## PACKET FOR CHANGING THE NAME OF MINOR CHILD(REN)

## This packet CANNOT create or change the legal relationship between father and child:

- If the father of a child born out-of-wedlock wants to become the legal father in order to gain visitation rights and/or custody, he must file a case called "Legitimation."
- If the mother of a child born out-of-wedlock wants a court order that names the biological father of her child, she must bring a "Paternity" action.
- If you are the natural parents of a child born out-of-wedlock in Georgia, and you have now married each other, you may change the child's birth certificate to list the father and change the child's name. You may change the birth certificate by filing an *Application for an Amended Certificate of Birth by Legitimation* (Form #3929—available from your local Georgia vital records office).

## What does Georgia law say about name changes?

The Official Code of Georgia contains the laws that govern name changes. O.C.G.A. §§ 19-12-1 through 19-12-4 and 31-10-23(d) are the laws that govern name changes.

Neither the Clerk of the Superior Court, nor any Deputy Clerk, nor the Law Librarian, nor the Judges, or any other Court personnel, is allowed to answer any questions for you concerning the preparation of these forms. State Law O.C.G.A. §15-19-51 forbids court personnel to give 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.

Important Note: This packet does not allow you to get a new birth certificate. O.C.G.A. § 31-10-14 only allows a new birth certificate to be issued after an order of adoption, legitimation, paternity determination; or after the parents marry <u>and</u> sign an acknowledgement of paternity. However, you can amend a birth certificate as allowed by O.C.G.A. § 31-10-23.

## O.C.G.A. § 31-10-23. Amendment and corrections of vital records

(d) Upon receipt of a certified copy of an order from a superior court, probate court, or other court of competent jurisdiction changing the name of a person born in this state and upon request of such person or such person's parents, guardian, temporary guardian, or legal representative, the state registrar shall amend the certificate of birth to show the new name. When the names of the parent or parents and the child are changed, the state registrar may register a new certificate if requested by the parents, guardian, temporary guardian, or legal representative. Such new certificate shall be marked "amended."

IN	THE SUPERIOR CO	URT OF_		COUNTY
	STA	ATE OF GI	EORGIA	
		)		
		)		
		)		
	ne Change of the Child(	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	vil Action File No.	
			vii Action The No.	
Mino	r child(ren)	)		
		)		
PE	TITION TO CHANG	E NAME(S	S) OF MINOR CHI	LD(REN)
The P	etitioner files this Petiti	ion to Chans	ge Name(s) of Minor	Child(ren) and
	lowing in support of th		3	
			1.	
		_	1.	
The p	etitioner's name is			, and
s/he resides in	1	Coı	ınty, Georgia.	
		,		
		4	2.	
The P	etitioner's relationship	to the child(	(ren) is [Check only	one box]:
□ Mot	ther     Father	□ Legal Gu	uardian	
		3	3.	
		Check only	one (1) box	
a.	☐ The minor child(ren	n) live with	the Petitioner in	
	County, C	Georgia.		
b.	☐ The minor children	do not live	with the Petitioner.	They live with
		, (w	who is their □ Mother	□ Father □ Legal
Guardian) in_	C	County, Geor	rgia.	

Petitioner desires to change the name(s) of said minor child(ren) as follows:

Current Name of Child	Year of Birth	Proposed New Name
	5.	
The reasons for such cha	ange in name(s) are as follo	ws:
_		
	6.	
The mother of the child(	ren) is named	
Her address is		,
and she [Check one]:		
a.	name change and has ackno	owledged service; the signed
consent and acknowledgement	of service shall be filed with	n this Petition.
b. □ Is deceased.		

c.   Abandoned the child(ren) on or about theday of,	
20	
7.	
The father of the child(ren) is named His	
address is, and	l
he [Check one]:	
☐ Has consented to this name change and has acknowledged service; the signed	
consent and acknowledgement of service shall be filed with this Petition.	
□ Is deceased.	
☐ Abandoned the child(ren) on or about theday of,	
20	
8.	
Check One	
a. $\Box$ There is no legal guardian for the child(ren), other than the parent(s).	
b.   Both parents are deceased or have abandoned the child(ren), and the guardian	
of the children is, whose address is	

and s/he has consented to this name change and has acknowledged services; the signed				
consent and acknowledgement of service shall be filed with this petition.				
WHEREFORE, Petitioner respectfully prays for the following:				
(a) That the name(s) of the minor child(ren) be changed to the name(s)				
listed in Paragraph four (4) of the Petition.				
[Check only one (1) of the following methods of service for each person				
who must be served.]				
(b) □ That the Sheriff's department personally serve the □ mother/□ father/□ person acting as guardian of the minor children.				
(c) □ That the □ mother/ □ father/ □ person acting as guardian of the minor children be served by certified mail, because they reside outside the State of Georgia.				
(d) □ That the court order service by publication for the □ mother/ □ father/ □ person acting as guardian of the minor children, because the address(es) is/are unknown.				
<ul> <li>(e) □ That the □ mother/ □ father/ □ person acting as guardian of the minor children has signed a Consent and Acknowledgement of Service.</li> </ul>				
(f) And such other relief as the Court deems necessary and proper.				
Respectfully submitted, thisday of, 20				
/S/ .				
Petitioner <i>pro se</i>				
Address and Telephone Number				
Print Petitioner's name here				

IN THE SUPERIOR COURT		COUNTY
STATE C	OF GEORGIA	
	) ) )	
In re the Name Change of the Child(ren)	) ) _ ) Civil Action Fil _)	e No
Minor child(ren)	_) )	
VERIFICATION OF PETITION TO C	HANGE NAME (	OF MINOR CHILD(REN)
Ι,		personally
appeared before the undersigned Notary Po		
Petitioner in the above-styled action and the	nat the facts set forth	h in this Petition are true
and correct to the best of my knowledge ar		
	Petitioner pro se	[Sign in front of Notary]
	Print your name	
	Address:	
	Phone #:	
Sworn and subscribed before me Thisday of, 20		
Notary Public, State of Georgia		
My Commission Expires		

IN THE SUPERIOR COURT OF			
	ORGIA		
) (Child(ren) ) (Civing) (Civi	il Action F	ïle No.	
1.			
	1	My address is	
		box]: acting as Guardian.	
2.			
Year of Bir	th	Proposed New Name	
	STATE OF GEO	STATE OF GEORGIA  ) ) Child(ren) ) Civil Action F ) ) HANGE NAME(S) OF MINO KNOWLEDGEMENT OF SE  1.  en) in this action is [Check one Father □ Person a	

3.

I consent to both jurisdiction and venue as stated in the Petition. So long as any final order in this action is consistent with this consent form, then I waive formal process, further notice, and my right to a hearing, and if I am on active duty in the Armed Forces, I also waive my rights under the Soldiers and Sailors Civil Relief Act, 50 U.S.C. § 521. I give my consent for the Court to hear this matter as soon as possible, after thirty days.

Should further notice be required for any reason, the notice should be mailed to me at the address shown in Paragraph One (1), above.					o me at the
IN WITNESS WHEREOF, I have 1, 20			y name, t	this	day of
/S/[Sign in front of a Notary Public]					
[Sign in front of a Notary Public] [Check one]:   Mother		Father		Guardian	
Print your name here				ephone Numb	
Sworn to and subscribed before me		radies	s una Ter	ephone i vanie	Ci
thisday of		_			
Notary Public, State of		<u> </u>			

IN THE SUPERIOR COURT	OF	COUNTY
STATE C	OF GEORGIA	
	)	
	)	
	)	
In re the Name Change of the Child(ren)	) Oivil Action File No.	<b>.</b>
	_)	··
Min and Hildren	_)	
Minor child(ren)	)	
	,	
NOTICE OF PETITI	ON TO CHANGE NA	ME
I,Co	, fi	led this petition to the
Superior Court ofCo	unty, Georgia on the	day of
, 20, to change the name	ie(s) of the filliof child(	ten) as follows.
Current Name of Child	Proposed New N	Name
Any interested or affected party has the rig	tht to appear in this case	and file
objections.		
Thisday of	_	, 20
Petitioner pro se		
Duint vious nome hose		
Print your name here		
	Address and Telep	ohone Number

IN THE SUPERIOR COURT (	<b>OF</b>	COUNTY
	F GEORG	GIA
	) ) )	
In re the Name Change of the Child(ren)	) ) Civil Ac _)	ction File No.
Minor child(ren)	_) ) )	
FINAL ORDER CHANGING N	AME(S) O	OF MINOR CHILD(REN)
This matter has come before the Co Change Name(s) of Minor Child(ren). It ap published pursuant to law; any necessary pa service; no objections have been timely file grounds exist for the granting of the relief pa appears showing why said prayers should n  (a) That the name(s) of the following follows: Current Name of Child  Year	pears to the arties have ed; and it fu brayed for i not be grant	e Court that: notice has been been served and/or acknowledged arther appearing that sufficient in said Petition and that no reason ted, IT IS HEREBY ORDERED
Current Name of Child Fear of	<u>JI DIIIII</u>	<u>Proposed New Ivame</u>
<ul> <li>(b) That the Department of Vital Reby O.C.G.A. § 31-10-18(d) upo</li> <li>(c) That such name change shall no fraudulently deprive others of an (d) That necessary.</li> </ul>	n the reque t operate to ny legal rig	est of the Petitioner. o authorize petitioner to this under the law;
Thisday of		, 20
Judge Sumanien Count of		County Coorsis
Judge, Superior Court of		County, Georgia
Presented by:		(name of
person who filled out the forms) Address: Talankana number(s):		
Telephone number(s):		