

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.

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 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 Chapter 32-28](#).

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.

Note: You (Petitioner) **and** the minor child must be residents of the county in North Dakota where the Petition will be filed for at least six months preceding the filing of the Petition.

Also Note: The minor child must be either a citizen or a permanent resident alien of the United States.

You May Ask the Judge Assigned to your Case to Waive the Publication Requirement

Caution: [N.D.C.C. § 32-28-02](#) could be interpreted to mean that publication for the change of a minor's name **can't** be waived. [N.D.C.C. § 32-28-02](#) could also be interpreted to require service of the Notice of Petition for Name Change even if waiver of publication is granted. North Dakota Legal Self Help Center staff can't interpret the statute for you and tell you what the statute means for your circumstances. Interpretation of a statute requires legal advice. Center staff **can't** give you legal advice under any circumstances. If you want the statute interpreted for you, consult a [lawyer](#).

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

- If the 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.

However, before you publish notice of the minor child's name change, you may ask the judge assigned to your case to waive the publication requirement **if**:

1. You're only asking for a change to the minor child's first or middle name; or
2. You're a victim of domestic violence as defined by [North Dakota Century Code Section 14-07.1-01](#), which states:

"Domestic violence includes physical harm, bodily injury, sexual activity compelled by physical force, assault, or the infliction of fear of imminent physical harm, bodily injury, sexual activity compelled by physical force, or assault, not committed in self-defense, on the complaining family or household members."

North Dakota law only allows a judge to consider the two reasons listed above for waiving the publication requirement.

If the judge doesn't grant your request to waive publication in the newspaper(s), you'll need to publish notice in the newspaper(s) and file the affidavit(s) of publication with the court. The newspaper will give you an affidavit of publication after publication of the notice is complete.

This packet of forms and instructions includes the option of asking the judge assigned to your case to waive publication.

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 an Affidavit of Service by Mail.
Get the Affidavit(s) of Publication from the newspaper(s).

OR, Skip Step 1 if Asking the Judge to Waive Publication.

Step 2. Complete the Rest of the Name Change Forms.

Gather any written objections you receive after publication of the Notice.

If you ask the judge to waive publication, you won't gather written objections.

Step 3. 30 Days After Publication, File the Original Petition, Affidavit, Confidential Information Form, Notice of Petition for Name Change, Affidavit of Service by Mail, Order Granting Name Change (Proposed), Affidavit(s) of Publication, and any Written Objections with the Clerk of Court.

Pay the \$80.00 filing fee or file the completed petition to waive filing fees.

OR, if Asking the Judge to Waive Publication, File the Original Petition, Affidavit, Confidential Information Form, and Order Granting Name Change (Proposed).

Pay the \$80.00 filing fee or file the completed petition to waive filing fees.

Step 4. Get the Minor Child's Criminal History Background Check.*

*If the court requires you to get one.

If the court **doesn't** require a criminal history background check, skip Step 4.

Step 5. 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 6. Request a certified copy, or copies, of the Order Granting Name Change

If the judge grants the name change, request certified copies of the order.

Criminal History Record Checks

The court may require a criminal history background check for the minor child for North Dakota or any other state.

After you file the completed Minor Name Change Forms, affidavit(s) of publication, and any written objections with the Clerk of Court, the court will decide if a criminal history background check for the minor child is required.

If the court requires you to complete a criminal history background check for the minor child, you may be directed to the following website to get the child's criminal history background check: fbi.gov/services/cjis/identity-history-summary-checks.

Review the requirements before you start the name change petition process.

You're required to pay all costs associated with the criminal history record check.

Forms Needed for Name Change of a Minor Child

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

STEP 1: Complete 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 an Affidavit of Service by Mail

Important! You may skip Step 1 only if you plan to ask the judge assigned to your case to waive publication of the notice in the newspaper(s). If you plan to ask the judge to waive publication, go directly to Step 2.

The judge **may** waive publication in the newspaper(s) for **only** the two reasons listed on Page 2 of these instructions.

Caution: [N.D.C.C. § 32-28-02](#) could be interpreted to mean that publication for the change of a minor's name **can't** be waived. [N.D.C.C. § 32-28-02](#) could also be interpreted to require service of the Notice of Petition for Name Change even if waiver of publication is granted. North Dakota Legal Self Help Center staff can't interpret the statute for you and tell you what the statute means for your circumstances. Interpretation of a statute requires legal advice. Center staff **can't** give you legal advice under any circumstances. If you want the statute interpreted for you, consult a [lawyer](#).

If the judge assigned to your case doesn't waive publication in the newspaper, you'll need to complete Step 1 and file the following with the court:

- The affidavit(s) of publication (*provided by the newspaper or newspapers*); and
- The affidavit of service by mail of a copy of the notice mailed to the non-custodial parent.

Complete the Notice of Petition for Name Change Form

You, the minor child's parent or legal guardian, are the Petitioner in this name change action.

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'll file your Petition (*where you and the minor child live*).
- Fill in the 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 the minor child's **current** first, middle (*if any*), and last name.
- Fill in the minor child's **requested** first, middle (*if any*), and last name.

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

- 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. North Dakota Legal Self Help Center staff can't interpret the statute for you. Interpretation of a statute requires legal advice. Center staff **can't** give you legal advice under any circumstances. If you want the statute interpreted for you, consult a [lawyer](#).

- Have the completed Notice of Petition for Name Change published in the official county newspaper where you'll file the Petition (*where you and the minor child live*).
- Important!** If the minor child has a non-custodial parent* AND you published the Notice, 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.

- After publication is completed, the newspaper(s) will give you an affidavit of publication. Make a copy for your records. (*You file the original(s) with the clerk of court in Step 3.*)

Note: No documents can be filed 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 the minor child has a non-custodial parent **AND** you published the Notice, 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 known address of the non-custodial parent, postage prepaid, from a post office in North Dakota.

CAUTION: [N.D.C.C. § 32-28-02](#) could be interpreted to require service of the Notice of Petition for Name Change even if waiver of publication is granted. North Dakota Legal Self Help Center staff can't interpret the statute for you and tell you what the statute means for your circumstances. Interpretation of a statute requires legal advice. Center staff **can't** give you legal advice under any circumstances. If you want the statute interpreted for you, consult a [lawyer](#).

Complete the Affidavit 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 the minor child has a non-custodial parent and publication in the newspaper isn't waived by the court, you, the Petitioner, must file an Affidavit 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 is mailed by first-class mail, postage prepaid.

The person who took the Notice to the Post Office and paid the postage fills out the Affidavit of Service by Mail as follows:

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

- Fill in the name of the North Dakota county where you'll file the Petition (*the county where you and the 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 the minor child's current first, middle (if any), and last name.

1. Fill in the first paragraph of the Affidavit 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, don't use these forms.

3. Stop! If this statement isn't accurate, don'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 person served, the mailing address, city, state, and zip code.
- 6. You're declaring under penalty of perjury that all the information stated in this Affidavit of Service is true and correct!
- Date and sign the Affidavit of Service by Mail form:
 - By dating and signing this document, you're declaring everything you stated in this Affidavit is true and correct.
 - Print your name, address, telephone number, and email address on the lines following your signature.
- Make a copy of the Affidavit of Service by Mail for your records. (*You file the original(s) with the clerk of court in Step 3.*)

STEP 2: Complete the Rest of the Name Change Forms

You, the minor child's parent or legal guardian, 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'll file your Petition (*where you and the 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 the minor child's 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 the 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 your current address in North Dakota. **Stop!** If this statement isn't accurate, don't use these forms.
- 4. Fill in the minor child's current county (*where the minor child lives*) in North Dakota. **Stop!** If this statement isn't accurate, don't use these forms.
- 5. Put a checkmark (✓) next to the option that's accurate for the minor child's situation. **Don't** put a checkmark in both options. **Stop!** If this statement isn't accurate, don't use these forms.
- 6. Fill in the minor child's birth year. **Don't** fill in the minor child's month and day of birth. The child **must** be less than 18 years old.
- 7. Fill in the minor child's requested, first, middle (*if any*), and last name on the correct lines in the box.
- 8. This paragraph tells the court that the reasons you're asking for a name change are listed in a separate affidavit that you'll complete and file with the petition.
- 9. This paragraph tells the court that you believe court appointment of a guardian ad litem for the child is unnecessary. **Stop!** If this statement isn't accurate, don't use these forms.
- 10. Put a checkmark (✓) next to the statement that's accurate for your situation.
 - **Check the first box on Page 2 if you published the Notice:**
 - 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.
 - **Put a checkmark (✓) next to the ONE box that's accurate for your situation:**
 - **If you checked the box stating the minor child doesn't have a non-custodial parent:** You're done with Paragraph 10 and can proceed to Paragraph 11.
 - **If you checked the box stating the 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;
 - Put in the date you mailed the Notice to the non-custodial parent;

- Put in the city of the post office the Notice was mailed.
- **Check the first box on Page 3 if you asked for publication of the Notice to be waived** (*if the judge DOESN'T waive publication, you'll need to go back and complete Step 1 and file the affidavit of publication*):
 - Put a checkmark (✓) next to the box(es) stating why you're asking publication of the Notice be waived.

11. Put a checkmark (✓) next to the statement that's accurate for your situation.

12. **Stop!** If this statement isn't accurate, don't use these forms.

13. **Stop!** If this statement isn't accurate, don't use these forms.

14. No additional information is required for this paragraph.

15. **WHEREFORE** Paragraph:

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

Date and sign the Petition for Minor Name Change form:

- 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 Affidavit of Petitioner Form

Fill in the top part (caption) of the Affidavit 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 Affidavit of Petitioner form:

- Fill in your current first, middle (*if any*), and last name.

1. **Fill in your current first, middle (*if any*), and last name.**

2. **Fill in your relationship to the minor child.**

3. Fill in the other parent's first, middle (*if any*), and last name and their last known post office address.
4. Put a checkmark (✓) next to the box that is accurate for your situation. **DON'T** put a checkmark in both options.
5. Put a checkmark (✓) next to the option that is accurate for the minor child's situation. **DON'T** put a checkmark in both options. **Stop!** If this statement isn't accurate, don't use these forms.
6. Fill in the minor child's current first, middle (*if any*), and last name.
7. Fill in the year the minor child was born. Also, fill in where the child was born.
8. Fill in the name of the North Dakota county where you and the minor child live in North Dakota. You and the minor child must have lived in the county for the past six months. **Stop!** If this statement isn't accurate, don't use these forms.
9. (*First box*): Fill in the minor child's current first, middle (*if any*), and last name; (*Second box*): Fill in the minor child's requested first, middle (*if any*), and last name.
- Explain in detail the reasons for the name change and how those reasons are in the best interests of the child.
 - If the minor child has criminal convictions under state or federal law, explain how your request to change the minor 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 9."
10. Put a checkmark (✓) in the same boxes as Paragraph 10 of your Petition.
- If you're requesting a waiver of publication because of domestic violence and 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 10."
11. Put a checkmark (✓) next to the same boxes as Paragraph 11 of your Petition.

- If you received written objections to the petition for name change, list the names of the people who objected and their relationship to the minor child.
- You'll file the written objections with the clerk of court in Step 3.

12. **Stop!** If this statement isn't accurate, don't use these forms.

13. **Stop!** If this statement isn't accurate, don't use these forms.

Date and sign the Affidavit of Petitioner form:

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

Complete the Confidential Information Form

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 the minor child's **current** first, middle (*if any*), and last name.

Fill in the minor child's birthdate information:

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

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

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

Complete the (Proposed) Order Granting Name Change Form

Fill in the top part (caption) of the proposed Order Granting Name Change 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 the Petition was filed.
- Fill in the name of the County where the Petition was filed.
- Fill in your current full name.

Fill in both boxes in Paragraph 1:

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

2. Fill in the minor child's birth year ONLY.

3. Skip Paragraph 3.

4. Fill in both boxes in Paragraph 4:

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

Stop! Don't date or sign this document.

(This space left intentionally blank.)

STEP 3: 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.

Two options for filing are provided. Follow A or B according to the steps you took above:

A. If you published notice in the newspaper (completed Step 1), file the following:

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

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

B. If you didn't publish notice in the newspaper (skipped Step 1) because you're asking the court to waive publication, file the following:

- Petition For Name Change;
- Affidavit of Petitioner;
- Confidential Information Form; and
- Order Granting Change of Name (Proposed).

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

You'll be asked to pay an \$80.00 filing fee. If you're unable to afford the \$80.00 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 4: Get the Minor Child's Criminal Background Check

Stop! ONLY do this step IF the Court requires the minor child to get a background check!!

After you file the documents listed in Step 3, you'll be notified by the court if a criminal history background check is required for the minor child. You're required to pay all costs associated with the criminal history record check.

If the court requires the minor child to complete a criminal history background check, you may be directed to the following website to get the minor child's criminal history background check: fbi.gov/services/cjis/identity-history-summary-checks.

STEP 5: 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 court may decide a hearing is necessary. The Clerk of District Court will notify you with the date, time, and location of the hearing, if the court decides a hearing is necessary.
- If you're required to attend a hearing, be prepared to prove everything you included in the petition and affidavit forms.

****If the minor child has a criminal history:**

- 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."

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

STEP 6: Request a Copy of the Order Granting Name Change and the Confidential Information Form

If the judge grants the minor child's name change, you'll receive or will be mailed 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 the minor child's name with agencies, businesses, entities, etc.

Important! You'll also need to request a certified copy (or copies) of the Confidential Information Form which **MUST** be attached to the Order Granting Name Change.

- If the Confidential Information Forms isn't attached, North Dakota Vital Records won't accept the Order Granting Name Change.

If a hearing was held, you can request the certified copies from the Clerk of District Court's Office before you leave the courthouse. If the Order has been completed, you may be able to receive the copy that day.

If a hearing wasn't held, you can request certified copies from the Clerk of District Court's Office. Contact information is available at ndcourts.gov/court-locations.

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)

AFFIDAVIT OF SERVICE BY MAIL

(A separate affidavit 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 or 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 Affidavit 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. _____

PETITION FOR NAME CHANGE OF

_____, **A MINOR CHILD**
(child's current first, middle (if any), and last legal name)

1. Pursuant to [North Dakota Century Code \(N.D.C.C.\) Section 32-28-02](#),

_____ *(petitioner's first, middle (if*

any), and last legal name), Petitioner, respectfully petitions the Court for a change of name of

the minor child *(child's **current** full legal name)*:

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

and respectfully states to the Court as follows:

2. Petitioner's relationship to the minor child is _____.

3. The minor child currently resides with Petitioner at the Petitioner's home at

_____ *(address)* _____ *(city)*

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

4. The minor child has been a resident of _____ County, North

Dakota, for more than six months immediately preceding this petition.

5. The minor child is a citizen **(OR)** permanent resident alien *(choose one)* of the

United States.

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

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

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

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

9. 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.

10. **Notice** (*choose one; Paragraph 10 continues on Page 3*):

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 is filed with the court.

AND (*choose one*)

The minor child **does not have** a non-custodial parent.

The minor child **has** a non-custodial parent. A 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 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 affidavit of service by mail is filed with the court.

(OR)

Petitioner requests that the court waive publication of the Notice of Petition for Name Change because: *(A Judge MAY waive publication of the Notice. If you want the judge to waive the publication of the Notice of Petition for Name Change, check the reason or reasons below.)*

Petitioner only requests a change of a first or middle name.

Petitioner is a victim of domestic violence as defined in N.D.C.C. § 14-07.1-01. A detailed statement is provided in the affidavit accompanying this petition.

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

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.

(OR)

Written objections to the Petition for Name Change were given to the Petitioner. The written objections accompany this petition.

(OR)

Petitioner is requesting that the court waive publication of the Notice of Petition for Name Change. Notice of the petition has not been published.

12. 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.

13. 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 affidavit accompanying this petition.

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

15. **WHEREFORE**, Petitioner prays that the Court enter an order granting that the name of the minor child be changed from (**current, full legal name**):

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

to (**requested full legal name of child**):

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

Dated _____.

PETITIONER (*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 A NAME CHANGE OF

_____, **A MINOR CHILD**
(child's current first, middle (if any), and last legal name)

AFFIDAVIT OF PETITIONER

I, _____ *(petitioner's first, middle (if any), and last legal name)*, the Petitioner, state that the following is true to the best of my knowledge:

1. I am the Petitioner and my first, middle (if any), and last legal name is _____.

2. My relationship to the minor child is _____.

3. The first, middle (if any), and last legal name of the other parent is _____ and their last reasonably ascertained post office address is: _____.

4. The other parent is **(OR)** is not *(choose one)* a non-custodial parent.

5. The minor child is a citizen **(OR)** permanent resident alien *(choose one)* of the United States.

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

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

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

8. The minor child currently resides with me at my home in _____ County, North Dakota, and the minor child has been a resident of this County for more than six months immediately preceding the date of the Petition for Name Change.

9. I petition for a name change for the 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	

for the following reasons (*state reasons a name change is in the child's best interests; Paragraph 9 continues on Page 3*):

Additional sheets attached for Paragraph 9.

10. **Notice** *(choose the same checkbox as Paragraph 10 of your Petition; Paragraph 10 continues on Page 3):*

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 is filed with the court.

AND *(choose the same checkbox as Paragraph 10 of your Petition):*

- The minor child **does not have** a non-custodial parent.
- The minor child **has** a non-custodial parent. A 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 is filed with the court.

11. **Objections to Petition for Name Change** (*choose the same checkbox as Paragraph 11 of your Petition*):

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

(OR)

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

_____.

(OR)

I am requesting that the court waive publication of the Notice of Petition for Name Change. Notice of the petition has not been published.

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 affidavit is true and correct.

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

PETITIONER (*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

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 _____. 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