



ACCESS Center Name and Gender Change A-Z

MINOR'S NAME CHANGE

Q: I want change my name and my child(ren)'s name(s). Can I do this in the same case?

A: Yes, you can petition the court to change your own name and your child(ren)'s names in the same case. You do not need to file a separate case for you and your child(ren). You can request a name change for all your children in the same case. However, if the other parent wants to change his or her own name as well, a separate case must be filed. Only one adult can request a name change per case.

Q: My spouse or domestic partner wants to adopt my child from another relationship. Can we just change my child's last name to my spouse's or domestic partner's last name?

A: No. In order to establish your spouse or domestic partner as a parent of your child, your spouse or domestic partner will need to file a stepparent adoption with the court. Changing your child's last name to your spouse's or domestic partner's last name will not create a parent-child relationship. You will still need to obtain the other legal parent's consent or have them served with the name change papers in order to change your child's last name.

Q: Can I file a name change to add a parent's name or change a parent's name to my child's birth certificate?

A: No. The name change process will not change who is listed as a parent or add a parent's name on a child's birth certificate. You will need to file a case to determine parentage in order to add or change who is listed as a parent on a child's birth certificate. Please visit <https://www.sfsuperiorcourt.org/self-help> regarding filing a parentage case.

Q: What forms do I need to change a minor's legal name?

A: You will need to following forms available at <https://www.courts.ca.gov/1052.htm>.

- CM-010, Civil Case Cover Sheet
- NC-100, Petition for Change of Name
- NC-110, Attachment to Petition for Change of Name (one for each name change requested, (attached to NC-100)
- NC-120, Order to Show Cause for Change of Name
- NC-130, Decree Changing Name

Q: How do I complete the forms?

A: Please review form NC-100-INFO available at <https://www.courts.ca.gov/documents/nc100info.pdf> for detailed instructions.

Q: Why do I have to publish form NC-120, Order to Show Cause for Change of Name in a newspaper?

A: The law requires publication of form NC-120, Order to Show Cause for Change of Name to notify the public of the name change request and the hearing date. This is to prevent fraud and provide the public the opportunity to object. You will need to choose a newspaper that is court-approved for publication of legal notices to publish form NC-120. Write in the newspaper you choose to publish in section 3.a. on form NC-120.

3. a. A copy of this *Order to Show Cause* shall be published at least once each week for four successive weeks prior to the date set for hearing on the petition in the following newspaper of general circulation, printed in this county (*specify newspaper*):
_____ List the name of the newspaper you choose here.

Q: Which newspapers can I publish form NC-120, Order to Show Cause for Change of Name?

A: The following is a list of court-approved newspapers for publication of legal notices. Please contact the newspaper directly to inquire about publication fees.

San Francisco Daily Journal
1(800) 788-7840, ext. 5419
sfdj_legal@dailyjournal.com

The Bay Area Reporter
(415) 861-5019
44 Gough Street, Suite 204
San Francisco, CA 94103

San Francisco Examiner/San Francisco Weekly
(415) 314-1835
835 Market Street, Suite 550
San Francisco, CA 94103
sfexaminer@cnsblegal.com

Small Business Exchange
(415) 778-6250
795 Folsom Street, 1st Floor, Room 1124
San Francisco, CA 94103

Q: The other parent and I agree to change our child(ren)'s name. We will petition together. How do we complete the forms?

A: You will list both parents' names as petitioners. Mark 5.a. "two parents" on form NC-100.

5. If this petition requests the change of name of any person or persons under 18 years, this request is being made by
- a. two parents.
 - b. one parent.
 - c. near relative (*name and relationship*): _____
 - d. guardian (*name*): _____
 - e. other (*specify*): _____

Both parents must sign form NC-110, Attachment to Petition for Change of Name. If both parents are petitioning together, only one parent needs to attend the court date.

Q: I am the only parent petitioning for our child(ren)'s name change. How do I complete the forms?

A: You will list your name only as petitioner. Mark 5.b. "one parent" on form NC-100.

5. If this petition requests the change of name of any person or persons under 18 years, this request is being made by
- a. two parents.
 - b. one parent.
 - c. near relative (*name and relationship*): _____
 - d. guardian (*name*): _____
 - e. other (*specify*): _____

Q: What do I do after I complete the forms?

A: Make 2 photocopies of forms NC-100, NC-110, and NC-120. Attach form NC-110 behind form NC-100. Put the photocopies behind each original form. No need to make copies of CM-010 or NC-130. Double-hole punch the top of all the original forms. Bring all your papers to the Civic Center Courthouse located at 400 McAllister Street, San Francisco, CA 94102. File your papers in Room 103 at the "New Filings" window. The clerk will schedule a court date for at least eight weeks later.

Q: What do I need to do after I file my case?

A: You are required to publish form NC-120, Order to Show Cause for Change of Name, once a week, for four successive weeks prior to your court date, in the newspaper you listed on your form. Once publication is completed, the newspaper will provide you with a Proof of Publication. Make sure the Proof of Publication is filed with the court prior to your court date. The newspaper will charge you a separate publication fee. You will have to pay the publication fee to the newspaper even if you have a fee waiver granted. Contact the newspaper you choose to inquire about publication fees.

Q: I am petitioning for our child(ren)'s name change by myself without the other parent's signature. However, the other parent agrees to the name change. What else do I need to do?

A: The other parent must sign a consent form in front of a notary public. The notarized consent form must be filed with the court prior to the hearing. Please contact the ACCESS Center for more information on the consent form.

Q: I am petitioning for our child(ren)'s name change by myself without the other parent's signature. I am not sure if the other parent will agree to the name change. What do I need to do?

A: You should try to talk to the other parent and see if they will consent. If you are not able to obtain their consent, you will need to have the other parent served with form NC-120, Order to Show Cause for Change of Name, at least 30 days before your court date. Your server must be someone else age 18 or older. Your server must complete form NC-121, Proof of Service of Order to Show Cause. File form NC-121 with the court prior to the court date. The court will also require you to file a declaration explaining why you are not able to obtain the other parent's consent.

Q: Why do I have to serve the other parent with a copy of the name change papers if I cannot obtain their consent?

A: Your child's other parent, even if he or she has not been involved in your child's life, has a legal right to know that you are trying to change your child's name. The other parent will have the chance to go to court and tell the judge if he or she agrees to the name change. The judge will make a decision based on the best interest of your child.

Q: What if I cannot locate the other parent?

A: You will have to ask the court to dispense notice to the other parent (allow you to proceed without the other parent). You will be required to show the court that you did everything possible to search for the other parent by filing a Declaration of Due Diligence along with a Request to Dispense Notice to the Other Parent. Please contact the ACCESS Center for further information on this.

Q: Why would a judge deny my child(ren)'s name change?

A: The judge has to determine whether it is in the best interest of your child(ren) to approve the name change. If you are applying for your child(ren)'s name change without the other parent's consent, the judge may find that it is not in the best interest of your child(ren) to grant the name change.

Q: What can I expect at the court date?

A: The court date and location are listed on form NC-120. If there are no issues or objections, the judge will approve your request to change your child(ren)'s name(s). The clerk will give you the Decree Changing Name (NC-130) signed by the judge approving the name change.

Q. If my petition is granted, will my child(ren)'s names be automatically updated with the government?

A: No. It is your responsibility to contact each government agency and follow their procedures to obtain new legal documents in your child(ren)'s new name. Most government agencies will require you to provide a certified copy of the decree. You can request a certified copy of the Decree Changing Name (NC-130) from the records department at the Civic Center Courthouse located at 400 McAllister Street, Room 103, San Francisco, CA 94102. Please visit <https://www.sfsuperiorcourt.org/sites/default/files/pdfs/Statewide%20Fee%20Schedule>

[%20rev%201-6-20.pdf?1588971058419](#) for information on fees for certified copies.
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