

HOW TO FILE FOR A CHANGE OF NAME FOR AN ADULT WITH AT LEAST ONE MINOR CHILD

STEP 1: Fill out the “*Application for Change of Name for an Adult*” and have it notarized. Make two copies.

STEP 2: Fill out the “*Civil Cover Sheet*”. Prepare a legal-size, stamped, self addressed envelope.

STEP 3: FILE THE PAPERS AT THE COURT:

WHO: Who must file the “*Application for Name Change of an Adult*”? A person 18 years or older who seeks to change his/her name, or his/her attorney must file the application.

WHERE: Go to the Clerk of Superior Court in your county to file your papers. You should go to the Court at least two hours before it closes. The court is open from 8:00 a.m. – 5:00 p.m., Monday - Friday. You may file your court papers at either of the following Superior Court locations:

Clerk of Superior Court
YAVAPAI COUNTY COURTHOUSE
120 S. Cortez Street
Prescott, Arizona 86303

Clerk of Superior Court
YAVAPAI COUNTY SUPERIOR COURT
2480 N. Commonwealth Drive
Camp Verde, Arizona 86322

FEES: When you file with the court, there are fees for petitions, responses, requests, motions, objections and various other actions. The court will accept payment in the form of cash, VISA/MasterCard debit or credit cards, money orders, or personal checks made payable to “Clerk of Superior Court”. Personal checks will be accepted with current picture ID. To check out the current fees, go online to <http://courts.yavapai.us/clerk/fee-schedule/>, or call the Clerk’s Office in either Prescott at (928) 771-3312, or Camp Verde at (928) 567-7741.

If you cannot afford the filing fee and/or the fee for having the papers served by the Sheriff or by publication, you may request a **deferral or waiver** (delay or completely waive fees and/or costs) when you file your papers with the Clerk of Court. The **Deferral or Waiver of Court Fees and/or Costs and Consent to Entry of Judgment Application** is available at **no charge** from the Clerk’s Office, though a fee for applying for the deferral will be added to your costs.

PAPERS: Give one Civil Cover Sheet and one original plus two copies of the Application for Change of Name to the Clerk along with the filing fee.

Make sure the filing clerk stamps both of your copies and returns them to you.

STEP 4: THE CLERK OF COURT will: file and keep the original Application along with the Order and envelope and stamp your copy of the Application. This is called a “conformed” copy. The Notice of Hearing will be forwarded to the Court to set a date and time for the hearing. You must provide a self-addressed stamped envelope so that we may mail a copy of the Notice to you.

IF YOU REQUESTED A DEFERRAL OR WAIVER OF YOUR FILING FEE: The application for Deferral or Waiver will be sent to the Judge. You will be notified in three to five business days of the ruling. If approved, then you may file your documents.

STEP 5: NOTIFY ANY INTERESTED PARTY

WHO: If you are married, you must notify your spouse about your request for name change and the scheduled hearing. If you have a child under the age of 18 and you are unmarried or your current spouse is not the parent of that child, you must also notify the other parent.

HOW TO NOTIFY:

IF YOU KNOW WHERE YOUR SPOUSE and/or THE OTHER PARENT LIVES, YOU CAN DO ONE OF THE FOLLOWING:

1. IF YOUR SPOUSE and/or THE OTHER PARENT AGREES WITH YOUR REQUEST – Give your spouse and/or the other parent a stamped copy of your application and the **“Notice of Hearing Regarding Application for Change of Name”** that shows the date, time, and place of your hearing. Then, have your spouse complete the form entitled, **“Consent of Spouse to Name Change of an Adult and Waiver of Notice”** and have it notarized. That document serves as your proof of notice. Bring the signed and notarized “Consent of Spouse to Name Change of an Adult and Waiver of Notice” to the hearing.
2. IF YOUR SPOUSE and/or THE OTHER PARENT DOES NOT AGREE WITH YOUR REQUEST OR YOU ARE NOT SURE IF HE/SHE AGREES - Give your spouse and/or the other parent a stamped copy of your application and the **“Notice of Hearing Regarding Application for Change of Name”** that shows the date, time, and place of your hearing. Then, have your spouse sign an **“Acceptance of Service”** (that form is available through the Self-Service Center). That notarized form serves as the proof of notice. Bring the signed and notarized “Acceptance of Service” to the hearing; OR,
3. Send a clerk-stamped copy of your application and the **“Notice of Hearing Regarding Application for Change of Name”** showing the date, time, and place of hearing by certified mail/restricted delivery (return receipt requested). This must be done at least 30 days before the hearing. Proof of notice for this step is the card returned to you from the Post Office showing delivery. Bring the card and a completed “Affidavit of Service by Certified Mail” to the hearing. The person who should receive notice of the hearing must sign the return receipt. **OR**
4. **IF YOU DO NOT KNOW WHERE YOUR SPOUSE LIVES: NOTICE BY PUBLICATION**
A Notice of Hearing (a legal notice classified advertisement) that shows the date, time, and place of your hearing must be published once in a newspaper of general circulation in Yavapai County at least once a week for **four (4) consecutive weeks** before the hearing. This is called notice by publication. AFTER publication has been completed, you must obtain and file an “Affidavit of Publication” from the newspaper indicating publication was completed.

IF LAST KNOWN ADDRESS IN AN ARIZONA COUNTY OTHER THAN YAVAPAI COUNTY:

A Notice of Hearing (a legal notice classified advertisement) that shows the date, time, and place of your hearing must be published in a newspaper of general circulation in Yavapai County **and the Arizona county of last known address** at least once a week for **four (4) consecutive weeks** before the hearing.

In addition to the Affidavit from the newspaper, you also must complete an “Affidavit Supporting Publication”, a notarized statement explaining in detail what efforts you made to locate your spouse. Bring that statement with you to the hearing. The Court will not accept notification by publication unless diligent efforts have been made to locate your spouse. For more information regarding service by publication, please see the Self-Service Center packet on **“Service.”**

STEP 6: ATTEND THE HEARING:

You **MUST** be present at the hearing. When you appear in court, please remember the following:

- Be on time (10 to 15 minutes early is best).
- Dress neatly.
- Be prepared to explain to the Judge why you want to change your name.
- **DO NOT BRING ANY CHILD(REN) TO COURT.**

BRING THESE DOCUMENTS TO YOUR HEARING:

- Two copies of “**Order Changing Name for an Adult**” for the Judge to sign. One copy will go in the Court file and the other will be returned to you.
- A court fee is charged for each certified copy* of your court order.
- Your passport, driver’s license, or other government-issued photo identification.
- A copy of your government-issued birth certificate**
- A clerk-stamped copy of all filed documents
- Proof of Notice as described above in Step 5
- Divorce Decree (if applicable)
- Prior Name Change Orders (if applicable)
- A copy of any Orders of Protection and/or Injunctions Against Harassment still in effect (if applicable)
- **If you are not a United States citizen, your passport, resident alien status or proof of immigration status**

Always make sure that you make a copy of any documents you submit to the Court, and keep those copies for your records.

****Birth Certificate**

If you are *seeking to change your birth records*, you **MUST** also bring a copy of your government-issued **birth certificate**. Hospital-issued birth certificates are largely ceremonial and generally will not satisfy Court requirements; the Court is looking for government-issued birth certificates.

If you are *not* seeking to change your birth records, it is not mandatory that you bring your government-issued birth certificate; however, *it is recommended*.

NOTE: If the Court has ordered that the name on your Arizona birth records be changed, you may purchase a new birth certificate at the Office of Vital Records for a fee. If Vital Records has not already received the Order from the Court, you will need to provide them with a **Certified Copy** of the Order.*

***To get a certified copy of your court order** you will need to contact the Clerk’s Office. The fee can be paid by personal in-state check or money order (payable to “Clerk of Superior Court”), or VISA/Mastercard (for each certified copy) to the Filing Counter within 48 hours.