true, you should speak to an attorney.

Paragraph 2: Check the box next to the word that describes your relationship to the child(ren). For example, if you are the child(ren)'s mother, check the box next to "mother." Only people who have a legal relationship (such as a parent or guardian) can change the name of a minor.

Paragraph 3: Print or type the current (prior) name or names of the child(ren) in the left column and the new name or names of the child(ren) in the right column. Enter the year of birth for each child in the center column. For example, if your child(ren)'s names were Mary and John Smith, and you wanted to change them to Mary and John Jones, it would look like this:

<i>Current Name of Child</i>	<i>Year of Birth</i>	<i>Proposed New Name</i>
Mary Jane Smith	2006	Mary Jane Jones

John David Smith	2008	John David Jones
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DO NOT ABBREVIATE NAMES OR USE INITIALS For example: Mary Jane Jones
NOT Mary J. Jones.

Paragraph 4: Check (a) to confirm that the children live with you. If the children live with someone else, check (b) and write the name of the adult they live with on the first blank line. Write the county the children live in on the second line.

Paragraph 5: Print or type the reasons why you want to change the child(ren)'s name(s) here. Make sure your reasons are clearly explained.

Paragraph 6: Print or type the names of the mother (even if you are the mother) and her address. Check (a) if the mother agrees to the name change. If not, check either (b), (c) or (d). If neither a, b, c or d is true, you should not use this form and should consult with an attorney.

Paragraph 7: Print or type the names of the father (even if you are the father) and his address. Check (a) if the mother agrees to the name change. If not, check either (b), (c) or (d). If neither a, b, c or d is true, you should not use this form and should consult with an attorney.

Paragraph 8: Check (a) if the parents are the only legal guardian of the child(ren). Check (b) if the parents are deceased and the other statements in that paragraph are true.

Personal Service on a Parent or Guardian: In order to have a minor child(ren)'s name changed, both parents of the child(ren) have to be "served " with a copy of the petition. That means that you have to provide them with a copy of the petition. If the child(ren) resides with people other than his or her parent or parents, then the person acting as guardian of the child(ren) has to be served with a copy of the petition as if he or she were that child(ren)'s parent. *If the parent(s) or guardian(s) live in Georgia, you can contact the Sheriff's department in the county where the person lives for information on serving your Petition.*

If the parent(s) or guardian(s) live outside Georgia, service of the petition has to be made by certified mail. If you do not know the address of the parent(s) or guardian(s), then you can seek to have service be made by publication.

If you are not sure which type of service is needed, seek the advice of an attorney.

Sign and date the Petition:

Then print or type the date when you filled out the form, and signed your name, print your name, and fill in your address, telephone number and email where indicated.

Verification:

Fill out the Verification form to file with the Petition:

Fill out the style of the case like you filled out the Petition (print or type the current name(s) of the child(ren) next to the word "Children:", your name next to the word

“Petitioner”, and the other parent or guardian’s name next to the word “Respondent”).

Next to the number [1], print or type your name.

Where it says: “This _____ day of _____, _____,” fill in the date, month and year where indicated.

Sign your name. Then print or type your name on the following line, and fill in your address and telephone number.

Sign the documents in front of a notary who will notarize the verification form for you.

Consent Form:

Have the Consent form signed and notarized. Both parents have to sign the Consent form in order to change the name of a minor unless:

the parent or parents are deceased

OR

The parent or parents have abandoned the child(ren). Abandoned means that the parent has not contributed to the support of the child(ren) for a continuous period of five (5) years or more immediately before you file the petition.

If both parents are deceased or have abandoned the child(ren), the legal guardian has to sign the form. If only one parent is deceased or abandoned the child(ren) by not contributing to the support of the child, the remaining parent has to sign the form. Once this form is signed, have it notarized and attach it to the Petition. This is “Exhibit A,” which is referred to in paragraph 7 of the Petition. Note: If one of the parents does not want the child(ren)’s name changed and refuses to sign the consent form, that parent can file objections to the petition once it is filed. If this happens, you may not be able to change the child(ren)’s name. (You should seek the advice of an attorney.)

Fill out the style of the case like you filled out the Petition (print or type the current name(s) of the children next to the word “Children:”, your name next to the word “Petitioner”, and the other parent or guardian’s name next to the word “Respondent”).

Number 1: Enter the name of the person (parent or guardian) consenting to the Petition.

Number 2: Enter the name of the Petitioner in the first blank. Then complete the information about the child(ren). Enter the child(ren)’s current and new names, in the same way that you entered it in the petition.

Number 3: Review this information.

Confirm that you consent by signing the signature line below in front of a notary. Wait for a notary to watch you sign before signing. Check the box below the signature line to show your relationship to the child(ren).

File the forms you just filled out. Follow the Clerk's instructions for e-filing. There is a filing fee. Check with the Clerk of Superior Court for the amount. File the following documents along with the fees:

- The Petition with the Consent form attached.
- The Verification.
- The Notice of Petition to Change Name.
- The filing fee (or an Affidavit of Poverty).
- The publishing fee (or an Affidavit of Poverty).

Publishing Notice:

The Notice of Petition to Change Name form must be published once a week for four weeks in the Fulton County Daily Report. You can arrange to have this done at the clerk's office when you file your Petition. There is a fee for publication. Check with the Clerk of Superior Court for the amount. Be sure to include your name, address and email on the Notice form so that the Fulton County Daily Report can mail you proof that the notice was published.

Obtaining your Final Order. A court date will be assigned at the time of filing. The notice must have been published once a week for four (4) weeks prior to the assigned court date. If for any reason this does not happen, then the court date may be reset to a later date. Be sure to appear at ALL scheduled court date(s).

The Final Decree will be filed in the Superior Court Clerk's Office. A certified copy can be obtained at that time for a fee. Bring the following items to your court date:

- Photo Identification.
- Publisher's Affidavit from the Fulton County Daily Report.