

NAME CHANGES FOR MINORS IN ARIZONA



What are the legal requirements?

A parent or legal guardian or representative may petition for a change of name of a minor. In the application, the petitioner must indicate that the name change is sought solely for the best interest of the minor and not for the purposes of committing crimes or avoiding pending charges of crime or other legal obligations. *Arizona General Statute Title 1, Chapter 6, Article 1, 12-601 B and C.* If only one parent is the petitioner, this parent must notify the other parent of the minor about the change request and the date and time of the hearing for the change. If the minor is fourteen years or older, the minor must sign a notarized consent to the name change or be present at the hearing.

What is the process and what forms should I use?

A notarized application for name change should be filed at the Superior Court in the county of the minor's residence. Find the court in your area here: <http://www.azcourts.gov/AZ-Courts/Superior-Court> You can find the standard name change forms, including the Application for Change of Name for a Minor Child, Consent of Minor to Name Change, and Parental Waiver of Notice, here: <http://www.azcourts.gov/selfservicecenter/Self-Service-Forms/Name-Change>. Not all counties accept the standard form, so a petitioner should contact the clerk at their nearest court to confirm the use of a particular form.

After the application is filed, the Court will set a hearing date. At this time, the Court may order that notice of the application be given out to any party interested. The petitioner must appear personally before the court at the date and time set forth for the minor child's hearing. Typically, the court hearing will be informal and heard in a minimum amount of time by either a judge or judicial officer.

At the time of the hearing, the Court will hear any reasonable objections to the requested name change, may question the petitioner as to the reason(s) for the requested name change. At the hearing, if the Court is satisfied that there is no reasonable objection to the name change, and that the change is consistent with the public interest, the Court will issue an Order changing the name of the minor.

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.

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Does the process require parental consent?

The process requires written consent from all adults with legal rights over the minor. If only one parent is the petitioner, this parent must notify the other parent of the minor about the change request and the date and time of the hearing for the change.

Does the process require publication?

The court may order that notice of the application be given through publication, or may simply order that notice be available to any interested party. Upon request, the court may seal the change of name application and judgment if the minor is protected under a protective order or injunction against harassment or is a victim of stalking. *Arizona General Statute Title 1, Chapter 6, Article 1, 12-602 A and 12-601 F.*

What will the judge consider?

The judge will consider the ‘best interest of the child’ and consistency with public interest. 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. 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.