

**CHANGE OF NAME
MINOR WITHOUT CONSENT OF NON-CUSTODIAL PARENT**

Any person seeking a name change must be a resident of Grand Traverse County for at least one year prior to filing and the name change cannot be sought for any fraudulent intent. The petition must show a sufficient reason for the proposed change.

Fee required at time of filing: \$197.00. This includes the statutory filing fee, certified copy fee & Court Order entry fee (cash/check/money order only)

Forms must be typewritten or printed neatly in black ink.

1. The Circuit Court Records Family Division name change for a minor without the consent of both parents starts with the filing of a **completed Petition to Change Name (PC 51)**. Note: please pay close attention to #7 of the Petition. When a non-custodial parent is not consenting to the name change by signing his/her name to the petition, the criteria under #7 on the petition must be met. For example provide a copy of the child support payment history.

Additional documentation required: A certified copy of the birth certificate of the minor which has been issued within the last six months. Staff will make a photocopy for the court file which will be destroyed after the hearing.

A minor 14 years or older must consent to the name change at a court hearing.

Please complete the upper portion of form PC 51b so that it can be used at the hearing.

Note: a minor who is 14 years or older must appear at the hearing and sign this form in the presence of the Judge.

2. Upon completion of the filing requirements, a hearing date and time will be provided to you (the Publication of Notice of Hearing). Your copy of the Publication of Notice of Hearing must be taken to the Traverse City Record Eagle as soon as possible. You as the Petitioner are responsible for arranging for this publication and for payment of the publication fee. (see #4 below for specific added language that must appear on the publication if the address of the non-custodial parent is unknown).

The notice of hearing must be **published in the legal notices of the Traverse City Record Eagle one (1) time at least 14 days before** the scheduled date of hearing.

3. When the address or whereabouts of the non custodial parent is known: filing party must serve the non custodial parent with a copy of the petition and a notice of hearing. Form PC 564 in this packet can be used as proof of service when this has been completed.
4. When the address or whereabouts of the non custodial parent is unknown (even after diligent inquiry), that parent shall be served with a notice of hearing by publishing in a newspaper. The publication must include the name of the noncustodial parent and a statement that "the result of the hearing may be to bar or affect the noncustodial parent's interest in the matter".
5. The **Affidavit of Efforts to Locate Absent Parent (JC 83) form must be used if the address of the non-custodial parent is unknown.**

6. The Traverse City Record Eagle will furnish an **Affidavit of Proof of Publication**. This must be in the file prior to the hearing and must indicate that the publication was published at least 14 days prior to the hearing.
7. The Petitioner must appear at the hearing. If the **minor is 14 or older**, the child **must appear also**. If everything has been done correctly and the Judge determines that the name change should be granted, the **Order Following Hearing on Petition Changing Name** (PC 52) will be electronically signed.
8. **Proceed to the Circuit/Family Court Records Office** and obtain the pre-paid certified copy of the Order.

THIS DOES NOT CHANGE THE NAME ON THE BIRTH CERTIFICATE. The Application to CORRECT or CHANGE a MICHIGAN BIRTH RECORD (DCH-0847) is mailed to Lansing (*if born in Michigan*) with the applicable fee to change the birth certificate.

CHANGE OF NAME OF MINOR WITHOUT CONSENT
INTAKE SHEET

1. Name of Minor:

Date and Place of Birth:
2. Name of Mother:

Address of Mother:
3. Name of Father:

| <u>Yes</u> | <u>No</u> | <u>Court T</u> | |
|------------|-----------|----------------|--|
| | | | Has Minor has been a resident of Grand Traverse County for 1 year? |
| | | | Is Father is listed on birth certificate? |
| | | | Is acknowledgment of paternity is signed by Father? |
| | | | Paternity Action? County: _____ State: |
| | | | Has parent has been convicted of child abuse, criminal sexual conduct or assault with intent to commit criminal sexual conduct and the child or a sibling of the child was a victim? |

FOR COURT USE ONLY
DOCUMENTS TO BE FILED WITH THE COURT-----DO NOT WRITE BELOW THIS LINE

| <u>YES</u> | <u>NO</u> | <u>Court T</u> | |
|------------|-----------|----------------|--|
| | | | Petition To Change Name (PC 51) |
| | | | Minor 14 years old or older has signed the Petition to Change Name (PC 51) |
| | | | Birth Certificate (<i>issued in last 6 months</i> see certified copy, make copy for file & initial that certified was seen) |
| | | | Acknowledgment of Paternity |
| | | | Circuit Court Paternity Order/Divorce Decree |
| | | | Friend of the Court Statement, if Support Order entered |
| | | | Judgment of Sentence |
| | | | Affidavit of Diligent Search |
| | | | Publication and Notice of Hearing (PC 563) |
| | | | Affidavit of Proof of Publication (Provided by Record Eagle) |
| | | | Proof of Service/Non Service (PC 564) |
| | | | Minor Name Change Affidavit of Diligent Search/if whereabouts unknown |

THIS PROCEDURE CAN CHANGE ONLY THE NAME OF A MINOR ON A BIRTH CERTIFICATE. A LEGAL NAME CHANGE WILL NOT AFFECT THE RIGHTS OF INHERITANCE.

| | | |
|--|---|---|
| <p align="center">STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY</p> | <p align="center">AFFIDAVIT OF EFFORTS TO LOCATE ABSENT PARENT</p> | <p>CASE NO. PETITION NO.</p> |
|--|---|---|

Court address _____ **Court telephone no.** _____

1. In the matter of _____
(name(s), alias(es), DOB)

2. I have made the following efforts to locate and/or serve a summons on _____, the absent parent of the child listed above: Name
 - a. requested updated address information from the United States Post Office on _____ . Date
 - b. contacted directory assistance in _____ . City(ies) and area code(s)
 - c. interviewed the parent as to the whereabouts of the absent parent.
 - d. interviewed _____, known relative(s) or friend(s) of the absent parent. Name(s)
 - e. contacted _____ Friend of the Court and received the following information: County

 - f. submitted a request to the Office of Child Support (OCS) for a search. The status of the OCS search is:
 - pending; alternate service is being requested to assure timely notice.
 - completed; the search was unsuccessful.
 - g. checked the federal and state correctional system to determine whether the absent parent is imprisoned.
 - h. attempted to have the absent parent served at his/her last-known address. Last-known address is:

 - i. attempted to have the absent parent served at his/her last-known employer. Last-known employer is:

 - j. other attempts: _____
specify _____

3. The current address of the absent parent is unknown and cannot be determined after diligent efforts.

Affiant signature Address

Affiant name (type or print) City, state, zip

Title Telephone no.

Subscribed and sworn to before me on _____, _____ County, Michigan.
Date

My commission expires: _____ Date Signature: _____
Deputy clerk/Notary public

Notary public, State of Michigan, County of _____

Do not write below this line - For court use only

| | | |
|--|--------------------------------|-----------------|
| STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY | PETITION TO CHANGE NAME | FILE NO. |
|--|--------------------------------|-----------------|

Note: Every person 22 years of age or older who is requesting a name change must have a criminal background check. For details, go to michiganlegalhelp.org.

In the matter of the name change of _____
Present first name(s), middle name(s), and last name(s) (type or print)

1. An action within the jurisdiction of the family division of circuit court involving the family or family members of person(s) named above has/have been previously filed in _____ Court, Case Number _____, was assigned to Judge _____, and remains is no longer pending.

2. The name change is for

a. a married person who wishes to also include a name change for his/her spouse. minor child(ren), of whom the petitioner has legal custody. (For a minor 14 years or older, written consent is required. See form PC 51b.)

b. an adult.

c. a minor, whose natural or adopted parents are _____ Deceased
Parent

and _____ Deceased
Parent

Both parents are deceased. The guardian is _____ . (Attach letters of guardianship.)
Name

3. The name change is for the following reason: _____

4. The name change is not sought for any fraudulent intent.

5. The following person(s) seeking a name change has/have a criminal record: _____

6. Each person for whom a name change is sought has been a resident of the county for at least one year.

Note: Skip item 7 if the noncustodial parent consents to the name change or if there is not a noncustodial parent.

7. I have legal custody of the minor.

a. The noncustodial parent has had the ability to visit, contact, or communicate with the child and has regularly and substantially failed or neglected to do so for a period of two years or more before the filing of this petition and either:

- a support order has been entered, and the noncustodial parent has failed to substantially comply with the order for a period of two years or more before the filing of this petition; or
- a support order has not been entered and the noncustodial parent, having the ability to support or assist in supporting the child, has failed or neglected to provide regular and substantial support for two years or more before the filing of this petition.

b. The noncustodial parent has been convicted of child abuse (MCL 750.136b), criminal sexual conduct (MCL 750.520b, 750.520c, 750.520d, or 750.520e), or assault with intent to commit criminal sexual conduct (MCL 750.520g) and the child or a sibling of the child was the victim. (Attach judgment of sentence.)

c. The last known address of the noncustodial parent is: _____

The noncustodial parent is not living at the above address, and I have taken the following steps to locate him/her: _____

(SEE SECOND PAGE)

Do not write below this line - For court use only

8. I request the following name change(s): (Type or print first name, middle name, and last name.)

| FROM | TO | DATE OF BIRTH |
|-------------|----|------------------|
| Petitioner | | month, day, year |
| Spouse | | month, day, year |
| Minor child | | month, day, year |
| Minor child | | month, day, year |
| Minor child | | month, day, year |
| Minor child | | month, day, year |

If you want a new live birth certificate, check item 9. A special order is not needed if you only want to add the changed name(s) to the original certificate(s).

9. I request the court to order the State Registrar to create a new live birth certificate that does not disclose the name of _____ at birth and to seal the original certificate.
Name _____

I declare that this petition has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Date
/s/
Petitioner signature

Address

Name (type or print)

City, state, zip Telephone no.

SIGNATURE OF PARENT/GUARDIAN FOR MINOR

Date
/s/
Signature

Date
/s/
Signature

Name (type or print)

Name (type or print)

Address

Address

City, state, zip Telephone no.

City, state, zip Telephone no.

CONSENT BY SPOUSE OF PETITIONER If the petition is filed for a spouse, this consent must be signed by the spouse of the petitioner.

I am the spouse of the petitioner and consent to the granting of this petition to change my name.

Date
/s/
Signature

Address

Name (type or print)

City, state, zip Telephone no.

/s/
Attorney signature

Address

Attorney name (type or print) Bar no.

City, state, zip Telephone no.

| | | |
|--|---------------------------------------|-----------------|
| STATE OF MICHIGAN JUDICIAL CIRCUIT-FAMILY DIVISION COUNTY | MINOR'S CONSENT TO CHANGE NAME | FILE NO. |
|--|---------------------------------------|-----------------|

In the matter of the name change of _____
Present first name, middle name, and last name (type or print)

1. I consent to change my name as stated in the petition filed on _____
Date

Date

Minor's signature

In my presence, the minor who is the subject of this petition signed this consent before me.

Date

Judge Bar no.

NOTE: A minor 14 years of age or older must sign a written consent in the presence of the judge before an order to change name can be entered for that minor. The written consent may be signed at the hearing on the petition to change name.

| | | |
|--|---|---------------------------|
| STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY | PUBLICATION OF NOTICE OF HEARING FOR NAME CHANGE | CASE NO. and JUDGE |
|--|---|---------------------------|

Court address _____ Court telephone no. _____

In the matter of _____

TO ALL PERSONS, including: (specify non-custodial parent's name here, if applicable)

whose address is unknown and whose interest in the matter may be barred or affected by the following:

TAKE NOTICE: A hearing will be held on _____
Date and time

at _____
Location

before Judge _____ to change the name of:

_____ to _____
Current name Proposed name

_____ to _____
Current name Proposed name

_____ to _____
Current name Proposed name

_____ to _____
Current name Proposed name

_____ to _____
Current name Proposed name

_____ to _____
Current name Proposed name

PUBLISH ABOVE INFORMATION ONLY

Publish ONE time(s) in TRAVERSE CITY RECORD EAGLE in GRAND TRAVERSE County.
Name of publication

Furnish _____ copies to _____ .

Furnish affidavit of publication to the court. Petitioner shall file affidavit of publication with the court clerk.

Forward statement for publication charges to _____ .

THIS NOTICE MUST APPEAR IN THE TRAVERSE CITY RECORD EAGLE AT LEAST FOURTEEN (14) DAYS PRIOR TO THE DATE SET FOR HEARING. IF THE NAME CHANGE IS FOR A MINOR AND NON-CUSTODIAL PARENT HAS NOT SIGNED THE PETITION A COPY OF THIS NOTICE MUST ALSO BE MAILED TO THE NON-CUSTODIAL PARENT. (FILE FORM # PC-564 WITH THE COURT INDICATING SERVICE HAS BEEN COMPLETED.)

| | | |
|--|-------------------------|-----------------|
| STATE OF MICHIGAN PROBATE COURT COUNTY OF | PROOF OF SERVICE | FILE NO. |
|--|-------------------------|-----------------|

In the matter of _____

1. Titles of the papers served or mailed: _____

2. According to court rule, I served by first-class mail registered mail (copy of return receipt attached)
 certified mail (copy of return receipt attached) the papers described above on:

| Name | Complete address of service | Date |
|------|-----------------------------|------|
| | | |
| | | |
| | | |
| | | |

3. According to court rule, I served by **personal service** the papers described above on:

| Name | Complete address of service | Date and Time |
|------|-----------------------------|---------------|
| | | |
| | | |
| | | |

4. After diligent search and inquiry, I have been unable to find and serve the following interested persons. I have served these persons by publication. Attached are copies of form PC 617.

I declare under the penalties of perjury that this proof of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

| | | | |
|-----------------------|----------------|-----|------------------|
| Service fee | Miles traveled | Fee | |
| \$ | | \$ | |
| Incorrect address fee | Miles traveled | Fee | TOTAL FEE |
| \$ | | \$ | \$ |

Date

Signature

Name (type or print)

USE NOTE: If this form is being filed in the circuit court family division, please enter the court name and county in the upper left-hand corner of the form.

Do not write below this line - For court use only

| | | |
|--|---|-----------------|
| STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY | ORDER FOLLOWING HEARING ON PETITION TO CHANGE NAME | FILE NO. |
|--|---|-----------------|

In the matter of the name change of _____
Present first name(s), middle name(s), and last name(s) (type or print)

1. Date of Hearing: _____ Judge: _____
Bar no.

THE COURT FINDS:

- 2. A petition for name change has been filed.
- 3. Notice of hearing was given by publication.
- 4. Each person for whom a name change is sought has been a resident of the county for at least one year.
- 5. The court has received the required criminal record report(s) from the Michigan Department of State Police.
- 6. _____ has a criminal record.
Name (type or print)
- 7. The request for the name change of _____
Name (type or print)
 - is is not made with fraudulent intent.
- 8. The petitioner, having legal custody, requests the name change of a minor. The noncustodial parent has consented to the name change.
- 9. The petitioner requests the name change of a minor. The custodial parent has consented to the name change. The noncustodial parent was given notice of the hearing.
 - a. The noncustodial parent has had the ability to visit, contact, or communicate with the minor but has regularly and substantially failed or neglected to do so for the past two years, **and**
 - a support order has been entered, and the noncustodial parent has failed to substantially comply with the order for a period of two years or more before the filing of the petition for name change. **or**
 - a support order has not been entered and the noncustodial parent, having the ability to support or assist supporting the child, has failed or neglected to provide regular and substantial support for two years or more before the filing of the petition for name change.
 - b. The noncustodial parent has been convicted of child abuse (MCL 750.136b), criminal sexual conduct (MCL 750.520b, 750.520c, 750.520d, or 750.520e), or assault with intent to commit criminal sexual conduct (MCL 750.520g), and the child or a sibling of the child was the victim.
- 10. The minor(s) 14 years of age or older signed a written consent to change name in the presence of the court.
- 11. The minor(s) under the age of 14 has/have stated a preference to a name change.
- 12. The minor(s) is/are not of sufficient age to express a preference to a name change.

(SEE SECOND PAGE)

Do not write below this line - For court use only

13. The name(s) of the following person(s) is/are changed.

| FROM | TO | DATE OF BIRTH |
|-------------|----|------------------|
| Petitioner | | month, day, year |
| Spouse | | month, day, year |
| Minor child | | month, day, year |
| Minor child | | month, day, year |
| Minor child | | month, day, year |
| Minor child | | month, day, year |

14. The State Registrar shall create a new live birth certificate for _____
Name
 that does not disclose the name at birth and shall seal the original certificate.

15. The request to change the name of _____ is denied.
Name

16. The request is denied and the petition is dismissed.

 Date

 Judge

 Attorney Name (type or print) Bar no.

 Address

 City, state, zip Telephone no.

Note to Petitioner: You must provide this order to the State Registrar if you want to change your birth certificate.

Note to Clerk: Under MCL 711.1(3), if the court enters an order to change the name of a person who has a criminal record, the court shall forward the order to the Criminal Justice Information Center of the Michigan State Police and to one or more of the following:

- The Department of Corrections if the person named in the order is in prison or on parole or has been imprisoned or released from parole in the immediately preceding two years.
- The sheriff of the county in which the person named in the order was last convicted if the person was incarcerated in a county jail or released from a county jail within the immediately preceding two years.
- The court that has jurisdiction over the person named in the order if the person named in the order is under the jurisdiction of the family division of the circuit court.

REQUIRED DOCUMENTATION

Changes or corrections to birth records that can be made by this office are limited by law and are subject to very specific supporting documentation. In general, you must include with this application, at least two (2) pieces of dated documentary evidence. To change any part of the name requires two documents dated close to the time of birth. (Exception: Only one document dated five years ago is required to correct the spelling of the first or middle name of the person named on the record). If you are requesting that the name on the record be changed due to a legal name change, only the court order is needed for documentation. If you need more information or have questions, you may call our Changes Unit direct at **517-335-8660**.

PAYMENT - The fee for correcting or changing a Michigan birth record is \$50.00 and includes one copy of the record with the changes made. Additional copies of the new record are available for \$16.00 each when ordered at the same time. **Payment must be by check or money order and made payable to the "State of Michigan."**

PROCESSING TIME – Normal processing time for all changes or corrections will be 5-6 weeks from the date all documentation, payments and photo ID are received in the State Vital Records Office. Two-three week rush processing is available for an additional fee.

| | | |
|---|--------------|----------|
| Application Fee (Non-Refundable) Fee includes one (1) certified copy of the record | \$50.00 | \$ 50.00 |
| _____ Additional Certified Copies | \$16.00 Each | \$ |
| Rush Fee | \$25.00 | \$ |
| TOTAL ENCLOSED | | \$ |

PENALTIES: Any person who willfully and knowingly makes false application to change a Michigan birth record may be fined and/or imprisoned pursuant to MCL 333.2894(1)(b) and (c).

For Accounting Use Only

The Michigan Department of Health and Human Services (MDHHS) does not discriminate against any individual or group because of race, religion, age, national origin, color, height, weight, marital status, genetic information, sex, sexual orientation, gender identity or expression, political beliefs or disability.

Note: Applications sent to the Vital Records post office box with an overnight delivery are not received in Vital Records for three (3) days.

PHOTO ID REQUIREMENTS FOR CHANGING OR CORRECTING A MICHIGAN BIRTH RECORD

Please Send Photocopies – Not Original Documents

Under Michigan law, birth records are restricted documents. To request a birth record, a current valid, government issued identification is required to establish eligibility (except for an unrestricted birth record that is at least 100 years old). To protect from identity theft, a copy of the applicant's government issued identification must be presented along with the application and fees.

Tier 1 Documentation that establishes identity by itself.

- ✓ U.S. or Foreign Passport
- ✓ U.S. Passport Card
- ✓ U.S. or U.S. Territories Driver's License or Identification Card
- ✓ U.S. Military Identification Card with **both** picture and signature
- ✓ Other U.S. or U.S. Territories issued document that meets the following criteria: Document must be unexpired. Document must contain a photograph and at least the following information: name, date of birth, date of expiration, signature, and address.

--OR--

Tier 2 Documentation must include all documentation in one of the categories below:

- ✓ Any of the documents in Tier 1 that expired within the past 5 years and any one document from Tier 3 issued within the past year.
- ✓ Employment identification with photo, accompanied with a pay stub or W-2 form issued within the past year.
- ✓ Student identification with photo, accompanied by a current report card or other proof of current school enrollment. Both documents must be for the same institution.
- ✓ Department of Corrections identification card accompanied by probation or discharge papers issued within the past year.
- ✓ If an inmate is currently incarcerated, a Department of Corrections identification card, accompanied by a verification of incarceration issued within the past year.

--OR--

Tier 3 Documentation must include at least three alternative documents of different types from the list below, one must have been issued within the past year:

- ✓ Any of the documents in Tier 1 expired more than 5 years.
- ✓ Social Security Card (must be signed)
- ✓ Marriage or Divorce certificate
- ✓ Your child's birth certificate
- ✓ IRS form W-2
- ✓ Paycheck stub
- ✓ Bank statement
- ✓ Voter registration
- ✓ Motor vehicle registration
- ✓ Health insurance card
- ✓ Utility Bill
- ✓ Doctor/hospital/dentist bill
- ✓ Religious/community organization documents, baptismal certificate
- ✓ Military DD-214 discharge paper or equivalent
- ✓ School records
- ✓ Letter/benefit statement from a government agency, like SSA or IRS
- ✓ Land or rental agreement
- ✓ Military ID with **either** a picture **or** signature.
- ✓ Other documents that establish identity to a degree equivalent to those listed above.

VitalChek – Applicants who wish to order their birth certificate online, can order via the internet at <http://vitalchek.com>, or by phone US (866) 443-9897. VitalChek verifies identity through questions about the applicant's past addresses, family, and other information. VitalChek is the only approved online service provider for the State of Michigan.