

## **INSTRUCTIONS FOR CHANGING NAME OF MINOR CHILD**

### **Spokane County Superior Court**

Obtain the forms from the Spokane County Bar Association Office, 4<sup>th</sup> floor of the County Courthouse Annex. The forms cost 50 cents per page. The number of forms you will need depends on whether the name change is agreed to by all parties.

#### **AGREED NAME CHANGE OF MINOR CHILD:**

You will need only two forms, the Petition for Change of Name and the Order for Change of Name.

1. If the other parent is in agreement, complete and sign the Petition for Change of Name and the Order For Change of Name of Minor Child. If the child is over 14 years of age, he or she must also sign the petition.
2. File the Petition with the County Clerk at the County Courthouse, third floor, room 300, Cashier window. The filing fee is \$240.00 (cash or money order only).
3. Take the Petition and the Order to the Ex Parte Department, Courtroom 202\*. Hand the documents to the clerk, who will present them to the Court Commissioner for review and signature.

#### **OTHER PARENT NOT IN AGREEMENT:**

You will need the entire packet of forms.

1. If the other parent is not in agreement with the change of name, complete the Summons and Petition for Change of Name and the Notice of Hearing Ex Parte. Make two copies of the documents and file the original in the Clerk's office, Room 300, at the cashier window. The filing fee is \$240.00. 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. A copy of the Summons and Petition, and Notice of Hearing must be served upon the other parent at least 20 days in advance of the hearing if you have the other parent served personally. A third party (not you) must complete the return of service form. You must then file that in the Clerk's office. (For instructions regarding service of legal documents, you should obtain instruction pamphlet #6, "Serving Legal Documents" from the counter in the Clerk's office, room 300.)
2. If you do not know where the other parent lives, you may ask the court to serve by publication. In addition to filling out all the forms listed above, you will also need to fill out the Motion and Declaration for Service of Summons by Publication, Summons by Publication and the Order for Service of Summons by Publication. 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.

3. On the day and at the time of the hearing, appear at the Ex Parte Department with your proposed Order Changing Name of Minor Child. If the other parent appears, the Court will hold a hearing to decide whether the name 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 to complete two additional forms: Motion and Order Appointing Guardian Ad Litem and Order Appointing Guardian Ad Litem. The Court will determine who will be responsible for payment of the Guardian Ad Litem fees.

If the other 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 to conform, 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.