

County of Adams

CHANGE OF NAME OF A MINOR CHILD

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Disclaimer

Court staff is not able to give you legal advice or help you fill out/complete these forms. The information in this packet is not a substitute for professional legal advice. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents. If you want to obtain the services of an attorney but do not know whom to contact, please call the Pennsylvania Lawyer Referral Service at 1-800-692-7375.

Last Updated: November 29, 2011

**INSTRUCTIONS
PETITION FOR CHANGE OF NAME OF A MINOR CHILD**

THIS FORM IS A GUIDELINE TO BE USED FOR THE FILING OF A PETITION FOR THE CHANGE OF NAME OF A MINOR CHILD IN THE COURT OF COMMON PLEAS OF ADAMS COUNTY. THIS FORM AND THE INSTRUCTIONS BELOW SHOULD NOT BE CONSTRUED AS PROVIDING LEGAL ADVICE. THE CHANGING ONF ONE'S NAME IS AN IMPORTANT LEGAL MATTER. THEREFORE, YOU ARE ADVISED TO SEEK THE ASSISTANCE OF AN ATTORNEY BEFORE PROCEEDING TO FILE SUCH A PETITION.

One's right to petition the Court for a change of name is authorized by statute in Pennsylvania as set forth in 54 Pa. C.S.A. Section 701, et. seq., which can be located in the Adams County Law Library. The instructions below are not a complete explanation of the rights and responsibilities provided in the statute.

Instructions for Completing the Petition:

1. Paragraph 1 identifies the name and address of the petitioner(s). The Court can only consider the petition if the petitioner(s) is/are a resident of Adams County.
2. Paragraph 2 identifies the name the petitioner(s) want(s) the minor child to be known as if the request is granted by the Court, the child's date of birth, and the name and address of the child's biological parents.
3. Paragraph 3 requires the petitioner(s) to list all addresses where the minor child has lived over the past five years. The listing should include the street address, town/city, county and state as well as the dates when the minor child resided at those addresses.
4. Paragraph 4 reflects a statutory requirement that the petitioner(s) present to the Court at the time of the hearing on the petition a certification of an official search of the proper offices of the county where the minor child resides or resided for the past five years showing all judgments, decrees of record or similar matters against the minor child. In Adams County, those records are kept in the Office of Prothonotary and the Office of the Recorder of Deeds. This paragraph is suggested as a way for the petitioner(s) to begin accumulating the information. If the certification is current, it may be attached as an exhibit to the petition.
5. Paragraph 5 requires the petitioner(s) to set forth the reason why the change of name is being requested.
6. Paragraph 6 is only to be used if the petitioner(s) avers that the safety of the minor child would be jeopardized if notice of the hearing was given to another person by publication in a newspaper, mail or personal service. The petitioner(s) must state why he/she/they believe(s) there is a safety concern. If the request to waive notice is granted by the Court, the record shall be sealed by the Court.

Miscellaneous Instructions:

1. The petition must be typed or neatly printed on 8½ x 11 inch paper.
2. The caption of the Petition ("In Re: __") must be in the current name of the minor child.
3. A proposed order scheduling the hearing and a proposed final order need not be attached to the petition as the Court uses its own form for those purposes, however, a proposed final order may be presented to the Court for consideration at the time of the hearing.
4. An original and two copies of the petition must be filed with the Prothonotary of Adams County. The petitioner(s) will be required to pay a filing fee at that time.
5. Upon receipt of the Order of Court setting the hearing, the petitioner(s) must submit a set of the minor child's fingerprints to the Prothonotary unless that requirement is waived by the Court. Those fingerprints will be sent to the Pennsylvania State Police in order to obtain a criminal history report of the minor child. A criminal record may, but will not necessarily, preclude the granting of the name change request.
6. A hearing will ordinarily be scheduled within 75-90 days after the filing of the petition.
7. The Court will ordinarily require that notice of the hearing be published in two newspapers of general circulation in Adams County, one of which may be the Adams County Legal Journal. The petitioner(s) must arrange for that publication and at the hearing present to the Court a proof of publication which will be provided to the petitioner(s) by the newspapers.
8. There are circumstances where a person may assume a different name without petitioning the Court. Those circumstances are more fully set forth in the statute.

**IN THE COURT OF COMMON PLEAS OF ADAMS COUNTY, PENNSYLVANIA
CIVIL MATTER**

IN RE: _____
CHANGE OF NAME

20__-SU-_____

PETITION FOR CHANGE OF NAME OF A MINOR

AND NOW, this ____ day of _____, 20 ____, comes Petitioner(s)
who aver(s) as follows:

1. Petitioner(s) is/are _____, who
reside(s) at _____.
2. Petitioner(s) seeks to change the name of _____, a
minor child, born on _____, to _____
_____ and _____ who currently reside at _____
_____. Said parent(s) has/have/have not
joined in this Petition.
3. The minor child has resided at the following address(es) during the five (5)
years preceding the filing of this Petition:
 - a. _____
 - b. _____
4. The minor child does not have any outstanding judgments or decrees of
record entered against him/her and is not involved in any pending legal
actions except the following:
 - a. _____
 - b. _____
5. Petitioner(s) request(s) the change of name for the following reasons: _____
_____.

6. Petitioner(s) request(s) the Court to waive the criminal history search of the minor child because it is averred that such notice would jeopardize the safety of the minor child in that _____

7. Petitioner(s) request(s) the Court to waive the criminal history search of the minor child because he/she is an infant, does not have a delinquent or criminal record, and no delinquent or criminal action is pending against the child.

WHEREFORE, for the reasons set forth herein Petitioner(s) respectfully request(s) the Court to set a hearing in this matter and upon sufficient proof, to grant a change of the minor child's name from _____ to _____.

(Petitioner)

(Petitioner)

I (We), _____ and _____

hereby verify that the facts set forth in the foregoing Petition are true and correct to the best of my knowledge, information and belief and that this statement is made subject to penalties of 18 Pa. C.S.A. §4909, relating to unsworn falsification to authorities.

Date

Signature

Date

Signature