

INSTRUCTIONS FOR FILING A PETITION FOR CHANGE OF NAME

NC-100-INFO

1. Where to File

- a. California residents: The petition for change of name must be filed in the superior court of the county where the person whose name is to be changed is a resident.
- b. Non-California residents: If the person whose name is to be changed is also requesting an order for the issuance of a new California marriage license and certificate, a new California birth certificate for the person whose name is to be changed, or a new California birth certificate for a minor or adult child of the person whose name is to be changed, the petition for change of name must be filed in the superior court of the county where the marriage took place, or where the birth certificate was issued.

2. Whose Name May Be Changed

The petition may be used to change your own name and, under certain circumstances, the names of others (e.g., children under 18 years of age).

3. Confidentiality of Certain Names

If you are a participant in the Secretary of State's address confidentiality program (Safe at Home), your current and proposed names may be kept confidential. (Code Civ. Proc., § 1277(b).) See *Information Sheet for Name Change Proceedings Under Address Confidentiality Program (Safe at Home)* (form NC-400-INFO) for additional instructions.

4. What Forms Are Required

Prepare an original and two copies of each of the following documents:

- a. *Petition for Change of Name* (form NC-100)
- b. *Name and Information About the Person Whose Name Is to Be Changed* (form NC-110) (attach as many copies as necessary)
- c. *Order to Show Cause—Change of Name* (form NC-120) or, if applicable, *Order to Show Cause—Change of Name to Conform to Gender Identity* (form NC-125)
- d. *Decree Changing Name* (form NC-130 or, for guardians, form NC-130G)
- e. *Civil Case Cover Sheet* (form CM-010)

In addition, a guardian must prepare and attach a *Supplemental Attachment to Petition for Change of Name (Declaration of Guardian)* (form NC-110G) for each child whose name is to be changed.

Local courts may require additional local forms. Check with the court to determine if additional forms are required.

5. Filing and Filing Fee

Prepare an original *Civil Case Cover Sheet* (form CM-010). File the original petition and *Civil Case Cover Sheet* with the clerk of the court and obtain two filed-endorsed copies of the petition. A filing fee will be charged unless you qualify for a fee waiver. (If you want to apply for a fee waiver, see *Request to Waive Court Fees* (form FW-001) and *Information Sheet on Waiver of Court Fees and Costs* (form FW-001-INFO). There is no filing fee for minors in the State's address confidentiality program (Safe at Home).

6. Requesting a Court Hearing Date and Obtaining the Order to Show Cause

You should request a date for the hearing on the *Order to Show Cause—Change of Name* (form NC-120) at least six weeks in the future. Take the completed form to the clerk's office. The clerk will provide the hearing date and location, obtain the judicial officer's signature, file the original, and give you a copy.

If you are changing your name to conform to gender identity, you need not request a hearing date. Instead, complete the *Order to Show Cause—Change of Name to Conform to Gender Identity* (form NC-125) and take the completed form to the clerk's office.

The clerk will obtain the judicial officer's signature, file the original, and give you a copy.

7. Publishing the Order to Show Cause

In most cases, a copy of the *Order to Show Cause* must be published in a local newspaper of general circulation once a week for **at least four consecutive weeks** before the date of the hearing. You must select the newspaper from among those newspapers legally qualified to publish orders and notices. The newspaper used must file a Proof of Publication with the superior court before the hearing. If no newspaper of general circulation is published in the county, the court may order the *Order to Show Cause* to be posted by the clerk.

But you **do not have to publish** the order if the following applies:

- 1 You are seeking to change a name to conform to your gender identity;
- 1 You are a participant in the State Witness Program;
- 1 You are a participant in the address confidentiality program, and the petition alleges that you are petitioning to avoid (a) domestic violence, (b) stalking, (c) sexual assault, or (d) human trafficking; or
- 1 The name change is for a minor or nonminor dependent under the jurisdiction of the juvenile court.

8. Name Change for Children

- a. If you are a petitioning parent requesting the name change for a child under 18 years of age, and one of the parents, if living, does not join in consenting to the name change, the petitioning parent must have a copy of the *Order to Show Cause* or notice of the time and place of the hearing served on the nonconsenting parent. Service must be made **at least 30 days prior to the hearing**, under Code of Civil Procedure section 413.10, 414.10, 415.10, or 415.40.
- b. If you are a petitioning parent or any other adult requesting the name change for a child **to conform to that child's gender identity** and a living parent does not join in the petition for the name change, you must have a copy of the petition and the *Order to Show Cause* served on the nonconsenting parent. Service must be made **within 30 days of the date the order is made by the court**, under Code of Civil Procedure section 413.10, 414.10, 415.10, or 415.40.
- c. If the nonconsenting parent resides in California, the order or notice must be personally served on the nonconsenting parent. You cannot personally serve this document.
- d. If the nonconsenting parent resides outside California, that parent may be served by sending a copy of the order or notice by first-class mail, postage prepaid, return receipt requested.
- e. If you are the guardian of a minor and filing a petition to change the name of that minor, you must (1) provide notice of the hearing to any living parent of the child by personal service at least 30 days before the hearing (or as in b above), or (2) if either or both parents are deceased or cannot be located, serve notice of the hearing on the child's grandparents, if living, not less than 30 days before the hearing, under Code of Civil Procedure section 413.10, 414.10, 415.10, or 415.40. *(If the minor's name is being changed to conform to gender identity, these notices and orders for grandparents need not be completed or served.)*

If you have served a parent or grandparent, file a copy of the completed *Proof of Service of Order to Show Cause* (form NC-121) with the court before the hearing.

9. Name Change for Person in Jail or Prison or on Parole

If you are a person in county jail, or under the jurisdiction of the Department of Corrections and Rehabilitation (in state prison, or on parole) you may file a petition to change your name, but must serve the petition on a government agency.

- 1 If in county jail, you must provide a copy of the petition to the county sheriff's department. Check with the department as to how that should be done.
- 1 If in state prison, you must provide a copy of the petition to the warden. Check with the warden's office as to how that should be done.
- 1 If on parole, you must provide a copy of the petition to the regional parole administrator. Check with the administrator's office as to how that should be done.

After you have provided a copy to the sheriff, warden, or regional parole administrator, file a copy of the completed *Proof of Service By Mail* (form POS-030) with the court.

Note that the declaration on form NC-110 as to whether the petitioner is in jail or under jurisdiction of the California Department of Corrections and Rehabilitation is only for purposes of determining if service of the petition is required.

10. Court Hearing

If no written objection is filed at least two court days before the scheduled hearing, the court may grant the petition and sign the decree without a hearing. Check with the court to find out if a hearing will be held. If there is a hearing, bring copies of all documents to the hearing. If the judge grants the petition, the judge will sign the original decree.

If you filed a petition for name change to conform to gender identity, and timely objections were filed, the court may set a hearing date after receiving the objections. If it does, you will be sent a notice of the hearing date. Check with the court after the deadline for filing objections to see if a hearing date has been set. If there are no objections, the court will grant the petition and sign the decree without a hearing.

11. Requesting Accommodations for Disability

If you have a disability and need an accommodation to help you access your court hearing, you can use *Disability Accommodation Request* (form MC-410) to make your request. You can also ask the court's ADA Coordinator in your court for help. For more information, see *How to Request a Disability Accommodation for Court* (form MC-410-INFO).

12. Issuance of New Birth Certificate

If you were born in California and want to amend a birth certificate to show the name change, you should contact the following office:

**California Department of Public Health
Vital Records - MS 5103
P.O. Box 997410
Sacramento, CA 95899-7410**

**Phone: 916-445-2684
website: www.cdph.ca.gov**

Local courts may supplement these instructions. Check with the court to determine whether supplemental information is available. For instance, the court may provide you with additional written information identifying the department that handles name change petitions, the times when petitions are heard, and the newspapers that may be used to publish the *Order to Show Cause*.

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITION OF (name of each petitioner):	
PETITION FOR CHANGE OF NAME	
CASE NUMBER:	

Before you complete this petition, read the *Instructions for Filing a Petition for Change of Name* (form NC-100-INFO). (To change your name as part of a petition to recognize a change of gender, and obtain a new California birth certificate for yourself or your child, or a marriage certificate reflecting those changes, use form NC-300.)

1. Petitioner (present name): (check a or b)
 - a. resides in this county.
 - b. does not live in California and (check 1 or 2)
 - (1.) wants a name change on a marriage license, and was married in this county.
 - (2.) wants a name change on their or their child's birth certificate, which was issued in this county.

2. Petitioner requests that the court decree the following name changes (list every name that you are seeking to change):

<u>Present name</u>		<u>Proposed name</u>
a.	changed to	
b.	changed to	
c.	changed to	

Continued (If you are seeking to change additional names, you must prepare a list and attach it to this petition as Attachment 2.)

3. Petitioner requests that the court issue an order directing all interested persons to appear or file objections to show cause why this petition for change of name of the persons identified in item 2 should not be granted.

4. The number of persons under 18 years of age whose names are to be changed is (specify):

5. If this petition requests the change of name of any person or persons under 18 years, this request is being made by
 - a. two parents.
 - b. one parent.
 - c. near relative (name and relationship):
 - d. guardian (name):
 - e. attorney for an individual under the jurisdiction of the juvenile court (name):
 - f. other (specify):

6. This petition seeks to change the name of (check one) petitioner (name):
to conform to that person's gender identity.

7. For each person whose name is to be changed, petitioner provides the following information (you must attach Name and Information About the Person Whose Name Is to Be Changed (form NC-110) for each person identified in item 2):
 - a. Number of pages attached (specify number):
 - b.-f. (These items are on the attached page or pages of form NC-110.)

PETITION OF <i>(name of petitioner or petitioners)</i> :	CASE NUMBER:
FOR CHANGE OF NAME	

**NAME AND INFORMATION ABOUT THE PERSON
WHOSE NAME IS TO BE CHANGED**

Attachment of

Attachment to Petition (form NC-100, form NC-300, or form NC-500)

(You must use a separate attachment for each person whose name is to be changed. If petitioner is a guardian of a minor, a declaration of guardian (form NC-110G) must also be completed and attached for each minor whose name is to be changed.)

7. *(Continued)* Petitioner applies for a decree to change the name of the following person:

- b. Self Other
- (1) Present name *(specify)*:
- (2) Proposed name *(specify)*:
- (3) Born on *(date of birth)*:
and presently under 18 years of age 18 years of age or older
- (4) Born at *(place of birth)*:
- (5) Sex *(as stated on original birth certificate)*: Male Female
- (6) Current residence address *(street, city, county, state, and zip code)*:

c. Reason for name change *(explain)*:

d. Relationship of the petitioner to the person whose name will be changed:

- (1) Self (4) Guardian ad litem or attorney for minor appointed by juvenile court
- (2) Parent (5) Near relative *(indicate relationship)*:
- (3) Guardian (6) Other *(specify)*:

e. If the person whose name will be changed is under 18 years of age, provide the names and addresses, if known, of the following persons:

- (1) Parent *(name)*: _____ *(address)*: _____
- (2) Parent *(name)*: _____ *(address)*: _____
- (3) *(Only if neither parent is living)* Near relatives *(names, relationships, and addresses)*:

f. If the person whose name will be changed is 18 years of age or older, that person must sign the following declaration:

DECLARATION	
<p>I declare under penalty of perjury under the laws of the State of California that <i>(check one)</i> <input type="checkbox"/> I am not <input type="checkbox"/> I am under the jurisdiction of the California Department of Corrections and Rehabilitation (in state prison or on parole) or in county jail and <i>(check one)</i> <input type="checkbox"/> I am not <input type="checkbox"/> I am required to register as a sex offender under Penal Code section 290.</p> <p>Date: _____</p>	
_____ <small>(TYPE OR PRINT NAME OF PERSON WHOSE NAME IS TO BE CHANGED)</small>	_____ <small>(SIGNATURE OF PERSON WHOSE NAME IS TO BE CHANGED)</small>

(If petitioner is represented by an attorney, the attorney's signature follows):

Date: _____

_____ <small>(TYPE OR PRINT NAME)</small>	_____ <small>(SIGNATURE OF ATTORNEY)</small>
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(Each petitioner must sign this petition in the space provided below or, if additional pages are attached, at the end of the last attachment.) I declare under penalty of perjury under the laws of the State of California that the information in the foregoing petition is true and correct.

Date: _____

_____ <small>(TYPE OR PRINT NAME)</small>	_____ <small>(SIGNATURE OF PETITIONER)</small>
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Date: _____

_____ <small>(TYPE OR PRINT NAME)</small>	_____ <small>(SIGNATURE OF PETITIONER)</small>
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ADD ADDITIONAL SIGNATURE LINES FOR ADDITIONAL PETITIONERS

SIGNATURE OF PETITIONERS FOLLOWS LAST ATTACHMENT

PETITION OF <i>(Name of petitioner or petitioners):</i>	CASE NUMBER:
FOR CHANGE OF NAME	

Attachment _____ of _____

DECLARATION OF GUARDIAN
Supplemental Attachment to *Petition for Change of Name* (Form NC-100)
*(If you are petitioning as a guardian of a minor, you must use a **separate** supplemental attachment for **each minor** whose name is to be changed.)*

7. a. Petitioner *(name)*:
b. Petitioner's address *(street, city, county, and zip code)*:
c. Petitioner is the guardian of the following minor whose name is to be changed:
(1) Name *(present name of child)*:
(2) Address *(street, city, county, and zip code)*:
d. Petitioner was appointed guardian of the minor identified in item 7c by *(specify)*:
(1) Superior Court of California, County of *(name)*:
(2) Department *(check one)*: Juvenile Probate
(3) Case number *(specify)*:
(4) Date of appointment *(specify)*:
e. The grandparents of the minor whose name is to be changed are *(provide names and addresses, if known)*:
(1) Grandfather *(name)*: _____ (address): _____
(2) Grandmother *(name)*: _____ (address): _____
(3) Grandfather *(name)*: _____ (address): _____
(4) Grandmother *(name)*: _____ (address): _____
f. The minor identified in item 7c is likely to remain under the guardian's care until the minor reaches the age of majority because *(explain)* :

 Continued *(if you need additional space, check the box, prepare an Attachment 7f, and attach it to this declaration)*.
g. The minor identified in item 7c is not likely to be returned to the custody of his or her parents because *(explain)*:

 Continued *(if you need additional space, check the box, prepare an Attachment 7g, and attach it to this declaration)*.
h. Other relevant information about the guardianship and why the proposed name change is in the best interest of the minor *(specify)*:

 Continued *(if you need additional space, check the box, prepare an Attachment 7h, and attach it to this declaration)*.

I declare under penalty of perjury under the laws of the State of California that the information in the foregoing declaration is true and correct.

Date:

(TYPE OR PRINT NAME)



(SIGNATURE OF PETITIONER)

Guardian of *(name of minor)*:

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITION OF (name of each petitioner): <div style="text-align: right;">FOR CHANGE OF NAME</div>	
ORDER TO SHOW CAUSE—CHANGE OF NAME	CASE NUMBER:

TO ALL INTERESTED PERSONS:

1. Petitioner (name): _____ filed a petition with this court
 for a decree changing names as follows:
- | <u>Present name</u> | to | <u>Proposed name</u> |
|---------------------|----|----------------------|
| a. _____ | to | _____ |
| b. _____ | to | _____ |
| c. _____ | to | _____ |
| d. _____ | to | _____ |
| e. _____ | to | _____ |

Continued on Attachment 1.

2. THE COURT ORDERS that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.

NOTICE OF HEARING

a. Date: _____ Time: _____ <input type="checkbox"/> Dept.: _____ <input type="checkbox"/> Room: _____

- b. The address of the court is same as noted above other (specify):

(To appear remotely, check in advance of the hearing for information about how to do so on the court's website. To find your court's website, go to www.courts.ca.gov/find-my-court.htm.)

3. a. A copy of this *Order to Show Cause* must be published at least once each week for four successive weeks before the date set for hearing on the petition in a newspaper of general circulation:
 (for resident of this county) printed in this county (specify paper):
 (for other petitioners) printed in the county in which petitioner resides or, if no county, in the local subdivision or territory where petitioner resides.
- b. Other (specify):

Date: _____ JUDGE OF THE SUPERIOR COURT

(If petitioner is requesting change of name of a minor, see Note Regarding Petition for Minors on page 2.)

NOTE REGARDING PETITIONS FOR MINORS

When a *Petition for Change of Name* has been filed for a child by one parent and the other parent, if living, does not join in consenting to the name change, the petitioner must have a notice of the time and place of the hearing or a copy of the *Order to Show Cause* served on the other parent not less than 30 days prior to the hearing under Code of Civil Procedure section 413.10, 414.10, 415.10, or 415.40.

If a petition to change the name of a child has been filed by a guardian, the guardian must (1) provide notice of the hearing to any living parent of the child by personal service at least 30 days before the hearing, or (2) if either or both parents are deceased or cannot be located, serve notice of the hearing on the child's grandparents, if living, not less than 30 days before the hearing under Code of Civil Procedure section 413.10, 414.10, 415.10, or 415.40.

(This Note is included for the information of the petitioner and is not to be included in the Order to Show Cause published in the newspaper.)

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR <i>(name)</i> :		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
PETITION OF <i>(name of each petitioner)</i> : <p style="text-align: right;">FOR CHANGE OF NAME</p>		
DECREE CHANGING NAME		CASE NUMBER:

1. The petition was duly considered:
- a. at the hearing on *(date)*: _____ in Courtroom: _____ of the above-entitled court.
 - b. without hearing.

THE COURT FINDS

2. a. All notices required by law have been given.
- b. Each person whose name is to be changed identified in item 3 below
- is not is required to register as a sex offender under section 290 of the Penal Code.
- This determination was made *(check one)*: by using CLETS/CJIS based on information provided to the clerk of the court by a local law enforcement agency.
- c. No objections to the proposed change of name were made.
 - d. Objections to the proposed change of name were made by *(name)*:
 - e. It appears to the satisfaction of the court that all the allegations in the petition are true and sufficient and that the petition should be granted.
 - f. Other findings *(if any)*:

THE COURT ORDERS

3. The name of _____ Present name _____ New name
- a. _____ is changed to _____
 - b. _____ is changed to _____
 - c. _____ is changed to _____
 - d. _____ is changed to _____

Additional name changes are listed on Attachment 3.

Date: _____

JUDGE OF THE SUPERIOR COURT

SIGNATURE OF JUDGE FOLLOWS LAST ATTACHMENT

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ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITION OF (name of each petitioner): <p style="text-align: right;">FOR CHANGE OF NAME</p>	
DECREE CHANGING NAME OF MINOR (BY GUARDIAN)	CASE NUMBER:

1. The petition was duly considered:
- a. at the hearing on (date): _____ in Courtroom: _____ of the above-entitled court.
 - b. without hearing.

THE COURT FINDS

2. a. All notices required by law have been given.
- b. The person whose name is to be changed (specify present name): _____ is a minor.
- c. The petition for change of name was filed on behalf of the minor by the minor's guardian (name): _____
- d. The minor whose name is to be changed is likely to remain in the guardian's care until the age of majority.
- e. The minor whose name is to be changed is not likely to be returned to the custody of his or her parents.
- f. The minor whose name is to be changed
 is not is required to register as a sex offender under section 290 of the Penal Code.
 This determination was made (check one): by using CLETS/CJIS based on information provided to the clerk of the court by a local law enforcement agency.
- g. No objections to the proposed change of name were made.
- h. Objections to the proposed change of name were made by (name): _____
- i. It appears to the satisfaction of the court that all the allegations in the petition are true and sufficient, that the proposed name change is in the best interest of the minor, and that the petition should be granted.
- j. Other findings (if any): _____

THE COURT ORDERS

3. The name of (present name): _____ is changed to (new name): _____

Date: _____

 JUDGE OF THE SUPERIOR COURT
 SIGNATURE OF JUDGE FOLLOWS LAST ATTACHMENT

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO. : E-MAIL ADDRESS: ATTORNEY FOR (name):	STATE BAR NO:
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITION OF (name of each petitioner): <p style="text-align: right;">FOR CHANGE OF NAME</p>	
PROOF OF SERVICE OF ORDER TO SHOW CAUSE BY <input type="checkbox"/> PERSONAL DELIVERY <input type="checkbox"/> MAILING (OUTSIDE CALIFORNIA ONLY)	
CASE NUMBER:	

1. At the time of mailing or personal delivery, I was at least 18 years of age and **not a party** to this proceeding.

2. My residence or business address is (specify):

3. I personally delivered or mailed a copy of the (title of document):

as follows (complete either a or b)

a. **Personal delivery.** I personally delivered a copy to the person served as follows:

(1) Name of person served:

(2) Address where delivered:

(3) Date delivered:

(4) Time delivered:

b. **Mail.** I am a resident of or employed in the county where the mailing occurred.

(1) I enclosed a copy in an envelope and mailed the sealed envelope to the person served by first-class mail, postage prepaid, return receipt requested, to the address outside of California listed below.

(2) The envelope was addressed and mailed as follows:

(a) Name of person served:

(b) Address on envelope:

(c) Date of mailing:

(d) Place of mailing (city and state):

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME OF DECLARANT)



(SIGNATURE OF DECLARANT)

