

INSTRUCTION FOR NAME CHANGE CAO NC INSTRUCTION 1

To petition (ask) for a name change in Idaho as an adult, you will need the following forms

- NCA 1-1 Petition for Name Change
- NCA 1-2 Notice of Hearing
- General Civil Case Information Sheet
- NCA 8-1 Judgment for Name Change
- NC 1-3 Name Change Letter for Publication

Step 1. Obtain and Complete the Required Forms

Complete the forms listed above by typing or neatly and legibly printing in **black ink**. Fill in your full current name, address, telephone number, and email address (if you have one) on the lines provided at the left-hand corner of page 1 of each form. Fill in the judicial district and your county in the heading in capital letters (for example, "IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT IN AND FOR THE COUNTY OF LATAH"). Fill in your full legal name on the line after "In RE" in the caption. Fill out the remainder of each individual form, providing the information requested. If a section of a form does not apply to you, write "none" or "N/A". To complete the Petition, you must fill in the name of the newspaper that your county has designated for publishing the name change hearing notice. Go to this website to find the appropriate newspaper for your county: <http://www.courtselfhelp.idaho.gov/name-changes>. Sign and date the Petition certifying that the information is true and accurate, subject to the penalty of perjury if it is not.

Step 2. Make Copies and File With the Clerk

Make a copy of your Petition and two copies of your Notice of Hearing. Place the copies underneath each completed form.

Go to the window in the Clerk's Office in the county where you live. Give the Clerk the following:

- Filing fee payable in cash or money order, not by personal check (visit <http://www.courtselfhelp.idaho.gov/filingfees> for current filing fees), or a Motion and Affidavit for Fee Waiver, FW 1-9, and a proposed Order Re: Fee Waiver, FW 1-10.
- The original General Civil Case Information Sheet
- The original plus one copy of the Petition for Name Change (ANC 1-1)
- The original plus two copies of the Notice of Hearing (Name Change) (ANC 3)

Ask the Court Clerk to set your hearing at least six weeks later. The Court Clerk will issue the Notice of Hearing when your filing fee is paid or when a judge approves your fee waiver. Some Court Clerks keep the original Notice of Hearing and give you only the two copies (one for you and one for the newspaper). Other Court Clerks will give you back the original and the copies. The original will have to be in the court file for your hearing. Be sure to keep it safe.

Step 3. Have the Notice of Hearing published in the newspaper.

Sign the Letter for Publication and send it, along with a copy of the Notice of Hearing, to the designated newspaper for your county. The Notice must be published once a week for (4) four successive weeks. The newspaper will send you the Affidavit of Publication. Take (or mail) the Affidavit of publication to the Court Clerk at the Courthouse for filing. If you were given the original Notice of Hearing, return it to the Court Clerk with the Affidavit of Publication.

Step 4. Attend the Hearing

Idaho Code §7-804 requires the Petitioner appear at the hearing. If you have not filed your Affidavit of Publication, do so before the hearing. Bring the original Judgment, plus as many copies of the Judgment as you will need to have certified (for social security, driver's licensing, payroll, etc.). The judge may require that you be examined under oath at the hearing, or the judge may sign the Judgment without testimony if no one appears at the hearing to object.

Sample testimony is: "My name is _____. I was born on _____. I am not being sued by any creditors. I am not considering filing a bankruptcy. I have never been convicted of a crime (or an explanation of the circumstances). I want to change my name because: _____."

After the judge signs the Judgment, you can obtain certified copies from the Court Clerk's office. A certified copy will cost you \$.50 a page plus \$1.00 for the seal, since you provided the copies. If you forgot copies, the charge will be \$1.00 a page plus \$1.00 for the seal.

Minor name change

If you are petitioning (asking) to have a minor's name changed you follow the same steps described above, but use some different forms: NCM 1-1 or NCM 1-4 for the petition; NCM 1-2 or NCM 1-5 for the notice of hearing; and NCM 8-1 or NCM 8-2 for the judgment, (the letter of publication to the newspaper is the same for adults and minors). The parent(s) or guardian will be the petitioner in the action. The child/ren's current legal name(s) is (are) used in the "In Re:" section of the documents.

The Petition can be filed by one or both parents. If only one parent signs the petition the other parent must either sign the Parental Consent to Name Change (NCM 2-1), or be served with a copy of all documents at least 30 days before the hearing. An Affidavit of Service must then be filed with the court (NCM 2-2 or NCM 2-3) showing how the other parent was served.

When a guardian is filing the Petition the guardian must provide notice to the child/ren's living parents at least 30 days before the hearing. If both parents are deceased or their addresses are unknown, the guardian must serve the child/ren's living grandparents at least 20 days before the hearing.

Note: For more than one child, you will need to use a separate parental consent form NCM 2-1 for each child. You can check with your local Court Assistance Office to find out if you will need to use one of these additional forms to process the child/ren's name change/s.

CONFIDENTIAL Case Information Sheet

Fill out this form to start a **General Civil Law** case.

The information you give us is **private**.

| |
|---|
| Case Number <i>(Clerk fills in case #):</i> |
| Exempt from Public Disclosure |

DO NOT SERVE THIS DOCUMENT ON OTHER PARTIES

Complete this form for each of the parties for whom you are submitting this initial pleading. It is not necessary to provide information about other parties.

The personal identifiers collected by the Court below are collected for the purpose of ensuring that the Court's party records are accurate and to better differentiate individuals or businesses with common names. It will be used for this purpose alone and will not be disclosed to the public including the parties in the subject lawsuit.

Information about Party

Name:
First Middle Last

Legal name of business entity:

Any other names used:

Address:
Street City State Zip

Mailing Address (if different):

Phone numbers: Home Work Cell

Email:

Driver's License: State Number Date of Birth:

If the accompanying pleading is filed on behalf of more than one party, provide information regarding those additional parties below.

Information about Party

Name:
First Middle Last

Legal name of business entity:

Any other names used:

Address:
Street City State Zip

Mailing address (if different):

Phone numbers: Home Work Cell

Email:

Driver's License: State Number Date of Birth:

COMPLETE INFORMATION FOR ADDITIONAL PARTIES ON ADDITIONAL PAGE(S) IF NECESSARY

Full Name of Party Filing Document

Mailing Address (Street or Post Office Box)

City, State and Zip Code

Telephone

Email Address (if any)

IN THE DISTRICT COURT FOR THE _____ JUDICIAL DISTRICT
FOR THE STATE OF IDAHO, IN AND FOR THE COUNTY OF _____

IN RE: _____

Legal names of children

Case No. _____

PETITION FOR NAME CHANGE (Minors)

Fee Category: _____

Filing Fee: _____

Complete Section A, B, or C based on who is filing the petition.

I certify:

A. Both Parents are Filing the Petition Together

1. We are the parents of the above children, and are filing this petition together. Our full legal names and residences are:

Name: _____

Address: _____

Name: _____

Address: _____

B. Only One Parent Is Filing the Petition

1. I am a parent of the above children, and I am filing this petition without the other parent. My full legal name and residence are listed above.

2. a. The children's other parent is living; the other parent's name and address are:

Name: _____

Address: _____

The address is unknown.

b. The children's other parent is deceased.

C. A Guardian Is Filing the Petition

1. I am filing this petition as the guardian of the children. My full legal name and residence are listed above.

2. Children's Parents' Information

a. The children's father mother is living, his/her name and address are:

Name: _____

Address: _____

The address is unknown.

b. The children's father mother is living, his/her name and address are:

Name: _____

Address: _____

The address is unknown.

c. The children's father mother is deceased.

3. Children's Grandparent's Information (if applicable)

Only list information about the children's grandparents if one of the following is true:

I am a guardian, and one or both of the parents' addresses are unknown,

I am a guardian, and both of the children's parents are deceased,

The name(s) and address(es) of the children's living grandparents are: _____

_____.

D. Children's Information

1. Children's information:

a. (name) _____ was born on (date) _____

in the city of _____, county of _____,

state of _____ and resides at _____

_____.
The child's name should be changed to _____.

b. (name) _____ was born on (date) _____
in the city of _____, county of _____,
state of _____ and resides at _____.

_____.
The child's name should be changed to _____.

c. (name) _____ was born on (date) _____
in the city of _____, county of _____, state
of _____ and resides at _____.

_____.
The child's name should be changed to _____.

2. The reason I want to change the children's names is: _____

_____.

3. The name changes are not to avoid creditors or outstanding debts. None of these children are required to register as a convicted sexual offender under Chapter 83, Title 18, Idaho Code, or under the provisions of similar laws enacted by another state.

4. I ask that a Deputy Clerk of the Court Issue a Notice of Hearing in this case to be published for four (4) successive weeks in (newspaper name) _____ newspaper designated by the court as most likely to give notice in: _____ County, the County where the children reside (visit <http://www.courtselfhelp.idaho.gov/name-changes> for a list of newspapers by county).

WHEREFORE, I ask that the Judge sign a Judgment changing the children's names as I have asked.

CERTIFICATION UNDER PENALTY OF PERJURY

I certify under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct.

Date: _____

Typed/printed name

Signature

Full Name of Party Filing Document

Mailing Address (Street or Post Office Box)

City, State and Zip Code

Telephone

Email Address (if any)

IN THE DISTRICT COURT FOR THE _____ JUDICIAL DISTRICT
FOR THE STATE OF IDAHO, IN AND FOR THE COUNTY OF _____

IN RE: _____

Legal names of children

Case No. _____

NOTICE OF HEARING ON NAME CHANGE
(Minors)

A Petition to change the name of (1) _____, and the name of
(2) _____, and the name of (3) _____, all minors,
now residing in the City of _____, State of Idaho, has been filed in the District Court
in _____ County, Idaho. The names will change to (1) _____;
(2) _____ and (3) _____. The reason for the change
in names is: _____

A hearing on the petition is scheduled for _____ o'clock _____ m. on (date) _____
at the _____ County Courthouse. Objections may be filed by any person who can
show the court a good reason against the name changes.

Date: _____

CLERK OF THE DISTRICT COURT

Typed/printed name

Deputy Clerk

Full Name of Party Filing Document

Mailing Address (Street or Post Office Box)

City, State and Zip Code

Telephone

Email Address (if any)

IN THE DISTRICT COURT FOR THE _____ JUDICIAL DISTRICT
FOR THE STATE OF IDAHO, IN AND FOR THE COUNTY OF _____

IN RE: _____
Legal name of child

Case No. _____

PARENTAL CONSENT TO NAME CHANGE
(Minor)

1. My full legal name is _____.
2. I am the Father Mother of: _____.
3. I consent to the change of the name of the child as requested in the Petition.
4. I waive my right to be present at a hearing on this matter and request that the Petition be granted.

CERTIFICATION UNDER PENALTY OF PERJURY

I certify under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct.

Date: _____

Typed/printed name

Signature

RE: Name Change

Enclosed for publication is a Notice of Hearing for a name change, which must be published once each week for four consecutive weeks. When publication is completed, please send your statement, together with Proof of Publication, to the undersigned.

Thank you for your assistance.

Sincerely,

Signature

Name: _____

Address: _____

Full Name of Party Filing Document

Mailing Address (Street or Post Office Box)

City, State and Zip Code

Telephone

Email Address (if any)

IN THE DISTRICT COURT FOR THE _____ JUDICIAL DISTRICT
FOR THE STATE OF IDAHO, IN AND FOR THE COUNTY OF _____

IN RE: _____
Legal name of child

Case No. _____

AFFIDAVIT OF SERVICE
(PETITION FOR NAME CHANGE AND
NOTICE OF HEARING) (Minor)

I, _____, certify that:

1. I am a resident of _____ County, State of Idaho, over the age of eighteen (18) years, and not a party to the above-entitled action.
2. On the _____ day of _____, I personally served a copy of the Petition for Name Change (Minor) and Notice of Hearing upon _____, in the County of _____, State of _____ at (address) _____, (city) _____.

CERTIFICATION UNDER PENALTY OF PERJURY

I certify under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct.

Date: _____

Typed/printed name

Signature

Full Name of Party Filing Document

Mailing Address (Street or Post Office Box)

City, State and Zip Code

Telephone

Email Address (if any)

IN THE DISTRICT COURT FOR THE _____ JUDICIAL DISTRICT
FOR THE STATE OF IDAHO, IN AND FOR THE COUNTY OF _____

IN RE: _____

Legal names of children

Case No. _____

JUDGMENT FOR NAME CHANGE
(Minors)

JUDGMENT IS ENTERED AS FOLLOWS:

1. The name of _____, born (date) _____
_____, _____, is changed to _____.
2. The name of _____, born (date) _____
_____, _____, is changed to _____.
3. The name of _____, born (date) _____
_____, _____, is changed to _____.

Date: _____

JUDGE

County Newspapers Designated by County for Notice of Name Change Petition

Idaho Code § 7-803

First District

Benewah – St. Maries Gazette Record

Bonner – Bonner County Daily Bee

Boundary – Bonner County Daily Bee

Kootenai – The Coeur d’ Alene Press

Shoshone – Shoshone News Press

Second District

Clearwater - Clearwater Tribune

Idaho - Idaho County Free Press

Latah - Moscow-Pullman Daily News

Lewis - Lewis County Herald

Nez Perce - Lewiston Morning Tribune

Third District

Adams – The Adams County Record

Canyon – The Idaho Press Tribune

Gem - The Messenger-Index

Owyhee – The Owyhee Avalanche

Payette – The Independent-Enterprise

Washington – The Weiser Signal American

Fourth District

Ada - The Idaho Statesman

Boise - The Idaho World

Elmore - Mountain Home News

Valley - Star News

Fifth District

Blaine – Idaho Mountain Express

Camas – The Courier NEWS

Cassia – Times-News

Gooding – Times-News

Jerome - Times-News

Lincoln – Times-News

Minidoka – Times-News

Twin Falls – Times-News

Sixth District

Bannock – Idaho State Journal

Bear Lake – News-Examiner

Caribou – Caribou County Sun

Franklin – Preston Citizen

Oneida – The Idaho Enterprise

Power – The Power County Press and Aberdeen Times

Seventh District

Bingham – The Morning News

Bonneville - The Post Register

Butte – The Arco Advertiser

Custer – The Challis Messenger

Clark – The Jefferson Star

Fremont – The Rexburg Standard Journal

Jefferson – The Jefferson Star

Lemhi – The Recorder Herald

Madison – The Rexburg Standard Journal

Teton – The Teton Valley News