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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
 - Change of Name & Gender
 - CA Name Change - CA Courts Self Help Center
<https://www.courts.ca.gov/selfhelp-namechange.htm>



Name Change Without Filing Case

- After marriage or domestic partnership: *might be able* to use certificate to change name.
- In a **divorce or annulment case**: request name change during case or at judgment.
- After Judgment entered- **Form FL-395 Ex Parte Application for Restoration of Former Name After Entry of Judgment & Order.**
- 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.



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.
- Potential problems include outstanding bench and traffic warrants.



Name Change Class - Overview

- Part 1: The Name Change Process
- Part 2: How to Complete the Forms



Overview of the Name Change Process

- File court forms and get a hearing date.
- Publish **form NC-120 Order to Show Cause** in an approved LA County newspaper.
- Attend court hearing, if required.
- Get certified copies of court order.
- Change name in government & business records.



Step 1: Preparing Court Forms

- CA State Forms & LA Superior Court Local Forms
- Include name of the newspaper for publication *prior to filing*. (*NC-120 Order to Show Cause #3.a*)
- Los Angeles Superior Court filing fee for Name Change Petition is \$435. (Credit Card or Check)
- To request a fee waiver, complete fee waiver forms. (**Form FW-001 & FW-003**)
- Help with Fee Waiver Request
<https://www.courts.ca.gov/selfhelp-feewaiver.htm>



Step 2: Filing Court Forms

- 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”; “Court Filing Locator”
- Name Change is a “Civil Unlimited” Case Type



Filing Forms During The Pandemic

- **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** to receive court stamped forms
- **Fax Filing-Use Form MC-005 *Facsimile Transmission Cover Sheet*** include credit card number
- Courthouse Locations/Information
<http://www.lacourt.org/courthouse>



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 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** with hearing date 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:
 - Daily Journal
 - Daily Commerce



On Parole: Extra Service Requirement

- On parole under the jurisdiction of the Dept. of Corrections & Rehabilitation-in addition to publication-you must serve copies of the Petition for Change of Name, Attachment to Petition & Order to Show Cause to the Regional Parole Administrator
- File Proof of Service (**Form POS-040**) with the Court
- Other requirements-in state prison or county jail-
<https://www.courts.ca.gov/22489.htm>



Step 4: Confirm Proof of Publication filed with the Court

- 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

- 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>
- Court Fee: \$15 Audio \$23 Video
- Must set up account and register 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: Obtaining *Certified* Copies of Name Change Order

- **Form NC-130 Decree Changing Name** with official Court seal.
- Go to courthouse to get copies or request on LA Superior Court website.
- Court fee for each certified copy.
- Court fee waived with fee waiver order.
- Usually several certified copies needed.



Step 7: Changing Your Name in Government & Business Records

- Contact each government agency and business.
- Requirements vary, many agencies want a *certified* copy of the **NC-130 Decree Changing Name**.
- 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.



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 location for filing case
- Your current legal name (“**Present Name**”)
- The new name you want (“**Proposed Name**”)
- 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 need to 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” on Name Change Petition (Form NC-100).
- 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
- Spouses want the same last name
- Birth or Former Name



Name Change Computer Program

- LawHelp Interactive Computer Program
<https://lawhelpinteractive.org/Interview/GenerateInterview/5559/engine>
- Question & Answer format
- Forms not filed from the website
- Generates partially completed forms (one LASC form missing)
- Print forms, then date & sign
- 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

