

LAW LIBRARY RESOURCE CENTER

PROCEDURES: HOW TO FILE FOR A CHANGE OF NAME WITH THIS COURT

STEP 1: Fill out the *“Application for Change of Name for a Family”* and make **2** copies.

STEP 2: Fill out the *“Civil Cover Sheet”* and check box **152** for “Change of Name” on page 2.

STEP 3: **FILE THE PAPERS AT THE COURT:**

WHO: **Who must file the “Application for Change of Name for a Family?”**

An adult parent or guardian who seeks the change, or his or her attorney.

GO TO: **GO TO THE CLERK OF COURT TO FILE YOUR PAPERS:** The Court is open from 8:00 a.m.- 5:00 p.m., Monday-Friday. **You should go to the Court at least two hours before it closes.** You may file your court papers at the following Superior Court locations:

The Clerk of the Superior Court
Central Court Building
201 West Jefferson, 1st floor
Phoenix, Arizona 85003

The Clerk of the Superior Court
Southeast Court Facility
222 East Javelina Avenue, 1st floor
Mesa, Arizona 85210-6201

The Clerk of the Superior Court
Northwest Court Facility*
14264 West Tierra Buena Lane
Surprise, Arizona 85374

The Clerk of the Superior Court
Northeast Regional Court Center
18380 North 40th Street
Phoenix, AZ 85032

* You may file here but your hearing will be set at a different location.

FEES: A list of current fees is available from the Law Library Resource Center and from the Clerk of Court’s website.

If you cannot afford the filing fee and/or the fee for having the papers served by the Sheriff or by publication, you may request a deferral (payment plan) when you file your papers with the Clerk of the Court. Deferral Applications are available at no charge from the Law Library Resource Center.

PAPERS: Give **1** Civil Cover Sheet and **1** original plus **2** copies of the application to the Clerk along with the filing fee.

Make sure the filing clerk stamps both of your copies and returns them to you.

STEP 4: **SCHEDULE YOUR HEARING WITH COURT ADMINISTRATION:**

At least **four** business days after you filed your Application for Change of Name, contact Court Administration to obtain the Commissioner’s Name and the date, time and place of your hearing by calling the telephone number listed below *between the hours of 9:00 a.m.-12:00 noon or 1:00 -4:00 p.m., Monday through Friday.*

If you filed the Application for Name Change at:

201 W Jefferson, Phoenix **call 602-506-1497**

18380 N 40th Street, Phoenix: **call 602-506-1497**

222 E Javelina Avenue, Mesa, **call 602-506-2023**

14264 W Tierra Buena Lane, Surprise, **call 602-506-1497***

*Applications may be filed at Northwest Court Facility, but the hearings will be held at one of the other locations.

You **must** then complete the *“Notice of Hearing Regarding Application for Change of Name”* form with the information received from Court Administration. The completed *“Notice of Hearing*

Regarding Application for Change of Name” form must be filed with the Clerk of the Court at one of the Clerk locations listed in Step 3.

STEP 5: NOTIFY ANY INTERESTED PARTY

- If a parent of one or more of the minor children is not included in the requested name change, he/she must be notified about your request for name change and the scheduled hearing.
- After inquiry at the hearing, the court may order (or direct) service of another interested party. You should serve all persons who may have an interest in contesting this petition.
- Every minor child included in the requested name change that is 14 years or older, must sign a **“Consent of Minor to Name Change”** and have it notarized, or attend the hearing. One copy is included in this packet. If there is more than one minor 14 years or older, **MAKE A COPY** for each *before* filling out the form.

A Note about Response Times

If you serve an interested party notice by personal service or they agree to signing and notarizing an “Acceptance of Service,” the party will have twenty (20) days after service to file a response. However, if you ask a party to sign and notarize a “Waiver of Notice” and they agree, the party is allowed more time to respond. The party has sixty (60) days to respond after the request for waiver was sent, or ninety (90) days after it was sent outside the United States. A.R.C.P. (12)(a)(1)(A). The “Affidavit of Service,” “Acceptance of Service” or “Waiver of Notice” must be signed and filed with the court as proof.

HOW TO NOTIFY: If you know where the person(s) lives, you can do one of the following:

1. **IF THE PERSON AGREES WITH YOUR REQUEST** - Give him/her a stamped copy of your application and the **“Notice of Hearing Regarding Application for Change of Name”** that shows the date, time, and place of your hearing. Then, have the person complete either the **“Optional Consent of Parent to Name Change of a Minor Child and Waiver of Notice”** or **“Marital Waiver of Notice”** and have it notarized. That document serves as your proof of notice. Bring the applicable signed and notarized consent form to the hearing. (If the request for name change is for a minor, and the minor’s parent is not included in that request, have the other parent complete the form entitled, **“Optional Consent of Parent to Name Change of a Minor Child and Waiver of Notice.”** That document serves as your proof of notice. Bring the signed and notarized **“Optional Consent of Parent to Name Change of a Minor Child and Waiver of Notice”** to the hearing.)
2. **IF THE PERSON DOES NOT AGREE WITH YOUR REQUEST OR YOU ARE NOT SURE IF HE/SHE AGREES** - Give the person(s) a stamped copy of your application and the **“Notice of Hearing Regarding Application for Change of Name”** that shows the date, time, and place of your hearing. Then, have the person sign an **“Acceptance of Service”** (That form is available through the Law Library Resource Center), and have it notarized. That notarized form serves as the proof of notice. Bring the signed and notarized **“Acceptance of Service”** to the hearing.
OR
3. Send a clerk-stamped copy of your application and the **“Notice of Hearing Regarding Application for Change of Name”** showing the date, time, and place of hearing by certified mail/restricted delivery (return receipt requested). This must be done at least 30 days before the hearing. Proof of notice for this step is the card returned to you from the Post Office showing delivery. Bring the card and a completed **“Affidavit of Service by Certified Mail”** to the hearing. The person who should receive notice of the hearing must sign the return receipt.
4. **IF YOU DO NOT KNOW WHERE YOUR SPOUSE and/or THE OTHER PARENT LIVES: NOTICE BY PUBLICATION**
IF LAST KNOWN ADDRESS IN MARICOPA COUNTY OR ANOTHER STATE OTHER THAN ARIZONA: A Notice of Hearing (a legal notice classified advertisement) that shows the date, time, and place of your hearing must be published in a newspaper of general circulation in Maricopa County at least once a week for four (4) consecutive weeks before the hearing.
IF LAST KNOWN ADDRESS IN AN ARIZONA COUNTY OTHER THAN MARICOPA COUNTY: A Notice of Hearing (a legal notice classified advertisement) that shows the date, time, and place of your hearing must be published in a newspaper of general circulation in Maricopa County **and** the Arizona county of last known address at least once a week for four (4) consecutive weeks before the hearing.

AFTER publication has been completed, you must obtain and file an **"Affidavit of Publication"** from the newspaper indicating publication was completed.

In addition to the Affidavit from the newspaper, you also must complete a **"Declaration Supporting Publication"**, a notarized statement explaining in detail what efforts you made to locate the person(s). Bring that statement with you to the hearing. The Court will not accept notification by publication unless diligent efforts have been made to locate the person for whom notification is required. For more information regarding service by publication, please see the Law Library Resource Center documents on "Service of Court Papers When You Cannot Find the Other Party".

STEP 6: ATTEND THE HEARING

WHO: All adults who are requesting a name change **MUST** be present at the hearing. If the request includes a minor child who is 14 years or older, that child must either be present at the hearing or you may provide a notarized **"Consent of Minor to Name Change"** from the child consenting to the name change.

BRING: **These documents are required for your hearing:**

- 2 copies of **"Order Changing Name For: A Minor Child, An Adult, or An Entire Family"** (To receive a certified copy of your Order, bring Debit/Credit of cash to the Clerk of Court)
- Photo identification
- A Clerk stamped copy of all filed documents

All adults seeking a name change should bring with them their passport, driver's license, or other government-issued photo identification.

- ◆ **Adults seeking to change their birth records MUST also bring a copy of their government-issued birth certificate.**
- ◆ **The Court will not change a birth certificate without first seeing a copy. Hospital-issued birth certificates are largely ceremonial and generally will not satisfy Court requirements.**
- ◆ **The Court is looking for government-issued birth certificates.**

For adults not seeking to change their birth records, it is still **strongly** recommended that they bring their government-issued birth certificate to avoid possible delay.

- Proof of Notice as described above in Step 5.
- Divorce Decree (If applicable)
- Prior Name Change orders (If applicable)
- Proof of naturalization or resident alien status (If applicable)
- Copy of Orders of Protection and/or Injunctions Against Harassment still in effect
- Order terminating parental rights of the other parent (If applicable)
- Adoption decree (If applicable)
- Death certificate of minor child's parent (If applicable)
- If the persons requesting the change of name, or the child, are not United States citizens, a passport or proof of immigration status must also be provided at time of hearing, **AND**
- **A copy (preferably a "Certified" copy) of the child(ren)'s official, government issued birth certificate. A HOSPITAL BIRTH CERTIFICATE will not meet Court requirements.**

NOTE: If the Court has ordered that the name on your Arizona birth records be changed, you will need to provide the "Office of Vital Records" with a Certified Copy of the Order. You may purchase a new birth certificate at the Office of Vital Records for a fee. *

***To get a certified copy of your court order** you will need to present your Judge-signed copy to the Filing Counter within 48 hours. If you need additional copies after that time, you will need to go to the Court's Customer Service Center at 601 W. Jackson Street in Phoenix.

The State Vital Records Office at 1818 W. Adams, Phoenix, AZ. 85007, is only available for mail-in service. Vital Records general telephone number is 602-364-1300. Please call for another walk-in location. A fee is required for a change to any birth certificate.

The Maricopa County Office of Vital Registration is located at 3221 N. 16th Street, 1st Floor, Phoenix, AZ 85016 for birth certificate corrections/amendments for birth years from 1997 to the present. Hours of operation are 8:00 A.M. to 4:30 P.M., Monday through Friday. Free parking and the main entrance are located at the rear of building. You may also telephone Maricopa County Vital Registration at 602-506-6805.

Do not copy
or file this page