

SELF-HELP PROCEDURES FOR FILING PETITION FOR CHANGE OF NAME
(CHILD OR CHILDREN)

These instructions are to assist you if you want to request a change the name of minor child(ren). These forms cannot be used in connection with a divorce, paternity or adoption actions. A name change in those type of cases should be done as part of that case. Please read the instruction sheet on General Information for Self-Represented Litigants along with this instruction sheet before proceeding.

There are fees for filing this petition and for service by the Sheriff's Office (if needed). If you cannot pay the fees at the time of filing because of unemployment or insufficient income, you may meet the criteria to be declared indigent. You must complete a Civil Affidavit/Application for Indigent Status with the Clerk of Court. Once you have completed this form, the Clerk of Court will determine if you meet the criteria for indigency. If you meet the criteria, your filing fee will be waived. If obtaining service of process by the Sheriff, you will need to take a copy of the Civil Affidavit/Application to the Sheriff's Office along with your summons and attachments.

If both parents agree to the child(ren's) name change(s) and live in the county where the name change is sought, you may file as joint petitioners. In this situation service is not necessary and you may file a Request for Hearing once you have filed the appropriate forms as listed below with the Clerk of Court.

If only one parent asks for child(ren's) name(s) to be changed, the other parent must be notified and his/her consent obtained. If consent is not obtained, you may still schedule a hearing but the other parent must be provided with the petition to change name(s) through personal service or constructive service, and notified of the hearing.

The following is a checklist of forms and requirements. Specific instructions are available with each form to assist you in completing them correctly. You may need to obtain additional forms depending on your circumstances. Additional forms may be obtained from the Clerk of Court, Family Law Division, 1st Floor, M. C. Blanchard Judicial Building, 190 Governmental Center, Pensacola, Florida or most can be downloaded from the Internet at www.flcourts.org and/or www.escambiaclerk.com.

Required information and documents to be filed (you may want to use this as a checklist):

1. ___ Form 12.982(c) Petition for Change of Name (Minor Child or Children)
2. ___ Notice and Acknowledgment of Limitation of Services (must be filed with Petition).
3. ___ ELECTRONIC FINGERPRINTS must be submitted for a state and national criminal history records check. The petitioner(s) will need to go to the Sheriff's Office to obtain the electronic fingerprint card. If a joint petition is filed by both parents, you will need electronic fingerprint cards for both parents. There is a \$15.00 fee for each electronic fingerprint card for this service.
4. ___ Form 12.982(d) Consent for Change of Name. This form is needed from the other parent if not filing a joint petition or for any child for whom you are requesting a name change that is not the legal child of both adults filing the petition. If either parent is deceased a death certificate is required.
5. ___ Copy of birth certificate of each child.
6. ___ Form 12.982(g) Final Judgment of Change of Name (Child or Children). **THE FINAL JUDGMENT MUST BE TYPED ACCURATELY AND NEATLY FOR THE JUDGE TO SIGN.** Bring the original final judgment plus two (2) copies along with two(2) self addressed stamped envelopes to the hearing (one for each party).
6. ___ Waiver of Personal Appearance on Final Judgment for Change of Name of Minor Child(ren) - Only court staff can determine if you are eligible to proceed without a hearing. You will be notified of this after you have filed your Request for Hearing/Trial.
7. ___ 12.900(a) Disclosure from Non-lawyer (if a person who is not a lawyer helped you complete this paperwork, you must complete and file this form.)

When the other parent does not consent to the name change on any or all children you also need:

8. ___ Form 12.910(a) Summons and Form 12.910 (b) Process Service Memorandum.. If the party lives in another county, the Summons and Process Service Memorandum need to be served by a sheriff or certified process server in that county. The Clerk of Court will prepare the Summons for you.

Where do I file?

***YOU MUST FILE THE ORIGINAL DOCUMENTS WITH THE CLERK OF COURT
IN THE COUNTY IN WHICH YOU RESIDE***

What do I do after I have filed the required forms?

If service is needed, the Clerk will issue a Summons and attach the other documents to it. The Summons informs the respondent that he/she will have 20 days to respond to your petition. If the respondent lives in Escambia County, take the summons with attachments to the Escambia County Sheriff's Office Civil Division for service of process on the respondent. The Sheriff's Office will send a Return of Service to you and to the Clerk of Court, stating whether the respondent was or was not served.

What if the other parent does not file an answer or submit required documents?

Once the parent has been served or waived service, he/she will have 20 days to file an Answer. If the respondent fails to serve or file a response or any paper within the 20 days allowed, you may file a **Motion for Default** and request a hearing date. **With the Motion for Default**, you must also file Form 12.912(b) **Nonmilitary Affidavit (if you are certain the other party is not in the military)**.

When **ALL** required documents have been completed, all required time periods have passed (i.e., 20 days for the respondent to answer) and you believe your case is ready for a final hearing, **FILE YOUR REQUEST FOR HEARING/TRIAL WITH THE CLERK OF COURT ALONG WITH TWO SELF-ADDRESSED STAMPED ENVELOPES - ONE ADDRESSED TO EACH PARTY**. Your case will be reviewed, and if all the required documents have been filed a hearing date, trial date or further instructions will be provided to you by mail. **PLEASE DO NOT CALL TO INQUIRE.**

NOTICE OF LIMITATION OF SERVICES PROVIDED

This list of forms and procedural information should be considered as a guideline and not legal advice. It is best to consult with your own attorney, especially if your case presents significant issues regarding children, child support, alimony, retirement or pension benefits, assets or liabilities.

The personnel in the self-help program are not acting as your lawyer or providing legal advice

