

Instructions for Declaration of Petitioner: Criminal History Records Checks of the Minor Child and/or Objections

ND Legal Self Help Center Staff and Court employees **can't** help you fill out forms, or create documents for you. If you're unsure how to proceed, consult a lawyer.

ND Legal Self Help Forms **aren't** official forms. Judges and courts **aren't** required to accept them. There's no guarantee Center forms will be accepted. Use at your own risk.

Don't include these instruction sheets when you serve or file the completed form.

A Declaration is a written statement of fact given by an individual with first-hand knowledge of the facts.

As of March 1, 2018, **in general, notarization isn't required** when a Declaration will be filed in a civil case with a North Dakota state district court.

The Declaration of Petitioner: Criminal History Records Checks of the Minor Child and/or Objections is used when you're notified by the court in the child's name change case that you:

1. **Must** obtain a criminal history records check of the minor child; **And/Or**
2. **Must** wait 30 calendar days from the date of publication of the Notice of Petition for Name Change of the minor child at which time you **must** file an Affidavit or Declaration stating whether you received any objections to the notice of name change of the child.

☐ Fill in the caption with the same information that you filled in all of the other name change documents.

☐ 1. Fill in the date of the notice from the Court.

☐ Put a checkmark (✓) in the box(es) indicating what the Court told you to do.

☐ 2. **Criminal History Records Check.** Put a checkmark (✓) in the correct box. If you submitted a request for a criminal history records check of the minor child, fill in the date you submitted this request.

☐ If you checked the second box indicating you submitted a request, check the box indicating whether: (1) you received the criminal records check and are filing it with the court, **or** (2) you would like the Court to keep your case open until you receive the criminal history records check and can file it with the court.

- ☐ 3. **Objections Within 30 Calendar Days After Publication Date.** Put a checkmark (✓) in the correct box.
- ☐ If you checked the second box, fill in the date the Notice of Petition for Name Change was published, the name of the newspaper, and the county the newspaper is located.
- ☐ Then, put a checkmark (✓) in the correct box. If you received written objections, list each objector's name and relationship to you and the child. **You must attach the original of each objection you received to the Declaration.** Make a copy of each objection for your records.
- ☐ 4. **Date and Signature.** You're stating that you declare under penalty of perjury under the law of North Dakota that everything you stated in this Declaration is true and correct.
- Fill in the date, city, county, state, and country where you signed the Declaration.
 - Sign on the signature line.
 - Print your name.
 - Fill in the address lines. *(If you have a physical address **and** a mailing address, type or write both addresses using the lines provided, and the space next to the address lines.)*
 - Fill in your phone number **and** email address.
- ☐ Make a copy for your records.
- ☐ File the original with the clerk of court of the North Dakota county where the minor child's name change case is filed.

****Disclaimer: The North Dakota Legal Self Help Center provides resources to people who represent themselves in civil matters in the North Dakota state courts. The information provided by the Center isn't intended for legal advice but only a general guide to the civil court process. The Center can't guarantee that all judges and courts will accept forms available through the Legal Self Help Center. The Center isn't responsible for any consequences that may result from the information provided. The information can't replace the advice of competent legal counsel licensed in the state. Use at your own risk.****

In District Court, _____ County, North Dakota

Case No. _____

In The Matter Of The Petition For A Name Change Of

_____, A Minor Child.
(child's current first, middle (if any), and last legal name)

**Declaration of Petitioner: Criminal History Records Checks of the Minor Child
and/or Objections**

I, _____ *(Petitioner's current
first, middle (if any), and last legal name)*, the Petitioner, state the following:

1. I received notice from the Court on _____ *(date)* indicating
that I must do the following *(select all that apply)*:

- ☐ Obtain a criminal history records check of the minor child.
- ☐ Wait 30 calendar days from date after publication of the Notice of Petition for Name
Change of the minor child and file an Affidavit or Declaration as to whether or not I received
any objections.

2. **Criminal History Records Check** *(choose one of the following; Paragraph 2 continues on next
page)*:

- ☐ The notice from the Court does not include a criminal history records check of the minor
child.
- ☐ I submitted a request for a criminal history records check of the minor child to the Federal
Bureau of Investigation on _____ *(date)*.

(choose one of the following):

- ☐ I have received the criminal history records check of the minor child and am filing it with the Court with this Declaration.
- ☐ I am requesting the Court keep the case open until I receive the criminal history records check of the minor child and file it with the Court.

3. Objections Within 30 Calendar Days After Publication Date *(choose one of the following):*

- ☐ The notice from the Court **does not** include submitting written Objections.
- ☐ A Notice of Petition for Name Change was published on _____ (date) in the _____ (newspaper), the official newspaper in _____ County, North Dakota, where the minor child and I reside. Thirty calendar days from the publication date has passed. I am filing the Affidavit of Publication, or Declaration of Publication with the Court with this Declaration.

(Choose one of the following):

- ☐ No written Objections to the Petition for Name Change of the minor child were given to me within thirty (30) days after publication of the Notice of Petition for Name Change.
- ☐ Written Objections to the Petition for Name Change of the minor child were given to me by the following people, which are attached *(list each objector's name and relationship to you and the child):*

4. I declare, under penalty of perjury under the law of North Dakota, that everything I stated in this Declaration is true and correct.

Signed on _____ (date) in _____ (city),
_____ (county), _____ (state), _____ (country).

(Signature)

(Printed Name)

(Address)

(City, State, Zip Code)

(Telephone Number)

(Email Address)