

# NAME CHANGES FOR MINORS IN CALIFORNIA



## What are the legal requirements?

The parent(s) or guardian of a minor must file a petition for name change with the Superior Court in the county where the minor resides. The petition must include the place of birth and residence of the minor, the present and the proposed name, and the reasons for the change of name. *Cal Civ. Proc. Code* §§ 1275, 1276(a).

After the petition is filed, the court will set a hearing date 6 to 12 weeks later. The court will issue an order directing anyone interested in the matter to appear before the court. If anyone objects to the name change, a written objection with the reasons for the objection must be filed at least two days before the hearing. If no objection is filed, the petition may potentially be granted without a hearing. *Cal Civ. Proc. Code* § 1277(a).

## Where do I file and what forms should I use?

The Petitioner should file a name change petition at the Superior Court in the county where the minor resides: <http://www.courts.ca.gov/find-my-court.htm>

If you are requesting a name change only, the instructions for name changes for minors based on gender identity are found here: <http://www.courts.ca.gov/41237.htm>. Use the following forms:

- *Petition for Change of Name* ([Form NC-100](#)), including the *Attachment to Petition for Change of Name* ([Form NC-110](#)). Make sure to check box 6 on Form NC-100 to tell the court you are changing a child's name to conform to the child's gender identity, and include that as the reason for the name change on Form NC-110.
- If you are a guardian asking for a minor's name change to conform to gender identity, include the *Supplemental Attachment to Petition for Change of Name (Declaration of Guardian)* ([Form NC-110G](#))
- *Order to Show Cause for Change of Name to Conform to Gender Identity* ([Form NC-125 / NC-225](#))
- *Civil Case Cover Sheet* ([Form CM-010](#))

If you are requesting a court-ordered name and gender change, there are different forms. Instructions on filing for a court-ordered gender change are here:

<http://www.courts.ca.gov/documents/nc500info.pdf>. Use the following forms:

- *Petition for Recognition of Minor's Change of Gender and Issuance of New Birth Certificate* ([Form NC-500](#))
- *Order to Show Cause for Recognition of Minor's Change of Gender and for Issuance of New Birth Certificate* ([Form NC-520](#))

## National Center for Transgender Equality

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- *Order Recognizing Change of Gender and for Issuance of New Birth Certificate* ([Form NC-330](#) or [Form NC-530G](#) is petitioner is guardian)
- *Civil Case Cover Sheet* ([Form CM-010](#))
- *Declaration of Guardian or Dependency Attorney* ([Form NC-510G](#)). Only if Petitioner is one of those individuals.
- *Decree Changing Name and Order Recognizing Change of Gender and for Issuance of New Birth Certificate* ([Form NC-230](#)). If no written objection is filed by two days before the hearing, the judge may grant the petition without the hearing using this form.

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?**

If there is **any** living parent of the child who did not sign the petition, you must have that person served with a copy of the filed petition. If you are a guardian petitioning to change the name of a child to conform to gender identity, you must serve the child's parents with a copy of the paperwork at least 30 days before the court date. The parent must be served by someone 18 or older and the server has to fill out a *Proof of Service of Order to Show Cause (Change of Name)* ([Form NC-121](#)) for each parent and give them to you. You have to file these proofs of service before your court hearing or take them to your court hearing.

### **Does the process require publication?**

Changing a child's legal name to conform to the child's gender identity does not require publication in California.