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Adult Name Change Workshop



Self-Help Workshop

- Information & Instructions on Preparing and Filing a Petition for Change of Name
- Self Representation
- No Legal Advice
- No Confidentiality
- No Attorney/Client Relationship



Workshops Limitations

- Information specific to filing Adult Name Change Petition in Los Angeles County Superior Court
- This is **not** a workshop for the following types of name changes:
 - Name Change of Minor Children
 - Confidential Name Change (**See form NC-400-INFO**)
 - Change of Name & Gender (**See form NC-300 INFO**)
 - CA Name Change - CA Courts Self Help Center
<https://www.courts.ca.gov/selfhelp-namechange.htm>



Name Change Without Filing Case

- Change Your Name When You Get Married
<https://selfhelp.courts.ca.gov/name-change/marriage>
- Change Your Name as part of your divorce case
<https://selfhelp.courts.ca.gov/name-change/divorce>
- Change Your Name When You Become a US Citizen
<https://selfhelp.courts.ca.gov/name-change/citizenship>
- To correct minor spelling errors on birth certificate: **Form VS-24 Affidavit to Amend a Birth Record** with CA Dept. of Public Health, Office of Vital Records
<https://www.cdph.ca.gov/Programs/CHSI/Pages/Amending-a-California-Birth-Record.aspx>



Requirements LA County Adult Name Change Petition

- You must be 18 years or older.
- You must live in Los Angeles County.
- You must provide a LA County address.
- You must disclose whether you are under the jurisdiction of the CA Dept. of Corrections or a registered sex offender under CA Penal Code Section 290.



Mandatory Criminal Background Check

- Court will receive a criminal history assessment from the LA County Probation Department after case is filed.
- Potential problems include outstanding bench and traffic warrants.



Overview of Name Change Process

- Step 1: Prepare Court Forms
- Step 2: File Court Forms/Pay Court Filing Fee
- Step 3: Publication of NC-120 Order to Show Cause
- Step 4: Check for Proof of Publication
- Step 5: Court Hearing (*if required*)
- Step 6: Get Certified Copies of Court Order
- Step 7: Change Name in Government & Business Records



Step 1: Preparing Court Forms

- NC-100 Petition For Change of Name
- NC-110 Attachment to Petition
- NC-120 Order to Show Cause
- NC-130 Decree Changing Name
- CM-010 Civil Case Cover Sheet
- **Los Angeles Superior Court forms:**
- LASC CIV 226 Criminal History Assessment
- LASC CIV 109 Civil Case Cover Sheet



Request For Fee Waiver

- Los Angeles Superior Court filing fee for Name Change Petition is \$435
- To request a fee waiver, complete fee waiver forms.
- **FW-001 Request to Waive Court Fees**
- **FW-003 Order on Court Fee Waiver**
- Fee Waiver Request Information
<https://www.courts.ca.gov/selfhelp-feewaiver.htm>



Step 2: Filing Court Forms: **Court Location**

- You have **2 options** for filing:
 1. File in downtown Los Angeles (Stanley Mosk)
 2. File in your local courthouse
(determined by your zip code)
 3. To determine local courthouse: www.lacourt.org;
“**Online Services**”; “**Filing Court Locator**”
- Name Change is a “**Civil Unlimited**” Case Type
- For Courthouse Locations/Addresses
<http://www.lacourt.org/courthouse>



Step 2: How to File Court Forms

- **In Person** at the courthouse
- **Drop Box** in front of the courthouse
- **US Mail:** Include *“Payment Submittal Notice”*, original and 2 copies of forms and a **self-addressed, stamped envelope**
- **Fax Filing-**Use Form MC-005 *Facsimile Transmission Cover Sheet* include credit card number
- E-filing <https://www.lacourt.org/division/efiling/efiling2.aspx>



What happens when you file your case?

- Clerk will process request for fee waiver, file the original forms, assign a **case number** and court stamp your copies.
- At some courthouses the **hearing date** will be assigned *at the time of filing* and listed on the **NC-120 Order to Show Cause**.
- At some courthouses the **NC-120 Order to Show Cause** (with the **hearing date**) will be *mailed to you after filing the case*.



Step 3: Publication

- Take *court-stamped copy* of **Form NC-120 Order to Show Cause** to newspaper of your choice.
- Pay the newspaper's private publication fee.
- Publication fee varies and cannot be waived.
- Publication 1 time per week for 4 weeks.
- *Proof of Publication* should be sent by the newspaper to the Court.



Newspaper for Publication

- Select a newspaper legally qualified by the County of Los Angeles to publish orders & notices.
- Complete list of approved newspapers-LA County Registrar-Recorder/County Clerk website
<https://www.lavote.net/home/county-clerk/fictitious-business-names/publication>
- Options in Los Angeles County:
 - Los Angeles Daily Journal
 - Daily Commerce



Name Change for Person in Jail, Prison or on Parole

- If you are a person in county jail, or under the jurisdiction of the Dept. of Corrections & Rehabilitation (in state prison or on parole) **you must serve the name change petition on a government agency.**
- If in county jail, provide copy to the county sheriff's department
- If in state prison, provide copy to the warden
- If on parole, provide copy to the Regional Parole Administrator
- File Proof of Service (**Form POS-030**) with the Court



Step 4: Check for Proof of Publication

- Newspaper should send the Court an original *Proof of Publication*.
- Check documents filed in your case on LA Superior Court website: www.lacourt.org under “Find a Case”.
- The *Proof of Publication* should appear in the list of documents filed in your case.



Step 5: Your Court Hearing

- If no written objection is filed at least two court days before the scheduled hearing, *the court may grant the petition without a hearing. Check with court to find out if a hearing will be held.*
- If there is a hearing, bring copies of all documents to your hearing.
- Be prepared to explain why you want to change your name.
- **Potential Problems:** No *Proof of Publication* filed with the Court, outstanding bench or traffic warrants, or written objection filed by 3rd party.
- You can ask the judge for more time and a new hearing date. (A “*Continuance*”)



Option: Remote Court Appearance

- LA Court Connect
<https://my.lacourt.org/laccwelcome>
- Must set up account and register before hearing
- Check with courtroom clerk before hearing



Hearings at the Stanley Mosk Courthouse

- 1-2 days before hearing date-check LA Court website www.lacourt.org
- Select the **ONLINE SERVICES** tab;
- Drop down menu, under the **CIVIL SECTION**, select **TENTATIVE RULINGS** link;
- Input your case number & select search;
- If your petition is **GRANTED**, you do not need to go to your hearing.
- If the court intends to **DENY** the petition, you must go to your hearing.



Step 6: Get *Certified* Copies of Court Order

- **Form NC-130 Decree Changing Name** with official Court seal.
- Go to courthouse to get certified copies OR
- Contact courthouse directly about requesting copies on LA Superior Court website
- Court fee \$40.00 per copy
- Court fee waived with fee waiver order.
- **Form LASC ADM 080 Request for Copies**
- Get several certified copies



Step 7: Changing Your Name in Government & Business Records

- Contact each government agency and business.
- Requirements vary, many agencies require a *certified* copy of the NC-130 Decree Changing Name.
- **Updating Your Identity Documents**
<https://selfhelp.courts.ca.gov/name-change/update-documents>
- Birth Certificate-contact state where you were born
- Social Security Card-Social Security Administration
- CA DMV-Name Change Checklist on website
- US Passport- US Department of State
- Naturalization Certificate-US Dept. of Homeland Security
- Veterans-US Department of Veterans Affairs



California Birth Certificates

- *If you were born in California*, you may request an “amendment” to your birth certificate to include your new name.
- Amendment to birth certificate after a court ordered name change not legally required but may be necessary.
- To amend your birth certificate complete **Form VS-23** & submit to the CA Dept. of Public Health, Vital Records
- <https://www.cdph.ca.gov/Programs/CHSI/pages/vital-records.aspx>
- Certified copy of **NC-130 Decree Changing Name** required.



Preparing Name Change Court Forms

- CA State Forms: www.courts.ca.gov CM-010, NC-100, NC-110, NC-120, NC-130
- LASC Local Forms: www.lacourt.org
- LACIV 109 Civil Case Cover
- LACIV 226 Criminal History
- Fee Waiver Forms: www.courts.ca.gov
- FW-001 Request to Waive Ct Fees
- FW-003 Order o Court Fee Waiver
- See FW-001 Information Sheet on Fee Waiver



Information Needed for Court Forms

- Your Los Angeles County address
- Your date of birth & place of birth
- Courthouse address (*See Slide 11*)
- Your current legal name
- The new name you want
- **Name of newspaper for publication**
- 50 words or less: explain reason for name change



What is your “Present Name”?

- “Present Name” = Current legal name
- Check key government-issued documents such as **birth certificate**, Social Security card, driver’s license, and passport.
- List you full legal name as listed exactly on **your birth certificate**.
- Do not abbreviate with initials.
- You may include AKAs (“Also Known As”) if different names on government issued ID.



Changing a California Birth Certificate After Court Ordered Name Change

- To ensure that California birth certificate can be amended *after* name change is granted, use the exact name listed on California birth certificate as “present name”.
- Question about California birth certificates: Contact California Dept. of Public Health, Vital Records
- Customer Service: (916) 445-2684
- AmendVR@cdph.ca.gov



What is your “Proposed Name”?

- “Proposed Name” = New name you want
- Reasons the Court may *deny* request:
 1. Fraudulent Purpose
 2. Interfere with Rights of Others
 3. Intentionally Confusing
 4. “Fighting Words”: Racial Slurs or other words likely to incite violence



Reason for Name Change?

- Explain on **NC-110 Attachment #7.c**
- 50 words or less
- *Examples:*
- Current name is confusing (spelling/pronunciation)
- Ancestral (family) name
- Already personal or professional name
- Birth or Former Name



Computer Program Name Change Court Forms

- LawHelp Interactive Computer Program
<https://lawhelpinteractive.org/Interview/GenerateInterview/5559/engine>
- From LA Superior Court Website “File at Home”
https://www.lacourt.org/selfhelp/filefromhome/SH_FH000.aspx
- Question & Answer format then PDF forms generated
- Print forms, date & sign then file with court
- **Los Angeles Superior Court Forms Incomplete:**
- Complete *top portion* of **LACIV 226 Name Change Criminal History Assessment**
- **LACIV 109 Civil Case Cover Sheet** is not included -download from <http://www.lacourt.org/forms/civil> and complete

