



**26th Judicial District
SelfServe Center**

**NAME CHANGE
MINOR
UNDER THE AGE OF 16**

DUE TO THE CHANGING NATURE OF THE LAW, the forms and instructions contained in this packet may become outdated. You should review and research statutes and rules of procedure referenced in the instructions to ensure that the forms are accurate and current.

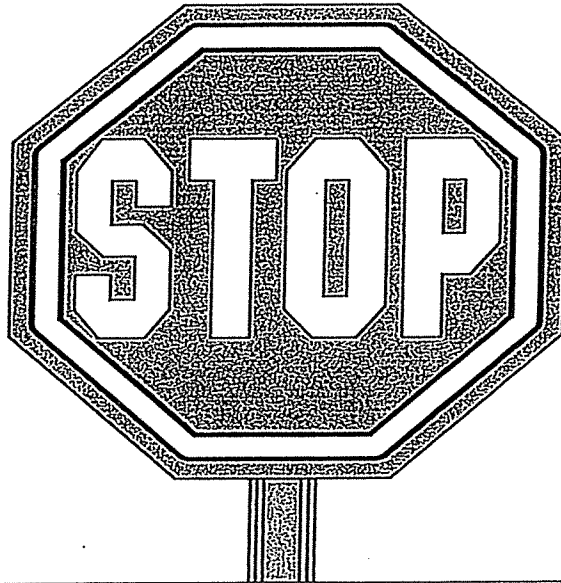
IN NO EVENT will the SelfServe Center Staff, Clerk of Court or anyone contributing to the production of these forms, instructions or guidelines be liable for any indirect or consequential damages resulting from use of the forms or information provided to you by the SelfServe Center.

IF THERE ARE ANY QUESTIONS in your mind concerning these forms, or your legal rights, it is strongly recommended that you consult with an attorney.

USE THESE FORMS AT YOUR OWN RISK. THESE FORMS MAY OR MAY NOT BE APPROPRIATE IN YOUR PARTICULAR CASE. ANY DESIRED OUTCOME FROM THE USE OF THESE FORMS CANNOT BE PREDICTED OR GUARANTEED. IT IS STRONGLY RECOMMENDED THAT YOU SEEK LEGAL ADVICE!

Filing Fees are regulated by the North Carolina General Assembly, and are subject to change. Please consult with the Staff of the Civil Filing Department or the SelfServe Center for the most up to date fees.

THE FILING FEE FOR THIS ACTION IS: \$120



**PLEASE CAREFULLY READ THE FORMS AND
INSTRUCTIONS CONTAINED IN THIS PACKET.**

**IF YOU HAVE ANY QUESTIONS, PLEASE CONSULT
WITH AN ATTORNEY.**

THESE ARE EDUCATIONAL FORMS DESIGNED TO
ASSIST YOU, BUT YOU ARE REPRESENTING
YOURSELF. PLEASE REVIEW AND FOLLOW THE
DIRECTIONS TO IMPROVE YOUR PERFORMANCE IN
YOUR CASE. FAILURE TO READ AND FOLLOW THE
INSTRUCTIONS MAY ADVERSELY IMPACT YOUR
CLAIM.

INTRODUCTION

What is this?

This packet of information is provided for individuals who wish to pursue a case without the assistance of an attorney. This is called a pro se or self represented case. If you are not sure that you want or need to go to court, please ask the SelfServe Center staff to direct you to numbers for lawyer referral services or the list of local attorneys willing to provide "unbundled services" (willing to represent you for a limited portion of your case on an hourly fee basis).

How will it help me?

If you do not plan to use an attorney, this packet will guide you through the process by providing the forms and filing instructions that you will need. Since you are representing yourself, it is YOUR responsibility to ensure that these are the correct and current forms for the nature of your case. Therefore, you should review and research the applicable laws and rules of procedure that apply to your type of case. If you are not able to do this, you should talk with an attorney. If at any point during the process you become confused or wish to proceed with the help of an attorney, contact the Mecklenburg County Bar Lawyer Referral Service (704) 375-0120 or the North Carolina Bar Lawyer Referral Service (800) 662-7660. The SelfServe Center also maintains a list of attorneys willing to provide "unbundled services."

What does this mean?

Certain legal terms will be used throughout your proceeding. A complete legal glossary is available for your convenience in the SelfServe Center. If you still do not understand the term, consult a legal dictionary or the SelfServe Center staff. Staff CANNOT provide legal advice, but can provide procedural information and definitions of legal terminology.

What is a Name Change?

The packet available in the SelfServe Center allows a party to petition the court to legally change the name of a minor under the age of 16 on their birth certificate.

Can or should I petition the court for a Name Change?

Please note that the SelfServe Center CANNOT provide legal advice. Therefore, we cannot tell you if you should petition, but we can tell you that you must follow the procedure explained in the following pages.

GENERAL INSTRUCTIONS

***ATTENTION:** You may use these forms to change the name of a minor if both parents are giving consent to the name change. If you cannot get the consent of both parents, please consult an attorney.*

Forms located in this packet

- Petition for Name Change (Minor)
- Affidavit of Parental Consent

STEP 1

Complete the Petition for Name Change (Minor) by typing or printing neatly using black ink. Please note that this form MUST be notarized.

STEP 2

Have the non-petitioning parent complete the Affidavit of Parental Consent. Please note that this form MUST be notarized.

STEP 3

ATTENTION: The non-petitioning parent MUST complete the Affidavit of Parental Consent even if he or she is not on the child's birth certificate. In the event that the other parent is deceased, a death certificate is necessary for proof. In the event the other parent cannot be found, and thus cannot complete the Affidavit, the name change WILL NOT be granted.

ATTENTION: You will need to bring with you the following documents:

- Petition for Name Change (Minor)
- Affidavit of Parental Consent (if needed)
- Birth Certificate (Certified Copy)
- Proof of Identification (Parent(s)) (driver's license, passport)
- Proof of Residency (Parents) – Documents with your name and current address (utility bill, phone bill, cable bill)
- Filing fee in cash or money order

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

COUNTY OF MECKLENBURG

BEFORE THE CLERK OF
SUPERIOR COURT

SP

IN RE: CHANGE OF NAME)

From: _____)
(Full name as shown on the birth certificate)

PETITION FOR
NAME CHANGE
(MINOR)

To: _____)
(Full name minor child desires to adopt)

TO THE MECKLENBURG COUNTY CLERK OF SUPERIOR COURT:

Now comes the Petitioner(s), _____ and
(Insert petitioner's full name)

_____, on behalf of the minor child and
(If applicable, insert other petitioner's full name)
petitions the Clerk of Superior Court pursuant to N.C.G.S. §§ 101-2 and 101-3 to enter an
order changing the name of said minor child named below.

In support of this petition, the Petitioner shows the clerk the following required
information:

- 1. The Petitioner is:
 - The minor child's:
 - Parent
 - Parents; OR

2. The Petitioner is a bona fide resident of, and domiciled in _____,
(County)

_____,
(State)

3. The Petitioner is seeking to change the minor child's name:

From: _____
(Minor child's full name as shown on the birth certificate)

To: _____
(Full name minor child desires to adopt)

4. The minor child was born in _____, _____, in
(City) (County)
_____ on _____,
(State) (Date of Birth)

5. The full name of the minor child's parents as shown on the birth certificate are:

Mother: _____

Father: _____

check if not shown on the birth certificate.

6. The reasons for requesting said name change are as follows:

7. Check one of the following:

The name of the minor child has not previously been changed by law

The name of the minor child was previously changed by law for the following reasons:

8. Check any of the following that are TRUE:

I am petitioning on behalf of said minor to change his/her name AND:

The parents shown on the birth certificate are both living and consent to the name change

Only the mother's name is shown on the birth certificate

One of the parents shown on the birth certificate is deceased

THEREFORE, the Petitioner(s) prays the Clerk the following: That the minor child's name be changed:

FROM: _____
(Minor child's full name as shown on the birth certificate)

TO: _____
(Full name minor child desires to adopt)

Respectfully submitted, this the _____ day of _____, 20____.

Petitioner's signature _____

Petitioner's address _____

City _____ State _____ Zip Code _____

Petitioner (2)'s signature _____

Petitioner's address _____

City _____ State _____ Zip Code _____

STATE OF NORTH CAROLINA

IN THE GENERAL COURT
OF JUSTICE

COUNTY OF MECKLENBURG

BEFORE THE CLERK OF
SUPERIOR COURT

SP

IN RE: CHANGE OF NAME)
)
)
From: _____)
)
To: _____)

AFFIDAVIT OF
PARENTAL CONSENT

I, _____, the natural (mother/father) of the above-referenced
Circle one

minor child, do hereby give my full consent to change _____'s
name to _____. I request that the relief requested in Petition
for Name Change (Minor) on file be granted.

DATED this _____ day of _____, 20_____.

Non-petitioning parent's signature

Sworn to and subscribed before me this _____
Day of _____, 20_____.

Notary Public
My commission expires: