

INSTRUCTION SHEET FOR CHANGING THE NAME OF A MINOR CHILD

The forms presented in this packet are designed to guide you in the preparation of change of name of a minor child. You must type in the required information as it applies to your situation. Your papers should remain in the same order as they appear in this packet.

You should type in every blank line EXCEPT for the civil action file number blanks and the lines provided for signatures. Make sure that everything is signed.

The Judges, the Clerk of Court, the Deputy Clerks, or other Court personnel, ARE NOT allowed to answer any questions concerning the preparation of these forms. State Law O.C.G.A. §15-19-51 prohibits Court Personnel from giving legal advice. Different situations may require special procedures and courthouse personnel cannot advise you on how to proceed or what forms may be necessary in specific situations. The only person allowed to help you in the preparation of these forms is a licensed attorney hired to represent you. Please consult an attorney if you have questions about the procedure or what action is best for you to take.

Remember, you must fully complete the forms and follow all instructions before the Judge will be able to grant your change of name. Incomplete forms, as well as forms that are improperly filled out, may delay the grant of your change of name. Make sure that you take time to read over all the forms, and understand what is being asked of you in each situation.

The Georgia Law which governs changes of name:

§ 19-12-1. Manner; petition; publication of notice of filing; hearing and judgment

(a) Any person desirous of changing his name or the name or names of his minor child or children may present a petition to the superior court of the county of his residence, setting forth fully and particularly the reasons why the change is asked, which petition shall be verified by the petitioner.

(b) Within seven days of the filing of the petition, the petitioner shall cause a notice of the filing, signed by him, to be published in the official legal organ of the county once a week for four weeks. The notice shall contain therein the name of the petitioner, the name of the person whose name is to be changed if different from that of the petitioner, the new name desired, the Court in which the petition is pending, the date on which the petition was filed, and the right of any interested or affected party to appear and file objections.

(c) If the petition seeks to change the name of a minor child, the written consent of his parent or parents if they are living and have not abandoned the child, or the written consent of the child's guardian if both parents are dead or have abandoned the child, shall be filed with the petition, except that the written consent of a parent shall not be required if the parent has not contributed to the support of the child for a continuous period of five years or more immediately preceding the filing of the petition.

(d) In all cases, before a minor child's name may be changed, the parent or parents of the child shall be served with a copy of the petition. If the parent or parents reside within this state, service of the petition shall be made in person, except that if the location or address of the parent is unknown, service of the petition on the parent shall be made by publication as provided in this Code section. If the parent or parents reside outside this state, service of the petition on the parent or parents residing outside this state shall be made by certified mail or statutory overnight delivery if the address is known or by publication as provided in this Code section if the address is not known.

(e) Where a child resides with persons other than his parent or parents, a copy of the petition shall be served upon the person acting as guardian of the child in the same manner as service would be made on a parent.

(f) Upon the expiration of:

(1) Thirty days from the filing of the petition if the person whose name to be changed is an adult;

(2) Thirty days from the date of service upon the parent, parents, or guardian of a minor whose name is to be changed if the parent, parents, or guardian reside within this state; or

(3) Sixty days from the date of service upon the parent, parents, or guardian of a minor whose name is to be changed if either the parent, parents, or guardian reside outside the state and the petition is served by mail, and after proof to the Court of publication of the notice as required in this Code section is made, if no objection is filed, the Court shall proceed at chambers at such date as the Court shall fix to hear and determine all matters raised by the petition and to render final judgment or decree thereon. For such service, the clerk shall receive the fees prescribed in O.C.G.A. § 15-6- 77, relating to fees of clerks of the superior courts for civil cases.

Follow these steps:

1. Fill out the petition for name change, printing neatly and using black ink, being sure to include the reasons for the change.
2. Obtain written consent of the parent(s) of the minor child(ren). O.C.G.A. §19-12-1(c) requires that written consent be obtained and filed with the petition UNLESS the parent “has not contributed to the support of the child for a continuous period of five years or more immediately preceding the filing of the petition.”¹
3. File the petition for name change AND the parents’ written consent with the clerk of the Superior Court in the county of the child’s residence. O.C.G.A. §19-12-1(c).
4. Serve the parents a copy of the petition. O.C.G.A. § 19-12-1(d)
 - a. If the parent(s) reside in Georgia, the copy must be served in person unless the location or address of the parents is unknown. If the parents’ address is unknown, they may be notified by publication in the newspaper once a week for four weeks.

- b. If the parent(s) reside outside of Georgia, service must be made by certified mail or statutory overnight delivery if the address is known or by publication in the newspaper if the address is not known.
 - c. If the child(ren) live(s) with someone other than the parents, “a copy of the petition shall be served upon the person acting as guardian of the child in the same manner as service would be made on a parent. O.C.G.A. § 19-12-1(e).
5. Within seven (7) days of filing the petition, you must publish the enclosed Notice of Petition to Change Name with the official legal organ (newspaper) of _____ County. This notice must run once a week for four weeks. O.C.G.A. § 19-12-1(b).
 6. Submit to the Court proof that you have published the notice as required. Proof consists of an affidavit of publication by the newspaper AND photocopies of the published notices as they appeared. O.C.G.A. § 19-12-1(f).
 7. Thirty days or more after your petition was filed, and after you submitted proof to the Court of publication of the proper notice, the Court will set a date to hear the matter in chambers and to render a final judgment or decree. O.C.G.A. § 19-12-1(f).

The reasons for such change in name(s) are as follows:

6.

The natural parents of said child(ren) are:

Mother's Name

Address

Father's Name

Address

7.

(Choose a or b)

a) The written consent of the other parents to such name change is attached hereto as Exhibit A.

b) The written consent of the the mother or father is not necessary pursuant to O.C.G.A. § 19-12-1(c) because s/he has not provided support for a continuous period of five years or more immediately preceding the filing of this petition. The last date on which support was received was _____.

WHEREFORE, Petitioner respectfully prays for the following:

- (a) _____ to be appointed as guardian ad litem, if necessary;
- (b) _____ Personal service on parents and guardians (when appropriate).
[OR]
- (c) _____ Service by certified mail on parents or guardians (when appropriate);
- (d) That the name of _____ be changed to _____;
- (e) That the name of _____ be changed to _____;
- (f) And such other relief as the Court deems necessary and proper.

Respectfully submitted, this _____ day of _____, 20_____.

_____,
Petitioner *pro se*

Address and Telephone Number

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

In Re: _____

Civil Action File No. _____

VERIFICATION

Personally appeared before me the undersigned who on oath states that the facts set forth in this Complaint are true and correct to the best of her knowledge and belief.

_____,
Plaintiff *pro se*

Sworn and subscribed before me

This ____ day of _____, 20____.

Notary Public, State of Georgia

My Commission Expires _____.

IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA

)
)
)
)
)
In Re: _____)
) Civil Action File No. _____
and _____,)
)
Minor child(ren))
)
)

NOTICE OF PETITION TO CHANGE NAME

GEORGIA, _____ County

Notice is hereby given that _____,
the undersigned, filed this petition to the Superior Court of _____ County,
Georgia on the ____ day of _____, 20____, praying for a change in the name
of minor child(ren) from _____
to _____, and from _____
to _____.

Notice is hereby given pursuant to law to any interested or affected party to appear in said
Court and to file objections to such name change. Objections must be filed with said
Court within 30 days of the filing of said petition.

This ____ day of _____, 20____.

Petitioner *pro se*

AFFIDAVIT FOR PERSON FILING CASE WITH NO ATTORNEY

Civil Action No. _____

Plaintiff

VS

Defendant

PERSONALLY appeared before the undersigned office, _____
(Affiant)
who after being duly sworn deposes and states under oath the following:

- (1) That affiant has this date filed a suit for divorce or other complaint in the County and does not have an attorney at law representing affiant.
- (2) (a) Affiant further states that the following person prepared the complaint and/or other papers:

(Name of person or business name who prepared papers)

(Address of such person and business)

(Telephone number of such person and business)

- (b) Affiant states that said person who prepared the papers (was or was not) paid to prepare the papers. The total amount paid was \$ _____.
- (3) Affiant further states that there (is or is not) any further money due anyone for assisting in the preparation of said papers. If affiant owes money to the preparer, the amount is \$ _____.
- (4) Affiant has not paid or given anyone any other consideration or money for help in preparing the papers, except the following: _____.
- (5) Did the preparer of the papers tell you what information, or give you advice regarding the information to put in any of your papers? Yes or No
- (6) Did the preparer give you any advice about how to file your papers? Yes or No
- (7) Did the preparer give you any advice about how to present your case to the Judge? Yes or No

I have answered all the above questions truthfully, under criminal penalties of perjury.

Affiant

Sworn to and subscribed before me this
_____ day of _____, 2019

Address

City, State and Zip Code

(Deputy) Clerk of Superior Court

Phone Number (Required)

General Civil and Domestic Relations Case Disposition Information Form

Superior or State Court of _____ County

For Clerk Use Only

Date Disposed _____ Case Number _____
MM-DD-YYYY

Case Style _____

Plaintiff(s)

Defendant(s)

Last	First	Middle I.	Suffix	Prefix
Last	First	Middle I.	Suffix	Prefix
Last	First	Middle I.	Suffix	Prefix
Last	First	Middle I.	Suffix	Prefix

Last	First	Middle I.	Suffix	Prefix
Last	First	Middle I.	Suffix	Prefix
Last	First	Middle I.	Suffix	Prefix
Last	First	Middle I.	Suffix	Prefix

Reporting Party _____

Plaintiff's Attorney _____

Bar Number _____

Self-Represented

Defendant's Attorney _____

Bar Number _____

Self-Represented

Manner of Disposition
 Check Only One

Jury Trial

Bench/Non-Jury Trial

Non-Trial Disposition

Alternative Dispute Resolution

- Check if any party was self-represented at any point during the life of the case.
- Check if the court ordered an interpreter for any party, witness, or other involved individual.
- Was the case referred/ordered to a court-annexed alternative dispute resolution (ADR) process?

