

NAME CHANGES FOR MINORS IN ALASKA



What are the legal requirements?

An adult must file a petition for name change with a superior court on behalf of the minor. Once the petition is filed, the court will tell the petitioner the date of the court hearing, whether the court system will post notice (automatically posted unless the court excuses notice for personal safety reasons), and whether the petitioner must make additional service of the notice in addition to the posting. The hearing date will take place at least 40 days after the date of the Order.

Where should I file the petition and what forms should I use?

File the petition and supporting documents at the superior court in your county: <http://www.courts.alaska.gov/courtdir/index.htm> You can find the required documents using the following links:

- Petition: <http://www.courtrecords.alaska.gov/webdocs/forms/civ-694.pdf>
- Consent forms: <http://www.courtrecords.alaska.gov/webdocs/forms/civ-695.pdf>
- Application or Report of Change of Names form at: <http://www.courtrecords.alaska.gov/webdocs/forms/civ-693.pdf>

It cost \$150 to file this application; if you are unable to afford this, you can ask the clerk for a Request for Exemption from Payment of Fees at: <http://www.courtrecords.alaska.gov/webdocs/forms/tf-920.pdf>

You may want to request more than one certified copy of the name change order, since certified copies may be required to update the minor's legal name with other agencies.

Does the process require parental consent?

Name changes for minors generally require written consent by both parents and legal guardian (if any) of the minor. If one parent does not consent to the name change then the following documents must be served to the non-petitioning parent at least 30 days before the date set for the hearing (*Rules of Civil Procedure 84(a) – (e)*):

- Summons for Child's Change of Name (ask the clerk for a copy)
- Completed Petition to Change Child's Name
- A blank Parental Consent form: <http://www.courtrecords.alaska.gov/webdocs/forms/civ-695.pdf>

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- An Objection to Name Change form (<http://www.courtrecords.alaska.gov/webdocs/forms/civ-696.pdf>).

Does the process require publication?

The court will automatically post notice on the Alaska Court System's Legal Notice Website for 4 consecutive weeks unless excused by the court in a written order based on personal safety concerns. In addition, the court may require publication of the notice in a print or online newspaper or posting on a social networking account or in public places. The court may also excuse the publication requirement based on personal safety concerns about posting notice. *Rules of Civil Procedure 84(e)*.

What will the judge consider?

For a name change, the judge requires sufficient reasons for the change and that the change be consistent with the public interest. *Alaska Statute 09.55.010*.

Judges have a lot of discretion in granting name changes. Some may have lots of questions and want to see lots of evidence regarding the name change of the child, others may grant a name change as long as there are no objections. Judges may consider whether to grant a name change for a minor according to what is in the 'best interests of the child'. *Rules of Civil Procedure 84(e)*. They typically evaluate the best interest of the child by looking at a variety of factors, which may include the child's preference (taking into consideration their age and experience), the length of time a child has used that name, the difficulties, harassment, or embarrassment a child may experience from the present or proposed name, and the motives or interests of the parent.

To demonstrate that the name change is in the best interests of the child, along with the name change petition you may want to submit evidence showing the judge why this is in the child's best interest. Examples of such evidence would be letters from teachers, family, or friends confirming their use of preferred name, letters from providers confirming the child's gender identity, etc.

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