

ATTENTION

PLEASE READ ALL FORMS AND INSTRUCTIONS VERY CAREFULLY. WE ARE NOT ATTORNEY'S AND WE CAN NOT AND WILL NOT PROVIDE YOU WITH ANY LEGAL ASSISTANCE OR ANSWER ANY QUESTIONS. WE WILL ONLY PROVIDE THE FORMS TO YOU AS A COURTESY AND IF YOU PROCEED IN PRO-SE FORM YOU ARE ACTING AS YOUR OWN ATTORNEY. IF YOU DO NOT UNDERSTAND OR NEED HELP YOU MUST CONSULT AN ATTORNEY. PLEASE UNDERSTAND THAT THIS MAY NOT BE ALL YOU NEED AND A JUDGE MAY REQUIRE OTHER DOCUMENTATION OR REQUIREMENTS BEFORE AN ORDER CAN BE GRANTED. YOU CAN GO TO WWW.GEORGIALEGALAID.COM FOR FURTHER ASSISTANCE IF NEEDED.

FILING A CIVIL CASE IS \$210.00 CASH W/OUT SERVICE AND IF YOU HAVE TO SERVE THE OTHER PARTY IT IS \$260.00. IF YOU HAVE TO RUN A PUBLICICATION IN THE NEWS PAPER THAT IS AN ADDITIONAL COST THAT MUST BE PAID TO THE ROME NEWS TRIBUNE AND YOU MUST DISCUSS THE PUBLICATION FEE WITH THEM.

BARBARA PENSON
CLERK OF COURT

GeorgiaLegalAid.org

Changing Names

Authored By: Atlanta Legal Aid Society Inc 

** please bring in a copy of your Birth Certificate when you file your name change*

Information

Changing Names (Answers to Common Questions)

I Am Going To Be Getting A Divorce And Want to Return To the Name I Used to Have - Can I Do This?

Yes, in a divorce you may have your maiden or prior name restored to you. You must put this request in your complaint or petition for divorce in the section where you tell the court what you would like it to do for you. Since it is in your divorce proceeding there is no extra charge for this and you do not have to have the name change published separately.

I Just Want To Change My Name - How Can I Do This?

(1) File a Petition for Name Change. If you are an adult and want to change your name, you must file a petition the superior court in the county where you live. The petition must list your reasons for asking to change your name.

(2) File a Verification of Petition. You must also sign and file a document called "Verification of Petition." In the Verification of Petition, you are swearing that the information in the petition is correct.

(3) Publish Notice of Name Change. Within seven (7) days after you file the petition and verification of petition, you must arrange to have a notice published for four (4) consecutive weeks in the newspaper designated by that court. The notice must contain your name (the name of the petitioner), the new name you want, the court where you filed the petition, the date you filed the petition, and the right of any interested or affected party to appear and file objections. Thirty (30) days after you have filed the petition and provided the court with proof that you have published notice of the name change in the newspaper as the court required, the court will have a hearing on your petition for name change and render final judgement. If someone files an objection against your petition of name change this may take longer.

Note on Fees: You will have to pay a filing fee to file the petition for name change and a publication fee to publish the notice of name change in the newspaper.

What If the Person Is Under 18 Years Old (a Minor)?

If the person who wants to have their name changed is a minor (under 18 years old), you must follow the regular procedure, plus you must get the written consent of the minor's parents. If both parents of the minor are dead, the minor's guardian must provide written consent. The written consent must be attached to the petition.

Written consent of a parent is not required from a parent that has not contributed to the support of the minor for the five continuous years before the petition for name change is filed.

The petition must also be "served" on the parents or guardian. This means that the petition is given in person to the parents or guardian by the sheriff or another local "process server". This is called "service of process." You have to pay a fee to have the petition served on the parents or guardian.

If the parents or guardian live outside of Georgia then a copy of the petition should be sent by certified mail or statutory overnight delivery. If the address of the parents or guardian is not known, then they can be "served" by notice publication in the newspaper.

If the petition is served on the parents or guardians living in Georgia, then the court will hear the petition and give a final judgment thirty (30) days from the date of service.

If service is by certified mail or overnight delivery to the parents or guardians living outside of Georgia, then the court will have a hearing on the petition for name change and give a final judgment sixty (60) days from the date the parents or guardian receive the petition.

For more information please contact the Atlanta Legal Aid Society or Georgia Legal Services Program office nearest you.

For Clayton, Cobb, DeKalb, Fulton, and Gwinnett Counties, call Atlanta Legal Aid Society: 404-524-5811

For all other counties, call Georgia Legal Services Program: 1-800-498-9469 (toll free)

For Seniors age 60 and older, call the Georgia Senior Legal Hotline: 1-888-257-9519 (toll free)

IN THE SUPERIOR COURT OF _____ COUNTY

STATE OF GEORGIA

In re the Name Change of Child(ren):

Civil Action

Case Number _____

Petitioner,

vs.

Respondent.

**PETITION TO CHANGE NAME(S)
OF MINOR CHILD(REN)**

The Petitioner files this *Petition to Change Name(s) of Minor Children*, and states the following in support of the petition:

1)

The Petitioner's name is _____
, and she or he resides in _____ County, Georgia. Therefore, jurisdiction and venue are proper in this Court.

2)

The Petitioner's relationship to the children in this action is: *[Check only one below.]*
 Mother Father Guardian.

3)

These are the current names, birthdates and proposed new names of the child(ren) for whom the name change is sought:

<i>Current Name of Child</i>	<i>Date of Birth</i>	<i>Proposed New Name</i>

4)

[Check only one of the following.]

- The minor children live with the Petitioner in _____ County, Georgia.
- The minor children do not live with the Petitioner. They live with _____
_____ in _____
County, Georgia.

5)

[Explain here why you want to change the name(s).]

The reasons for this name change are as follows: _____

6)

The mother of the children is _____,
her address is _____
_____.

and she:

[You must check one (and only one) of the following.]

- Has consented to this name change and has acknowledged service; the signed consent and acknowledgement of service shall be filed with this *Petition*.
- Is deceased.
- Has abandoned the child(ren).
- Has not contributed to the support of the child(ren) for a continuous period of at least 5 years immediately preceding the filing of this *Petition*.

7)

The father of the children is _____,
his address is _____
_____, and he:

[You must check one (and only one) of the following.]

- Has consented to this name change and has acknowledged service; the signed consent and acknowledgement of service shall be filed with this *Petition*.
- Is deceased.
- Has abandoned the child(ren).
- Has not contributed to the support of the child(ren) for a continuous period of at least 5 years immediately preceding the filing of this *Petition*.

8)

[You must check one (and only one) of the following.]

- There is no legal guardian for these children, other than their parent(s).
- Both parents are deceased or have abandoned the child(ren), and the guardian of the child(ren) is _____, whose address is _____

and she or he has consented to this name change and has acknowledged service; the signed consent and acknowledgment of service shall be filed with this *Petition*.

THEREFORE, the Petitioner asks:

- (a) That the name(s) of the minor child(ren) be changed to the names shown in Paragraph 3 of the petition.

[Check one of the following methods of service for each person who must be served. Be sure to carefully read the instructions about service before you complete this part.]

- (b) That the sheriff's department personally serve the mother father person acting as guardian of the minor children, whose address is shown above.
- (c) That the mother father person acting as guardian of the minor children be served by certified mail, because they reside outside the state of Georgia.
- (d) That the Court order service by publication for the mother father person acting as guardian of the minor children, whose address is unknown.

Dated: _____

Petitioner, *Pro se* (Signature)

Name: _____

Address: _____

Phone (day): (____) _____

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

In re the Name Change of Child(ren):

Civil Action

Case Number _____

_____,
Petitioner,

vs.

_____,
Respondent.

**VERIFICATION OF NAME CHANGE PETITION
FOR MINOR CHILD(REN)**

My name is _____. I hereby swear or affirm,
before a notary public, that I have read the *Petition to Change Name(s) of Minor
Child(ren)* that I am filing with this *Verification*, and the facts stated in it are true.

Subscribed and sworn before me
on November 31, 20_____.

Petitioner, *Pro se* (Signature)

Notary Public

SUPERIOR COURT OF FLOYD COUNTY

STATE OF GEORGIA

In re the Name Change of Child(ren):

Civil Action

Case Number _____

Petitioner,

v.

Respondent.

**CONSENT TO CHANGE NAME(S)
OF MINOR CHILD(REN) and
ACKNOWLEDGMENT OF SERVICE**

1. My name is _____ . My address is:

My relationship to the child(ren) in this action is: *[Check only one of the following.]*

Mother Father Person Acting as Guardian.

2. I have received a copy of the *Petition* being filed by _____
to change the name(s) of the children, and I hereby give my consent to the name(s) being
changed as follows:

<i>Current Name of Child</i>	<i>Year of Birth</i>	<i>Proposed New Name</i>

3. I consent to both jurisdiction and venue as they are stated in the *Petition*. So long as any final order in this action is consistent with this consent form, then I waive formal process, further notice, my right to a hearing and, if I am on active duty in the armed forces, I also waive my rights under the Servicemembers Civil Relief Act, 50 USC §521. I give my consent for the Court to hear this matter as soon as possible after thirty days. Should further notice be required for any reason, the notice should be mailed to me at the address shown in Paragraph One above.

 Mother Father Guardian
(Check one & sign in front of Notary Public)

Personally appeared before me on _____, 20____, and stated under oath that s/he had read the foregoing document, understood it, and signed it voluntarily in my presence.

Notary Public

Commission expires: _____

IN THE SUPERIOR COURT OF _____ COUNTY

STATE OF GEORGIA

In re the Name Change of Child(ren):

Civil Action

Case Number _____

**NOTICE OF PETITION TO CHANGE NAME(S)
OF MINOR CHILD(REN)**

_____ filed a petition in the _____
County Superior Court on _____, 20____, to change the name(s) of the following
minor child(ren)

from: _____

to: _____

Any interested party has the right to appear in this case and file objections within the time
prescribed in O.C.G.A. §§19-12-1(f)(2) and (3).

Dated: _____

Petitioner, *Pro se* (Signature)

Name: _____

Address: _____

Phone (day): () _____

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

In re the Name Change of Child(ren):

Civil Action

Case Number _____

_____,
Petitioner,

vs.

_____,
Respondent.

**FINAL ORDER CHANGING NAME(S)
OF MINOR CHILD(REN)**

This matter has come before the Court on the Petitioner's verified *Petition to Change Name(s) of Minor Children*. It appears to the Court that the required notice has been published, any necessary parties have been served or have acknowledged service, and that sufficient grounds exist for the requested relief.

THEREFORE, IT IS HEREBY ORDERED that the name(s) of the following minor child(ren) shall be changed as follows:

<i>Old Name of Child</i>	<i>Date of Birth</i>	<i>New Name</i>

This Order entered on _____, 20_____.

 JUDGE _____
 County Superior Court