



## SPOKANE COUNTY SUPERIOR COURT MINOR NAME CHANGE INSTRUCTIONS

**FILING FEE: \$260.00** (*must be paid to the County Clerk's Office at the time of filing by cash, check, debit or credit – a service fee of 3.5% will be required.*)

**PRINT OR TYPE THE PETITION LEGIBLY.** Forms can be found on the Superior Court website:  
<https://www.spokanecounty.org/1409/Family-Court-Forms>

### **YOU MUST FILE IN SUPERIOR COURT IF:**

- You are an emancipated minor.
- You have received asylum, refugee, or special immigrant juvenile status.
- You wish to have the name change sealed due to domestic violence, stalking, unlawful harassment, coercive control, gender expression or identity.
- The person wanting their name changed is a minor named in a proceeding under Title 13 or 74.

### **MINOR CHILD SUBJECT TO AN ACTIVE PARENTING PLAN - OTHER PARENT NOT IN AGREEMENT – required forms**

- Summons
- Notice of Hearing for Petition for Change of Name of a Minor Child
- Petition for Change of Minor Name
- Return of Service Form

Complete the Summons, the Petition for Change of Minor Name and the Notice of Hearing. Make two copies of the forms and file the original in the Clerk's Office, Room 300, at the cashier window. Take your documents to the Court Commissioner in the Ex Parte Department, Courtroom 202. The Commissioner will set the date and time for the hearing and complete and sign the Notice of Hearing.

### **SERVICE**

The non-consenting parent must be served with the Notice of Hearing, Summons and Petition for Change of Minor Name. This notice may be served by a personal service or by publication.

- 1. Personal Service:** Personal service is used when the Petitioner knows the address or location of the non-consenting parent. The Notice of Hearing, Summons and Petition for Change of Minor Name must be personally served on the non-consenting parent at least twenty (20) calendar days before the hearing date set by the Court. You cannot personally serve the notice on the non-consenting parent. Service can be done by one of these methods:
  - a. Third Party:** A third party (not you or someone related to the case) can serve the non-consenting party at their address. They must complete the Return of Service form and file it with the Clerk's Office.
  - b. Process Server:** A listing may be found in the Yellow Pages under the heading PROCESS SERVERS. The process server will provide the court with an affidavit of service stating that the non-consenting parent has been served.
- 2. Publication:** If you do not know where the other parent lives, or have been unable to serve the non-consenting parent using other methods, you may ask the court to serve by publication. The following forms are required:
  - Motion and Declaration for Service of Summons by Publication
  - Order for Service of Summons by Publication

The Motion for Publication and Order may be presented in the Ex Parte Department, Courtroom 202. Serving by publication requires printing the Summons in a newspaper once a week for three consecutive weeks, and the hearing may not be held sooner than 30 days after the date of the first publication. Publication is fairly expensive (\$200 or more). The court does not pay that fee. Proof of the publication must be filed in the Clerk's Office, Room 300. Be sure that the newspaper you choose will provide you with an Affidavit of Publication. The Affidavit of Publication should have a copy of the published notice attached to it and should state the dates the notice was published.

### **ON THE DAY OF THE HEARING**

On the day and at the time of the hearing, appear in the Ex Parte Department, Courtroom 202, with your proposed Order Changing Name of Minor Child.

- Order for Change of Name of Minor Child

If the other parent appears, the Court will hold a hearing to decide whether the name of the child should be changed, or if the matter should be set for another date and a Guardian Ad Litem appointed. If a Guardian Ad Litem is appointed, you will need two additional forms:

- Motion and Order Appointing Guardian Ad Litem
- Order Appointed Guardian Ad Litem

The Court will determine who will be responsible for payment of the Guardian Ad Litem fees.

If the non-consenting parent does not appear, the Court will sign your proposed Order Changing Name.

### **PLEASE NOTE**

- The Court Commissioner will ask to see the child's birth certificate and your identification. Please bring those with you each time you appear in Court.
- The Ex Parte Department is open M/W/F from 9:00 a.m. to noon and 1:30 to 4:00 p.m. and Tue/Thur from 1:30 – 4:00 p.m.
- The Court will not provide copies for you. If you wish to have copies of your own, make your copies before the Court Commissioner signs them. The Clerk's Office will charge you for certified copies - \$5.00 for the first page and \$1.00 for each page thereafter.

### **REQUIRED NOTIFICATION TO OTHER AGENCIES**

**Birth Certificate:** If you were born in Washington State and wish to change your birth certificate, contact the department of Vital Records at (360) 236-4300. If you were born in a different state, you should contact that state for the fee schedule and notify them of the name change. Fee schedules vary from state to state.

**Social Security:** The Social Security Administration requires a certified copy of the Order Changing Name. They will return your copy after they have documented the change. The address of the local office is 714 N. Ironbridge Way, Suite 100, Spokane, Washington 99202. Their phone number is (800) 772-1213.

**Department of Licensing:** The Department of Licensing requires a certified copy of the Order Changing Name. They will return your certified copy. There is a fee to change your current license. Their Spokane locations are: 9107 N. Country Holmes Blvd., phone: (509) 482-3883, or 12801 E. Sprague, phone: (509) 921-2358.

**Military:** If you are in the military, a certified copy of the Order Changing Name will be needed to correct your military records.