

## CHECKLIST- NAME CHANGE OF A MINOR

(Disclaimer: This checklist is intended as a guideline only and is subject to modification by the Court at any time)

### REQUIREMENTS AND PROCESS:

Application to change a minor's name may be made by either of the minor's parents, a legal guardian, a legal custodian, or a guardian ad litem. The minor must be a resident of Lake County for at least 60 days prior to the filing of the application. A legible copy of the minor's certified birth certificate must be presented with the application. The copy of the birth certificate will not be made a part of the record. All documents should be typed and have an original signature. Illegible documents will be refused for filing. All names and addresses must be complete. Use middle names instead of middle initials.

The consent of both living, legal parents of the minor must be filed or notice of the hearing will be given to the parent or parents not consenting by certified mail. If there is no known father, the notice must be given to the person who the mother of the minor alleges to be the father. If no father is alleged, or if either parent or the address of either parent is unknown, notice by publication in a newspaper of general circulation in the county (Publication Fee: This is determined by the newspaper and applicant pays the newspaper directly) at least 30 days before hearing will be deemed sufficient notice as to the father or parent. The Court reserves the right to require notice to any other party deemed by the Court to be interested in the name change.

If the parents of the minor are divorced, a certified copy of the divorce decree must be presented with the application. Applicant must also present at the time of filing certified copies of any juvenile court orders regarding custody of the minor. If the parent(s) are deceased, a certified copy of the death certificate must be presented with the application.

A criminal records check may be ordered by the Court, and any fee required for the criminal records check must be paid by the applicant. Pursuant to R.C. 2717.16, certain offenses may prohibit the Court from ordering a change of name.

A hearing may be scheduled at which the attendance of the minor and the applicant will be required. The burden of proof at the hearing is upon the applicant, who must establish reasonable and proper cause for changing the minor's name, including whether the name change is in the minor's best interest. This may require witness testimony and evidence at the time of the hearing.

If you should have any questions as to how to fill in the forms or present your case, you should consult with an attorney. The Court and its Deputy Clerks cannot provide you with any information regarding how to properly handle the case beyond the information provided above.

### INITIAL FILING: \$105.00 Cash/Check/Money Order only

- Photocopy of the child's birth certificate
- Contact Information Form
- Self-Representation Acknowledgment Form (*If Applicable*)
- Form 21.2 Application for Change of Name of Minor
- Form 21.02 Affidavit in Support of Application for Change of Name of Minor
- Form 21.41 Waiver of Notice of Hearing and Consent to Change of Name of Minor (*If Applicable*)
  - o Any natural parent who is not the applicant, must either sign the consent or be served by the court with a notice of the hearing.
  - o If a parent is deceased, a photocopy of that parent's death certificate must be provided

### IF REQUESTING WAIVER OF PUBLICATION: Additional \$5.00 Filing Fee

The document listed below must also be submitted. The Court will then set a hearing on the Application to Waive Publication. Please refer to R.C 2717.11 to determine if you meet the requirements.

- LCPC Form 21.61 Application to Waive Notice by Publication and Seal File
  - The Court may set hearing on the Application to Waive Notice by Publication and Seal File. Please refer to 2717.11 to determine if you meet the requirements.

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Lake County Court of Common Pleas  
Division of Probate  
Judge Mark J. Bartolotta



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