

NAME CHANGES FOR MINORS IN Nevada



What are the legal requirements?

File a petition with the district court in the district where the minor resides. Notice of the name change must be published in a newspaper once a week for three weeks, unless the minor's personal safety would be jeopardized by such publication. Nev. Rev. Stat. Ann. §§ 41.270-41.290.

Where should I file the petition?

File the petition in the district court of the district where the person resides. You can find the contact information for each district court here:

http://nvcourts.gov/Find_a_Court/District_Courts/

What is the process and what forms should I use?

Specific forms may vary by district. For example, you can find the required documents for Clark County here: <http://www.familylawselfhelpcenter.org/self-help/name-changes/name-changes-for-children>. The following forms are required in Clark County:

- Family Court Cover Sheet
- Petition for Child's Name Change
- Notice of Petition for Child's Name Change (if other parent is non-consenting)
- Parent's Consent to Child's Name Change (if other parent consents to name change)
- Child's Consent to Child's Name Change (if child is 14 or older)
- Request for Summary Disposition and Declaration in Support of Child's Name Change (request for no hearing, only if both parents are petitioning)
- Proof of Service on Other Parent (if only one parent is filing)
- Order for Child's Name Change
- Request for Publication (if one parent is filing and does not know location of other parent)

The filing fee varies by county, and can usually be fully or partially waived if applicant is unable to pay. The Clark County Application and Order to Waive Filing Fee may be found at <http://www.familylawselfhelpcenter.org/images/forms/misc/waiver-standard-packet-pdf-fillable.pdf>. Contact your local court for specific documents required to waive the filing fee.

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?

If both parents did not sign the Petition for a Child's Name Change, then the non-signing parent completes the Parent's Consent to Child's Name Change. If the non-signing parent will not consent, then serve such parent with all forms filed with the court and complete the Proof of Service on Other Parent.

Does the process require publication?

The process may require publication if you cannot locate the other parent to serve notice (and the absent parent has not had their parental rights terminated). In that case you must publish the Notice of Petition for Child's Name Change in some newspaper in general circulation in the county where the minor resides once a week for at least three (3) weeks. This publication may not be required if the safety of the minor would be jeopardized, in which case, file a Request to Waive Publication with the court. In Clark County specifically, the publication requirement may also be waived if the name change is for gender identity reasons. Check with your local court to determine if this rule applies.

What will the judge consider?

Unless there is parental disagreement, most judges in Nevada will not require evidence in support of the name change. Instead, they are more likely to hold a "prove up" or "uncontested" hearing before granting the name change. If there is objection from one parent, the judge may still grant the name change but it is then up to judicial discretion.

If there is objection over the name change judges may require further evidence, and may consider whether to grant a name change for a minor according to what is in the 'best interests of the child'. 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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