

GENERAL INSTRUCTIONS

for a Legal Name Change in Maricopa County

The following are the instructions for obtaining a legal name change. **These are general instructions only.** Please be advised that court personnel are prohibited by law from providing any legal advice; therefore, if while you are completing the forms you have any further questions, it will be necessary for you to seek the advice of an attorney or research the subject yourself. Research can be done through the Maricopa County Law Library located on the Plaza Level of the East Court Building (101 W. Jefferson, Phoenix), or on the Plaza Level of the Southeast Courthouse (222 E. Javelina, Mesa).

A.R.S., Title 12, Chapter 6, Article 1. Change of Name

A.R.S. §12-601. Application; venue; judgment

A. When a person desires to change his/her name and/or to adopt another name, he/she may file an application in the Superior Court in the county of his/her residence, setting forth reasons for the change of name and the name he/she wishes to adopt. The court may enter a judgment that the adopted name of the party be substituted for the original name.

B. The parent, guardian ad litem or next friend of a minor may file an application for change of name of the minor in the county of the minor's residence. The court shall consider the best interests of the child in determining whether to enter judgement that the name of the minor be changed.

A.R.S. §12-602. Notice of application; effect of change on rights and obligations

A. If upon the filing of the application for change of name the court deems it proper that notice be given, it may order that notice of the application be given by publication or by service upon any party interested.

B. The change of name shall not operate to release the person from any obligations which he/she has incurred or is under by the original name, or defeat or destroy any rights of property or action which he/she has in his/her original name.

If the name change is for:

- ✓ a **MINOR CHILD** (under age 18), the petition must be made by a parent, guardian, or next friend. The parent, guardian, or next friend is the petitioner.
- ✓ the **ENTIRE FAMILY**, the petition must be made by a parent and may include the husband, wife, and minor child(ren) on one petition.
- ✓ an **ADULT** (age 18 or over), the petition must be made by the adult on a separate petition.

LEGAL FORMS: Obtain the forms for a Legal Name Change from a legal forms store (refer to the yellow pages of the phone book under Legal Forms or Law and Financial Planners).

FEE: File documents with the Clerk of Superior Court located on the Plaza Level of the Central Court Building (201 W. Jefferson, Phoenix), or on the Plaza Level of the Southeast Courthouse (222 E. Javelina, Mesa). At the time of filing a case number will be issued and \$140.00 due, payable to the Clerk of Superior Court. Bring the original and two (2) copies of each document to be filed and ask the filing clerk to stamp your copies for proof of filing.

REQUEST FOR HEARING: Once the documents have been filed and a case number has been issued, you may request a hearing at Civil Court Administration located on the 4th Floor of the Central Court Building (201 W. Jefferson, Phoenix), or on the 2nd Floor of the Southeast Courthouse (222 E. Javelina, Mesa). You may also request a hearing by calling Civil Court Administration in Phoenix at 506-3397 or in Mesa at 506-3141. You must bring the Order for Name Change and a clerk-stamped copy of all filed documents to the hearing.

It is also strongly recommended that all interested parties bring picture identification and birth certificate(s) to the hearing.

NOTICE GUIDELINES:

If Applicant is:

Married or Divorced

Persons to be Notified of Hearing:

Notice must be given to spouse or other parent

Parent of minor child,
age 14 up to 18

Notice must be given to other
parent and minor child

Parent or minor child
under age 14

Notice must be given to other
parent

Notice of Hearing: Notice of hearing must be sent, by regular mail, to the party or parties involved at least fourteen (14) days before the hearing. The **original "Notice of Hearing"** and **"Proof of Service"** must be filed with the court before or at the time of the hearing.

If the identity or whereabouts of a person required to be notified is unknown and cannot be ascertained, the notice of hearing should be published once in a newspaper of general circulation in Maricopa County at least fourteen (14) days before the hearing unless the court orders otherwise. The **"Affidavit of Publication"** must be filed with the court before or at the time of the hearing.

A written Waiver of Notice or written consent to the name change signed before a notary by the person required to be notified will substitute for any other form of notice. A personal appearance by such a person also makes other notification unnecessary.

Any person age 14 or older who is the subject of a name change shall either consent to the proposed name change in writing before a notary or appear at the hearing.

Legal notice of hearing must describe the location of hearing as follows:

Case Number	Location
Case numbers ending with 4, 5, 6, 7, 8, 9; e.g., CV96-1234 5 ends with a "5"	Commissioner Toby Gerst 125 W. Washington, Ground Floor Courtroom 005 Phoenix, AZ 85003
Case numbers ending with 0, 1, 2, 3; e.g., CV96-0432 1 ends with a "1"	Commissioner Linda Miles 125 W. Washington, 2 nd Floor Courtroom 209 Phoenix, AZ 85003
Case numbers beginning with 9; e.g., CV96- 9 1234 begins with a "9"	Commissioner Linda Miles 125 W. Washington, 2 nd Floor Courtroom 209 Phoenix, AZ 85003

CERTIFIED ORDER: In addition to presenting the original, the submitting party shall provide a copy for certification to the clerk at the time of the hearing. \$18.00 is charged for this service, payable to the Clerk of Superior Court.

BIRTH CERTIFICATE: Judicial Name Changes - Name changes to birth certificates after one year from the date of birth require a court order. If no name is on the birth certificate after five years from the date of birth, a court order is required to add the name. A certified copy of the signed name change order must be provided to the Office of Vital Statistics.

BIRTH CERTIFICATE: Administrative Name Changes - The following administrative name changes to birth certificates do not require a court order: name changes up to one year from the date of birth, first and middle name additions up to five years from the date of birth, and correction of minor spelling errors that do not affect pronunciation. For more information about administrative name changes that do not require a court order, contact the Office of Vital Statistics, Correction Unit, at 602-255-2507.