

Instructions for a Name Change – Minor Child (Under 18 Years Old)

Important! Read Before Using These Forms and Instructions!

ND Legal Self Help Center staff and Court employees **can't** help you fill out forms. If you're unsure if these forms and instructions suit your circumstances, consult a lawyer.

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

If you need legal advice or legal representation, consult a lawyer licensed to practice in North Dakota. Go to ndcourts.gov/legal-self-help/finding-a-lawyer for information about finding a lawyer to represent you.

When you represent yourself, you're expected to know and follow the law, including:

- State or federal laws that apply to your case;
- Case law, also called court opinions, that applies to your case; and
- Court rules that apply to your case, which may include:
 - North Dakota Rules of Civil Procedure;
 - North Dakota Rules of Court;
 - North Dakota Rules of Evidence;
 - North Dakota Administrative Rules and Orders; and
 - Any local court rules.

Links to the state laws, case law, and court rules are available at ndcourts.gov.

A glossary with definitions of legal terms is available at ndcourts.gov/legal-self-help.

When you represent yourself, you're held to the same requirements and responsibilities as a lawyer, even if you don't understand the rules or procedures.

*These instructions and forms **aren't** a complete statement of the law. They cover the basic procedure for petitioning a North Dakota state district court for the name change of a minor child (less than 18 years old). If the forms don't fit your circumstances, consult a lawyer. There's no guarantee that all judges and courts will accept forms available through the ND Legal Self Help Center. The Center isn't responsible for any consequences that may result from the forms or information provided.*

Use these forms and instructions at your own risk.

Requirements for name changes are in [North Dakota Century Code Section 32-28-02](#).

A minor child is less than 18 years old. If a child is 18 years or older, the child is an [adult](#) and must petition for a name change on their own.

Who May Use These Forms?

If you meet **All** of the following requirements, you may use these forms:

1. You (the Petitioner) are the parent of the minor child.
2. You **and** your minor child are residents of the North Dakota county where you intend to file the Petition for at least six months before you file the Petition.
3. Your minor child is either a citizen or a permanent resident alien of the United States.

If you don't meet **All** of the requirements to use these forms, [consult a lawyer](#) for legal advice. A lawyer who agrees to represent you can interpret the minor name change laws, evaluate your options, and give you advice about the best course of action for you take.

What is the Notice of Name Change Publication Requirement?

North Dakota law requires that you publish notice of your minor child's name change in the newspaper **before** the judge assigned to your case can consider granting the child's name change. (See [N.D.C.C. § 32-28-02\(4\)](#).) An Affidavit of Publication, or Declaration of Publication, from the newspaper is your proof you published the notice.

- If your minor child has a **non-custodial parent** who lives in a different county than the child, publication is **also** required in a newspaper in the non-custodial parent's county.
- A **non-custodial parent** is a parent with less than 50% of the residential responsibility.

Can I Use These Forms to Ask the Judge to Waive the Notice of Name Change Publication Requirement?

No, you can't use this forms set to ask the Judge to allow you to skip publishing notice of your minor child's name change in the newspaper.

If you want to ask to waive publication of the notice in the newspaper, [consult a lawyer](#) for legal advice. A lawyer who agrees to represent you can research the laws related to minor name changes to evaluate whether the laws could be interpreted to allow waiver of publication in minor name change cases.

Criminal History Record Checks

Review the requirements for getting a criminal history record check **Before** you start the name change petition process. The process can take weeks.

Criminal history record check requirements don't apply to minor name change cases **Unless** the judge assigned to your case has reason to believe you're making the request for any of the following reasons:

- To defraud or mislead;
- Your request isn't made in good faith;
- Your request will cause injury to an individual; or
- Your request will compromise public safety.

If the Judge requires a criminal history record check for your minor child for North Dakota or any other state, you're required to pay all costs associated with the criminal history record check.

If the Judge requires you to complete a criminal history background check for your minor child, you may be directed to the following website to get the child's criminal history background check: edo.cjis.gov/#/.

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Overview of the Name Change of a Minor Child Process

- Step 1. Publish the Notice Of Petition for Name Change in the Newspaper(s); Serve the Notice on the Non-Custodial Parent and Complete a Declaration of Service by Mail.**
Get the Affidavit(s) (or Declaration(s)) of Publication from the newspaper(s).
- Step 2. Wait 30 Calendar Days Before Completing the Rest of the Name Change Forms**
Gather any written Objections you receive after publication of the Notice.
- Step 3. Complete the Rest of the Name Change Forms.**
You must wait 30 calendar days from publishing the Notice of Name Change.
- Step 4. 30 Days After Publication, File the Original Petition, Declaration, Confidential Information Form, Notice of Petition for Name Change, Declaration of Service by Mail, (Proposed) Order Granting Name Change (Confidential), (Proposed) Order Granting Name Change (Redacted), Affidavit(s) of Publication, and any Written Objections with the Clerk of Court.**
Pay the \$160.00 filing fee or file the completed petition to waive filing fees.
- Step 5. Get Your Minor Child's Criminal History Record Check, If Required to Get One.***
*If the Judge **doesn't** require a criminal history background check, skip Step 5.
- Step 6. The Judge Decides Whether to Grant the Name Change**
The Judge may make a decision without holding a hearing, or may require you to appear at a hearing before making a decision.
- Step 7. Request a certified copy, or copies, of the Confidential Order Granting Name Change**
If the name change is granted, request certified copies of the **confidential** order.

Forms Needed for Name Change of a Minor Child

1. Notice of Petition For Name Change
2. Declaration of Service by Mail (for Notice of Petition to non-custodial parent)
3. Petition for Name Change of a Minor Child
4. Declaration of Petitioner
5. Confidential Information Form
6. (Proposed) Order Granting Name Change (Confidential)
7. (Proposed) Order Granting Name Change (Redacted)

Step 1:

Complete the Notice of Petition for Name Change Form; Publish Notice of Petition in the Newspaper(s); Mail a Copy of the Notice to the Non-Custodial Parent & Complete a Declaration of Service by Mail

North Dakota law requires you to publish notice of your minor child's name change in the newspaper **before** the Judge assigned to your case can consider granting the child's name change. (See [N.D.C.C. § 32-28-02\(4\)](#).) An Affidavit of Publication, or Declaration of Publication, from the newspaper is your proof you published the notice.

- If your minor child has a **non-custodial parent** who lives in a different county than the child, publication is **also** required in a newspaper in the non-custodial parent's county.
- A **non-custodial parent** is a parent with less than 50% of the residential responsibility.

If you don't know the address of the non-custodial parent, review **page 7** of these instructions for tips on how to locate the non-custodial parent.

If you want to ask the Judge to waive publication of the notice in the newspaper, [consult a lawyer](#) for legal advice. A lawyer who agrees to represent you can research the laws related to minor name changes to evaluate whether the laws could be interpreted to allow waiver of publication in minor name change cases. **You can't use these forms to ask to the Judge to waive publication in the newspaper.**

Complete the Notice of Petition for Name Change Form

You, the minor child's parent, are the Petitioner in this name change case.

☐ Fill in the top part (caption) of the Notice of Petition for Name Change form:

- Fill in the name of the North Dakota county where you and your minor child currently live. You and the child must have lived in the county for at least the past 6 months.
- Fill in your minor child's **current** first, middle (*if any*), and last name.

☐ Fill in the first paragraph of the Notice of Petition for Name Change form:

- Fill in your minor child's **current** first, middle (*if any*), and last name.
- Fill in your minor child's **requested** first, middle (*if any*), and last name.

☐ **Date and sign the Notice of Petition for Name Change form:**

- Date and sign the Notice.
- Print your name and address.
- If your mailing address is different from your street address, include both addresses.
Write or type your mailing address in the blank space to right of the address block.

Publish the Notice of Petition for Name Change in the Newspaper(s)

Caution: [N.D.C.C. § 32-28-02](#) doesn't say how many times the Notice of Petition for Name Change must be printed in the newspaper. [N.D.C.C. § 32-28-02](#) only states that before a Judge can order a name change, the Petitioner must have given 30 days previous notice in the official newspaper of the county where the Petitioner lives and in the official newspaper of the county where the non-custodial parent lives. North Dakota Legal Self Help Center staff **can't** interpret the law for you. Interpretation of a law requires legal advice. Center staff **can't** give you legal advice under any circumstances. If you want the law interpreted for you, consult a [lawyer](#).

☐ **Have the completed Notice of Petition for Name Change published in the official county newspaper where you and your minor child live.**

- Publication can be in the print edition, in the e-edition, or both.

☐ **Important!** If your minor child has a non-custodial parent*, you must also have the Notice of Petition for Name Change published in the official county newspaper **where the non-custodial parent lives**, if different from where you live.

*A **non-custodial parent** is a parent with less than 50% of the residential responsibility.

If you don't know the address of the non-custodial parent, review **page 7** of these instructions for tips on how to locate the non-custodial parent.

☐ **After publication is complete, the newspaper(s) gives you an Affidavit(s) of Publication, or Declaration(s) of Publication. Make a copy for your records. (You file the original(s) with the clerk of court in Step 4.)**

Important: You can't file any documents with the court until **30 days after publication** of Notice in the newspaper(s).

☐ **You **may** receive written Objections after Notice is published. Make copies of the written Objections for your records. (You file the original(s) with the clerk of court in Step 3.)**

Within 10 Days of Publication in the Newspaper(s), Mail a Copy of the Notice to the Non-Custodial Parent

- ❑ If your minor child has a non-custodial parent, you **must** mail a copy of the Notice of Petition for Name Change to the non-custodial parent **within 10 days of publication in the newspaper(s).**
 - The Notice of Petition for Name Change **must be mailed** to the last reasonably ascertainable post office address of the non-custodial parent, postage prepaid, from a post office in North Dakota.
 - **Use diligent efforts to locate an address to serve the non-custodial parent. Keep track of your efforts and the results, including dates.**
 - Following are examples of ways to find people for service:
 - Last known address.
 - Contact the U.S. Post Office for more information.
 - Friends, family, employers.
 - Online search engines.
 - Government entities, such as Department of Motor Vehicles or County Recorder.
 - North Dakota business entity search, available at the ND Secretary of State website.
 - Social Security Death Index.
 - Utility companies.
 - Social networking websites.
 - Reverse directories.
 - A reverse directory allows someone to search by phone number to find an address. (Your local public library may have access to reverse directories.)

If you can't find or don't know the other parent's address, contact a [lawyer](#) for legal advice and assistance.

NOTE: If there is no non-custodial parent (both parents and the child live together, the other parent is deceased), you skip this step. However, you **must** inform the court in paragraph 7 of your Petition for Name Change and paragraph 4 of your Declaration of Petitioner that you didn't mail the Notice because there is no non-custodial parent (both parents and the child live together, the other parent is deceased).

Complete the Declaration of Service by Mail Form

This document is proof that a copy of the Notice of Petition for Name Change was mailed to the non-custodial parent and the address where it was mailed.

If your minor child has a non-custodial parent, you, the Petitioner, must file a Declaration of Service by Mail with the court to prove that a copy of the Notice was mailed to the non-custodial parent.

Important! The copy of the Notice of Petition for Name Change must be mailed from a United States Post Office located in North Dakota by someone who is at least 18 years old!

The copy of the Notice of Petition for Name Change must be mailed by first-class mail, postage prepaid.

The person who took the Notice of Petition for Name Change to the Post Office and paid the postage fills out the Declaration of Service by Mail as follows:

☐ Fill in the top part (caption) of the Declaration of Service by Mail form:

- Fill in the name of the North Dakota county where you and your minor child live.
- Leave the case number blank. The case number is assigned by the clerk of court when you file the petition and other documents in Step 3.
- Fill in your minor child's current first, middle (if any), and last name.

☐ 1. Fill in the first paragraph of the Declaration of Service by Mail form:

- The person who took the Notice to the Post Office and paid the postage fills in their full name.

☐ 2. **Stop!** If this statement isn't accurate, you can't use these forms.

☐ 3. **Stop!** If this statement isn't accurate, you can't use these forms.

☐ 4. Fill in the date the Notice was mailed, and include the city, county, and state where the post office is located.

☐ 5. Fill in the name of the non-custodial parent, their mailing address, city, state, and zip code.

☐ 6. You're declaring under penalty of perjury that all the information stated in this Declaration of Service is true and correct.

☐ **Date and sign the Declaration of Service by Mail form:**

- **By dating and signing this document, you're declaring everything you stated in this Declaration is true and correct.**
- Date and sign the Declaration.
- Print your name, address, telephone number, and email address on the lines following your signature.

☐ **Make a copy of the Declaration of Service by Mail for your records.** *(You file the original(s) with the clerk of court in Step 3.)*

NOTE: If there is no non-custodial parent (both parents and the child live together, the other parent is deceased), you skip this step. However, you **must** inform the court in paragraph 7 of your Petition for Name Change and paragraph 4 of your Declaration of Petitioner that you didn't mail the Notice because there is no non-custodial parent (both parents and the child live together, the other parent is deceased).

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Step 2:

Wait 30 Calendar Days Before Completing the Rest of the Name Change Forms

The forms in this packet require you, the Petitioner, to tell the Judge whether you received any Objections to your minor child's name change in the 30 days after you published Notice in the newspaper(s).

If you use this packet of forms, you **Must** wait 30 calendar days from the day after publication **Before** you complete the remaining name change forms.

☐ Calculate 30 calendar days (see [Rule 6 of the North Dakota Rules of Civil Procedure](#)):

- Don't include the date the notice of your minor child's name change was published;
- Count forward by calendar days, including Saturdays, Sundays, and North Dakota state holidays; and
- Include the 30th day, **but** if the 30th day is a Saturday, Sunday, or North Dakota state holiday, the deadline moves forward to the end of the next day that **isn't** a Saturday, Sunday, or North Dakota state holiday.

☐ If you receive written objections after the Notice is published, make copies of the written objections for your records. (You file the originals with the clerk of court in Step 4.)

Step 3:

Complete the Rest of the Name Change Forms

You, the minor child's parent, are the Petitioner in this action.

Complete the Petition for Name Change of a Minor Form

☐ Fill in the top part (caption) of the Petition for Name Change of a Minor Child form:

- Fill in the name of the North Dakota county where you and your minor child currently live. You must have lived in the county for at least the past 6 months.
- Leave the case number blank. The case number is assigned by the clerk of court when you file the petition and other documents in Step 4.
- Fill in your minor child's current first, middle (*if any*), and last name.

- ☐ 1. **Fill in the first paragraph of Petition for Name Change of a Minor Child form:**
 - Fill in your first, middle (*if any*), and last name.
 - Fill in your minor child's **current** first, middle (*if any*), and last name on the correct lines in the box.
- ☐ 2. **Fill in your relationship to the minor child.**
- ☐ 3. **Fill in the name and address of your minor child's other parent.** If the other parent is deceased, on the address line, type or write "died on [date of other parent's date of death]".
- ☐ 4. **Fill in your current address in North Dakota.** **Stop!** If this statement isn't accurate, you can't use these forms.
- ☐ 5. **Fill in your minor child's current county (*where your minor child lives*) in North Dakota, and the month and year the child began living in the county.** **Stop!** If this statement isn't accurate, you can't use these forms.
- ☐ 6. **Put a checkmark (✓) next to the option that's accurate for your minor child's situation.** **Don't** put a checkmark in both options. **Stop!** North Dakota law requires the minor child to be either a United States citizen or a permanent resident alien of the United States. If this isn't true for your minor child, you can't use these form.
- ☐ 7. **Fill in your minor child's birth year.** **Don't** fill in your minor child's month and day of birth. Your child **Must** be less than 18 years old.
- ☐ 8. **Fill in your minor child's requested, first, middle (*if any*), and last name on the correct lines in the box.**
- ☐ 9. **This paragraph tells the court that the reasons you're asking to change your minor child's name are listed in a separate Declaration that you complete and file with the Petition.**
- ☐ 10. **This paragraph tells the Judge that you believe court appointment of a guardian ad litem for the child is unnecessary.** North Dakota law requires the Judge assigned to the name change case to consider whether to appoint a guardian ad litem to represent your minor child's best interests. **Stop!** If you believe the Judge should appoint a guardian ad litem to represent your child's best interests, you can't use these forms.

- ☐ **11. Fill in the information related to publishing the Notice of your minor child's name change in the newspaper of your child's county of residence.** If you haven't published the Notice, go back to Step One of these instructions.

- Fill in the date the notice was published;
- Fill in the name of the newspaper;
- Fill in the county for which the newspaper is the official newspaper for notices.

- ☐ **12. Fill in the information related to publishing the Notice of your minor child's name change in the non-custodial parent's newspaper of residence.** (*A non-custodial parent is a parent with less than 50% of the residential responsibility.*)

- Put a checkmark (✓) next to the **One** box that's accurate for your situation:

If you checked the box stating your minor child doesn't have a non-custodial parent, you're done with Paragraph 12 and can proceed to Paragraph 13.

You must explain why you believe the child doesn't have a non-custodial parent in Paragraph 4 of your Declaration of Petitioner. If the Judge decides your minor child has a non-custodial parent, see Step One for instructions on publishing Notice and mailing a copy to the non-custodial parent.

If you checked the box stating your minor child has a non-custodial parent:

- Fill in the date the Notice was published;
- Fill in the name of the newspaper;
- Fill in the county for which the newspaper is the official newspaper for notices;
- Fill in the date you mailed the Notice to the non-custodial parent;
- Fill in the city of the post office the Notice was mailed.

(If the non-custodial parent resides in the same North Dakota county as you and your minor child, use the newspaper publication information from Paragraph 11.)

- ☐ **13. Review the 2 checkbox options. Put a checkmark (✓) next to the statement that's accurate for your situation.** If you choose the second checkbox, for each written objection you received, list the objector's name and relationship to your minor child.

- ☐ **14. Stop! If this statement isn't accurate, you can't use these forms.**

- ☐ **15. Stop! If this statement isn't accurate, you can't use these forms.**

- ☐ **16. No additional information is required for this paragraph.**

☐ **17. Wherefore Paragraph: No additional information is required for this paragraph.**

☐ **Date and sign the Petition for Minor Name Change form:**

- Date and sign the Petition.
- Print your name and address.
- If your mailing address is different from your street address, include both addresses. Write or type your mailing address in the blank space to below the address block.

Complete the Declaration of Petitioner Form

☐ **Fill in the top part (caption) of the Declaration of Petitioner form:**

- Fill in the caption exactly like the caption of your Petition for Name Change of a Minor Child form.

☐ **Fill in the first paragraph of Declaration of Petitioner form:**

- Fill in your current first, middle (*if any*), and last name. This must match Paragraph 1 of your Petition for Name Change of a Minor Child.

☐ **1. No additional information is required for this paragraph.**

☐ **2. Fill in your relationship to the minor child.** This must match Paragraph 2 of your Petition for Name Change of a Minor Child.

☐ **3. Fill in the other parent's first, middle (*if any*), and last name and their post office address.** This must match Paragraph 3 of your Petition for Name Change of a Minor Child. If the other parent is deceased, on the address line, type or write "died on [date of other parent's date of death]".

☐ **4. Put a checkmark (✓) next to the box that is accurate for your situation.** This must match the option you chose in Paragraph 12 of your Petition for Name Change of a Minor Child.

If you checked the box stating the other parent **is a non-custodial parent,** explain why you believe the other parent is a non-custodial parent.

If you checked the box stating the other parent **isn't a non-custodial parent,** explain why you believe the other parent **isn't** a non-custodial parent.

- ☐ 5. Put a checkmark (✓) next to the option that is accurate for your minor child's situation. **Don't** put a checkmark in both options. This must match Paragraph 6 of your Petition for Name Change of a Minor Child.
- ☐ 6. Fill in your minor child's current first, middle (*if any*), and last name. This must match Paragraph 1 of your Petition for Name Change of a Minor Child.
- ☐ 7. Fill in the year your minor child was born. This must match Paragraph 7 of your Petition for Name Change of a Minor Child.
- Fill in where the child was born.
- ☐ 8. Fill in your current address in North Dakota. This must match Paragraph 4 of your Petition for Name Change of a Minor Child.
- ☐ 9. Fill in your minor child's current county (*where your minor child lives*) in North Dakota, and the month and year the child began living in the county. This must match Paragraph 5 of your Petition for Name Change of a Minor Child.
- ☐ 10. (*First box*) Fill in your minor child's current first, middle (*if any*), and last name (*this must match Paragraph 1 of your Petition for Name Change of a Minor Child*);
- (*Second box*) Fill in your minor child's requested first, middle (*if any*), and last name (*this must match Paragraph 8 of your Petition for Name Change of a Minor Child*).
- ☐ 11. Explain in detail the reasons for the name change and how those reasons are in your minor child's best interests.
- If your minor child has criminal convictions under state or federal law, explain how your request to change your child's name isn't based upon an intent to defraud or mislead, is made in good faith, won't cause injury to an individual, and won't compromise public safety.
 - If you need additional space for your statement, don't write on the back of the form. Write on one side of a new sheet (or sheets) of paper and put a checkmark (✓) next to "Additional sheets attached for Paragraph 11."
- ☐ 12. **Stop!** If this statement isn't accurate, you can't use these forms.
- ☐ 13. **Stop!** If this statement isn't accurate, you can't use these forms.

☐ **Date and sign the Declaration of Petitioner form:**

- **By dating and signing this document, you're declaring under penalty of perjury that everything you stated in this Declaration is true and correct.**
- **Date and sign the Declaration.** Print your name, address, telephone number, and email address following your signature.

Complete the Confidential Information Form

Note: The public **won't** be allowed to access or see this document. See [Rule 3.4 of the North Dakota Rules of Court](#) for privacy protections for documents filed with the court.

☐ **Fill in the top part (caption) of the Confidential Information Form:**

- Fill in the caption exactly like the caption of your Petition for Name Change of a Minor Child form.

☐ **Minor Child's current, full name:**

- Fill in your minor child's **current** first, middle (*if any*), and last name. This must match Paragraph 1 of your Petition for Name Change of a Minor Child.

☐ **Fill in your minor child's birthdate information:**

- On the "Date of Birth" line, fill in your minor child's full date of birth (month/day/year).
- On the "Year of Birth" line, fill in your minor child's **Year** of birth **Only**.

Date and sign your (Petitioner's) name, print your name, address, telephone number, and email address.

Complete the (Proposed) Order Granting Name Change Form (Confidential)

Note: This document is filed as a confidential document because it contains your minor child's full birthdate. The public won't be allowed to access this document.

See [Rule 3.4 of the North Dakota Rules of Court](#) for privacy protections for documents filed with the court.

You must Exactly match the information you included in your Petition for Name Change of a Minor Child form and Confidential Information Form.

☐ **Fill in the top part (caption) of the proposed Order Granting Name Change (Confidential) form:**

- Fill in the caption exactly like the caption of your Petition for Name Change of a Minor Child form.

☐ **1. Fill in the first paragraph of the proposed Order Granting Name Change form:**

- Fill in the name of the City where you and your minor child live.
- Fill in the name of the County where you and your minor child live.
- Fill in your current full name.
- Fill in the first box with your minor child's **current** first, middle (*if any*), and last name.
- Fill in the second box with your minor child's **requested** first, middle (*if any*), and last name.

☐ **2. Fill in your minor child's full date of birth (month/day/year).**

☐ **3. Skip Paragraph 3.**

☐ **4. Fill in both boxes in Paragraph 4:**

- Fill in the first box with your minor child's **current** first, middle (*if any*), and last name.
- Fill in the second box with your minor child's **requested** first, middle (*if any*), and last name.

Stop! **Don't date or sign this document.** If the Judge grants the name change and decides to use this document, the Judge dates and signs the document.

Complete the (Proposed) Order Granting Name Change Form (Redacted)

Note: This document is **Redacted**. This means information is edited to remove confidential information. This document redacts (removes) your minor child's full birth date and replaces it with only your child's year of birth.

The public is allowed to access and see this document. See [Rule 3.4 of the North Dakota Rules of Court](#) for privacy protections for documents filed with the court.

You must Exactly match the information you included in your Petition for Name Change of a Minor Child form.

☐ **Fill in the top part (caption) of the proposed Order Granting Name Change (Redacted) form:**

- Fill in the caption exactly like the caption of your Petition for Name Change of a Minor Child form.

☐ **1. Fill in the first paragraph of the proposed Order Granting Name Change form:**

- Fill in the name of the City where you and your minor child live.
- Fill in the name of the County where you and your minor child live.
- Fill in your current full name.
- Fill in your minor child's **current** first, middle (*if any*), and last name.
- Fill in your minor child's **requested** first, middle (*if any*), and last name.

☐ **2. Fill in your minor child's birth year **Only**.**

☐ **3. Skip Paragraph 3.**

☐ **4. Fill in both boxes in Paragraph 4:**

- Fill in your minor child's **current** first, middle (*if any*), and last name.
- Fill in your minor child's **requested** first, middle (*if any*), and last name.

Stop! **Don't date or sign this document.** If the Judge grants the name change and decides to use this document, the Judge dates and signs the document.

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Step 4:

30 Days After Publication, File the Completed Forms and any Written Objections with the Clerk of District Court

Contact information for clerks of district court is available at ndcourts.gov/court-locations.

☐ **File originals of the following:**

- Petition For Name Change;
- Declaration of Petitioner;
- Confidential Information Form;
- Notice of Petition for a Name Change;
- Affidavit(s) of Publication, or Declaration(s) of Publication, (*provided to you by the newspaper(s)*);
- Declaration of Service by Mail (*for the Notice of Petition to non-custodial parent*);
- All written objections you received (*if any*);
- (Proposed) Order Granting Change of Name (Confidential); and
- (Proposed) Order Granting Change of Name (Redacted).

****Make sure you have a copy of every document for your files!**

- ☐ **The filing fee is \$160.00. If you can't afford the \$160.00 filing fee**, forms and instructions to ask the court to waive the fee are available at ndcourts.gov/legal-self-help/fee-waiver.

File the completed fee waiver forms at the same time as your name change documents.

****Make sure you have a copy of the completed fee waiver forms for your files!****

Step 5:

Get Your Minor Child's Criminal History Record Check

Stop! Only complete this step if the Judge requires your minor child to get a criminal history record check!!

After you file the documents listed in Step 4, the court notifies you if a criminal history record check is required for your minor child. You're required to pay all costs associated with the criminal history record check.

If the Judge requires you to complete a criminal history record check for your minor child, you may be directed to the following website to get your child's criminal history record check:
edo.cjis.gov/#/.

Step 6:

The Judge Decides Whether to Grant the Name Change

****If the Judge requires a hearing:**

- A hearing isn't required for Petitions for Name Changes.
- However, the Judge may decide a hearing is necessary. If the Judge decides a hearing is necessary, the Clerk of District Court notifies you with the date, time, and location.
- If you're required to attend a hearing, be prepared to prove everything you included in your Petition and Declaration forms.

****If your minor child has a criminal history and the Judge required you to complete a criminal history record check:**

- N.D.C.C. § 32-28-02(5) states "if the court issues a name change order for a petitioner who has criminal history in this or any other state, the court, within ten days after the issuance of the change of name order, shall report the name change to the bureau of criminal investigation."

Your minor child's name isn't changed until the judge signs an Order granting the name change.

****If the Judge denies your name change petition:**

- If the Judge doesn't sign an Order granting your minor child's name change and you want a different Judge to review the decision, go to the "District Court Appeal to Supreme Court" webpage at ndcourts.gov/legal-self-help/district-court-appeal-to-supreme-court.
- A Petitioner in a name change case may appeal the final decision to the North Dakota Supreme Court. The Supreme Court Justices review the Judge's final decision and decide if the Judge's decision is supported by the evidence you presented and by the law.

Step 7:

Request a Copy of the Confidential Order Granting Name Change

If the Judge grants your minor child's name change, you receive a copy of the signed and dated Order Granting Name Change.

However, a **certified copy** (or copies) of the Order Granting Name Change may be necessary to change your minor child's name with agencies, businesses, other entities, etc.

Request certified copies from the Clerk of District Court's Office. Contact information is available at ndcourts.gov/court-locations.

Make sure you request certified copies of the **Confidential** Order Granting Name Change. The Confidential Order Granting Name Change includes your minor child's full birthdate.

If you can't get a **certified copy** of the **Confidential** Order Granting Name Change, get the following:

- A **certified** copy of the **Redacted** Order Granting Name Change; **and**
- A **certified** copy of the Confidential Information Form.

If a **certified** copy of the Confidential Information Form **isn't** attached to the **Redacted** Order Granting Name Change, North Dakota Vital Records won't accept the Order Granting Name Change.

Cost of certified copies:

- \$10 for the first certified copy;
- \$5 for each additional certified copy (if requested at the same time).

In District Court, _____ County, State Of North Dakota

In The Matter Of The Petition For Name Change Of

_____, A Minor Child

Notice Of Petition For Name Change

1. Please Take Notice that a Petition will be filed by the Petitioner with the above–entitled court requesting an Order changing the name of (*current full legal name of child*)

_____ to (*requested full legal name of child*) _____.

2. Notice Is Further Given that thirty days after publication, the Petitioner intends to file a Petition requesting entry of the Court’s Order changing the name of the minor child. Any objection to granting this name change must be given in writing to the address listed below within 30 days of the date of this publication. The written objection must also be filed with the Court. If no objections are given, the Court may respond to the Petition without further hearing.

Dated _____.

(Petitioner Signature)

(Printed Name)

(Address)

(City, State Zip Code)

In District Court, _____ County, State Of North Dakota

Case No. _____

In The Matter Of The Petition For Name Change Of

_____, A Minor Child
(Child's Current First, Middle (If Any), And Last Legal Name)

Declaration Of Service By Mail

(A separate Declaration is required for each person served.)

The person serving court documents by mail states:

1. My name is _____ (person who mailed documents). I am at least 18 years of age.

2. List of Court Documents Served:

- **Notice of Petition for Name Change.**

3. Service by Mail:

I served a true and correct copy of the court document listed in Paragraph 2 by mailing it, enclosed in an envelope, by First-Class mail, postage prepaid, and by depositing it in the United States Mail, directed to the person listed in Paragraph 5.

4. Date and Post Office Location of Service by Mail:

Date Court Documents Were Served by Mail: _____

United States Post Office Location:

(city) (county) (state)

5. Person Served by Mail:

Name of Person Served: _____

Mailing Address: _____

City, State, Zip Code: _____

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

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

(Signature)

(Printed Name)

(Address)

(City, State, Zip Code)

(Telephone Number)

(Email Address)

In District Court, _____ County, North Dakota

Case No. _____

In The Matter of the Petition for Name Change of

_____, a **Minor Child**
(Child's Current First, Middle (if any), and Last Legal Name)

Petition for Name Change

1. Petitioner, _____ (Petitioner's first, middle (if any), and last name), petitions the Court under [North Dakota Century Code \(N.D.C.C.\) Section 32-28-02](#), for a change of name of the minor child (child's **current** full legal name):

Current First name	
Current Middle name(s) (if any)	
Current Last name	

and respectfully states to the Court as follows:

2. Petitioner's relationship to the minor child is _____.
3. The minor child's other parent is _____
(first, middle (if any) and last name of child's other parent) and their last reasonably ascertained post office address is: _____ (address)
_____ (city) _____ County, _____ (state),
_____ (zip code).
4. The minor child currently resides with Petitioner at the Petitioner's home at
_____ (address) _____ (city)
_____ County, North Dakota, _____ (zip code).

5. The minor child is a resident of _____ County, North Dakota, since _____ (*month and year*), which is more than six months immediately preceding this petition.

6. The minor child (*choose one checkbox*) ☐ is a United States citizen (**or**) ☐ is a permanent resident alien of the United States.

7. The minor child was born in the year _____ (*list birth year only*) and is less than 18 years of age.

8. Petitioner requests the Court change the minor child's name to (***requested legal name***):

Requested First name	
Requested Middle name(s) (if any)	
Requested Last name	

9. The reasons Petitioner is seeking a name change for the minor child are stated in the Declaration of Petitioner, which is filed with this Petition for Name Change of a Minor Child and incorporated by reference.

10. The Petitioner states that the appointment of a guardian ad litem, as allowed under N.D.C.C. Section 32-28-02, is unnecessary given the facts of this Petition, which are stated in the Declaration of Petitioner.

11. **Notice in the Newspaper of the County of the Minor Child's Residence:** The Notice of Petition for Name Change was published on _____ (*date*), in the _____ (*name of newspaper*), the official newspaper in _____ County, North Dakota, where the minor child resides. The Affidavit of Publication, or Declaration of Publication, is filed with the court.

12. Notice to the Minor Child's Non-Custodial Parent (*choose one checkbox. A non-custodial parent is a parent with less than 50% of the residential responsibility*):

☐ The minor child **does not have** a non-custodial parent, the facts of which are stated in in the Declaration of Petitioner.

☐ The minor child **has** a non-custodial parent. The Notice of Petition for Name Change was published on _____ (date), in the _____
(name of newspaper), the official newspaper in _____ County, _____
(state), where the minor child's non-custodial parent resides. The Affidavit of Publication, or Declaration of Publication, is filed with the court.

A copy of the Notice of Petition for Name Change was mailed to the non-custodial parent's last reasonably ascertained post-office address on _____ (date). The notice was mailed from the post office in _____ (city), North Dakota. The Declaration of Service by Mail is filed with the court.

13. Objections to Petition for Name Change (*choose one checkbox*):

☐ No written objections to the Petition for Name Change were given to the Petitioner within thirty (30) days of publication of the Notice of Petition for Name Change.

☐ Written objections to the Petition for Name Change were given to the Petitioner by the following people (*list objector's name and relationship to minor child*):

_____.

The written objections accompany this petition.

14. Petitioner does not wish to change the name of the minor child for any fraudulent, illegal, or immoral purpose, such as to avoid any type of debt or other obligation, or to avoid criminal prosecution.

15. Petitioner believes it to be in the best interests of the minor child for their name to be changed. A detailed statement is provided in the Declaration of Petitioner filed with this Petition.

16. There is no just cause to deny this Petition for Name Change.

17. Wherefore, Petitioner requests that the Court enter an Order granting that the name of the minor child be changed from the child's current name, which is listed in Paragraph 1, to the requested name, which is listed in Paragraph 8.

Dated _____.

_____, Petitioner
(Petitioner's Signature)

(Printed Name of Petitioner)

(Address) (City, State, Zip Code)

(Telephone Number) (Email Address)

In District Court, _____ County, North Dakota

Case No. _____

In The Matter of the Petition for Name Change of

_____, a Minor Child
(Child's Current First, Middle (if any), and Last Legal Name)

Declaration of Petitioner

I, _____ (Petitioner's first, middle (if any), and last name), the Petitioner, state that the following is true:

1. I am the Petitioner in this Petition for a change of name of my minor child.
2. My relationship to the minor child is _____.
3. The first, middle (if any), and last name of my minor child's other parent is _____ and their last reasonably ascertained post office address is: _____ (address) _____ (city) _____ County, _____ (state), _____ (zip code)
4. The other parent (choose one checkbox) ☐ is a non-custodial parent (or) ☐ is not a non-custodial parent because (explain your choice. Non-custodial means a parent with less than 50% of the residential responsibility): _____

_____.

5. My minor child (*choose one checkbox*) ☐ is a United States citizen (**or**) ☐ is a permanent resident alien of the United States.

6. My minor child's **current** full, legal name is:

Current First name	
Current Middle name(s) (if any)	
Current Last name	

7. My minor child was born in _____ (*list birth year only*) in (*if a U.S. citizen, list city and state; if a U.S. permanent resident alien, list city and country*)

_____.

8. My minor child currently resides with me at my home home at

_____ (*address*) _____ (*city*)
_____ County, North Dakota, _____ (*zip code*).

9. My minor child is a resident _____ County, North Dakota, since _____ (*month and year*), which is more than six months immediately preceding the Petition for Name Change.

10. I petition for a name change for my minor child from (**current legal name**):

Current First name	
Current Middle name(s) (if any)	
Current Last name	

to (**requested legal name**):

Requested First name	
Requested Middle name(s) (if any)	
Requested Last name	

[illegible]

☐ Additional sheets attached for Paragraph 11.

12. I am petitioning for the name change of my minor child in good faith. I am not requesting a name change for any fraudulent, illegal, or immoral purpose. The requested name change of my minor child will not cause injury to any individual or compromise public safety.

13. 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).

_____, Petitioner
(Petitioner's Signature)

(Printed Name of Petitioner)

(Address)

(City, State, Zip Code)

(Telephone Number)

(Email Address)

In District Court, County Of _____, State Of North Dakota

Case No. _____

In The Matter Of The Petition For Name Change Of

_____, **A Minor Child**
(Child's Current First, Middle (If Any), And Last Legal Name)

Confidential Information Form

Minor Child's current full, legal name:

First name	
Middle name(s) (if any)	
Last name	

Full Information

Redacted Information

Date of Birth: _____

Year of Birth: _____

Dated _____.

_____, Petitioner
(Petitioner's Signature)

(Printed Name of Petitioner)

(Address)

(City, State, Zip Code)

(Telephone Number)

(Email Address)

In District Court, County Of _____, State Of North Dakota

Case No. _____

In The Matter Of The Petition For Name Change Of

_____, **A Minor Child**
(Child's Current First, Middle (If Any), And Last Legal Name)

Order Granting Change Of Name
(Confidential)

1. The above-entitled matter came before this court in the City of _____,
County of _____, North Dakota, upon a Petition of
_____ (Petitioner's first, middle (if any) and last
legal name) for a change of name for their minor child from (**current name**):

First name	
Middle name(s) (if any)	
Last name	

to (**requested name**):

First name	
Middle name(s) (if any)	
Last name	

2. The minor child's birth date is _____ (month, day, and year).
3. It appears to the satisfaction of the Court that the Petition is in proper form and that the allegations, matters, and facts stated therein are true, and that there exists proper and reasonable cause for changing the minor child's name.

Now Therefore, It Is Hereby Ordered that the Petition for Name Change is **Granted**.

4. The minor child's name (*minor child's current name*):

First name	
Middle name(s) (if any)	
Last name	

is changed to (*minor child's new name*):

First name	
Middle name(s) (if any)	
Last name	

By The Court:

Judge of the District Court

In District Court, County Of _____, State Of North Dakota

Case No. _____

In The Matter Of The Petition For Name Change Of

_____, **A Minor Child**
(Child's Current First, Middle (If Any), And Last Legal Name)

Order Granting Change Of Name
(Redacted)

1. The above-entitled matter came before this court in the City of _____,
County of _____, North Dakota, upon a Petition of
_____ (Petitioner's first, middle (if any) and last
legal name) for a change of name for their minor child from (**current name**):

First name	
Middle name(s) (if any)	
Last name	

to (**requested name**):

First name	
Middle name(s) (if any)	
Last name	

2. The minor child's birth year is _____ (year of birth only). The minor child's full
birthdate is listed on the Confidential Information Form filed in this case and incorporated by
reference.

3. It appears to the satisfaction of the Court that the Petition is in proper form and that the allegations, matters, and facts stated therein are true, and that there exists proper and reasonable cause for changing the minor child's name.

Now Therefore, It Is Hereby Ordered that the Petition for Name Change is **Granted**.

4. The minor child's name (*minor child's current name*):

First name	
Middle name(s) (if any)	
Last name	

is changed to (*minor child's new name*):

First name	
Middle name(s) (if any)	
Last name	

By The Court:

Judge of the District Court