

LAW LIBRARY RESOURCE CENTER

PROCEDURES: HOW TO FILE FOR A CHANGE OF NAME FOR AN ADULT WITH NO MINOR CHILDREN

- STEP 1:** Fill out the "Civil Cover Sheet" and check box 152 for "Change of Name" on page 2.
- STEP 2:** Fill out the "Application for Change of Name for an Adult." You or your attorney must complete the Application for your name change.
- STEP 3:** **PHOTOCOPY:** Make two (2) photocopies of your Application.
- STEP 4:** **GO to the Clerk of Court** to file your Application. The Court is open from 8 a.m. to 5 p.m. Monday through Friday. You should go to the Clerk of Court at least two hours before closing. Choose one of the following Superior Court locations:

Downtown Phoenix
201 W. Jefferson St.
Phoenix, AZ 85003

Northeast Court Facility
18380 North 40th Street
Phoenix, Arizona 85032

Northwest Court Facility*
14264 West Tierra Buena Lane
Surprise, Arizona 85374

Southeast Court Facility
222 East Javelina Avenue, 1st Floor
Mesa, Arizona 85210-6201

* You may file here but your hearing will be set at a different location.

- STEP 5:** **DELIVER your APPLICATION and FILING FEE** to the Clerk of Court. Give the Court Clerk the following:
- One (1) Civil Cover Sheet
 - One (1) Original Application for Name Change
 - Two (2) Photocopies of the Application
 - **Filing Fee (\$) Payment.** A list of current fees is available from the Law Library Resource Center and from the Clerk of Court's website.
If you cannot afford the filing fee and/or the fee for having the papers served by the Sheriff or by publication, you may request a deferral (payment plan) when you file your papers with the Clerk of the Court. Deferral Applications are available at no charge from the Law Library Resource Center.
 - **WAIT** for the Clerk to "**date stamp**" **BOTH COPIES** of your Application and **RETURN** the copies to you.

STEP 6: SCHEDULE your HEARING with Court Administration.

- **Contact Court Administration** by using the appropriate telephone number below, at least four (4) business days after you file your Application for Name Change, to obtain the date, time, place of your hearing, and presiding Commissioner's name.
- **Telephone the number listed below** between the hours of 9 a.m. -12 noon or 1 p.m. – 4 p.m.:

If you filed you Application for Name Change at:

- 201 W. Jefferson, Phoenix, call 602-506-1497
- 18380 North 40th Street, Phoenix, call 602-506-1497
- 222 East Javelina Avenue, Mesa, 1st Floor, call 602-506-2023
- 14264 West Tierra Buena Lane, Surprise, call 602-506-1497*

***Applications may be filed at Northwest Court Facility, but the hearings will be held at one of the other locations.**

STEP 7: COMPLETE AND DELIVER THE “Notice of Hearing.” The “NOTICE OF HEARING Regarding Application for Change of Name” is how you must inform a person concerned with or affected by your name change. If you are married, you **MUST** inform your spouse of your name change.

- Fill out the “NOTICE OF HEARING Regarding Application for Change of Name” form in this packet. Use the information you learned from the telephone call with Court Administration to fill in the date, time and location of the hearing.
- **PHOTOCOPY** the completed “NOTICE OF HEARING” – make at least two (2) photocopies. (You may need more than two (2) copies if you choose to inform more than one person concerned with or affected by your name change.)
- **Deliver** the completed “NOTICE OF HEARING” form to one of the Clerk of Court locations listed in STEP 4 above.

STEP 8: NOTIFY ANY INTERESTED PERSON. An interested person is a person concerned with or affected by your name change.

A Note about Response Times

If you serve an interested party notice by personal service or they agree to signing and notarizing an “Acceptance of Service,” the party will have twenty (20) days after service to file a response. However, if you ask a party to sign and notarize a “Waiver of Notice” and they agree, the party is allowed more time to respond. The party has sixty (60) days to respond after the request for waiver was sent, or ninety (90) days after it was sent outside the United States. A.R.C.P. (12)(a)(1)(A). The “Affidavit of Service,” “Acceptance of Service” or “Waiver of Notice” must be signed and filed with the court as proof.

- A. IF YOU ARE NOT MARRIED:** You must provide **NOTICE** to any person (Interested Party) concerned with or affected by your name change. There are at least two ways to provide NOTICE to an Interested Party:

(1) **HAND DELIVERY**

- GIVE the Interested Party (1) date stamped copy of your **Application**, and (1) **Notice of Hearing** which states the date, time, and place of the hearing.
- ASK the Interested Party to **SIGN AN "Acceptance of Service" form** (Available at the Law Library Resource Center). This "Acceptance of Service" form is your PROOF of NOTICE.
- **NOTARIZE:** Take the Interested Party and the completed, "Acceptance of Service" form to a Notary and have the Interested Party **SIGN the FORM before the Notary.**
- **TAKE the NOTARIZED "WAIVER" form** to the hearing.

(2) **CERTIFIED MAIL DELIVERY: MUST BE DONE AT LEAST 30 DAYS BEFORE THE HEARING:**

- **MAIL by CERTIFIED RETURN RECEIPT** the following to the Interested Party: (1) date stamped copy of your **Application**, and (1) **Notice of Hearing** which states the date, time, and place of the hearing.
- Your PROOF of Notice for this "MAIL" step is the postcard you receive in the mail showing delivery.
- **Fill Out** the "Affidavit of Service" form in this packet.
- **NOTARIZE:** Take the completed, "Affidavit of Service" form to a Notary and **SIGN the FORM before the Notary.**
- **TAKE (1) NOTARIZED "Affidavit" form** and (1) **Returned Postcard** to the hearing

B. IF YOU ARE MARRIED:

1. If **SPOUSE AGREES WITH THIS NAME CHANGE APPLICATION**

- GIVE your spouse (1) date stamped copy of your **Application**, and (1) **Notice of Hearing** which states the date, time, and place of the hearing.
- ASK your Spouse to **COMPLETE the form** from this packet called "Marital Waiver of Notice." This "Marital Waiver" form is your PROOF of NOTICE.
- **NOTARIZE:** Take your Spouse and the completed, "Marital Waiver of Notice" form to a Notary and have your **Spouse SIGN the FORM before the Notary.**
- **TAKE the NOTARIZED "MARITAL WAIVER" form** to the hearing.

2. If **SPOUSE DOES NOT AGREE** with this Name Change Application -OR- YOU ARE **NOT SURE IF SPOUSE AGREES**, choose either **Option (a)**, or **Option (b)**:

Option (a): HAND DELIVERY

- GIVE your spouse (1) date stamped copy of your **Application**, and (1) **Notice of Hearing** which states the date, time, and place of the hearing.
- ASK your Spouse to **SIGN AN "Acceptance of Service" form** (Available at the Law Library Resource Center). This "Acceptance of Service" form is your PROOF of NOTICE.
- **NOTARIZE:** Take your Spouse and the completed, "Acceptance of Service" form to a Notary and have your **Spouse SIGN the FORM before the Notary.**
- **TAKE the NOTARIZED "MARITAL WAIVER" form** to the hearing.

Option (b) CERTIFIED MAIL DELIVERY: MUST BE DONE AT LEAST 30 DAYS BEFORE THE HEARING:

- **MAIL by CERTIFIED RETURN RECEIPT** the following to your Spouse: (1) date stamped copy of your **Application**, and (1) **Notice of Hearing** which states the date, time, and place of the hearing.
- Your **PROOF** of Notice for this "MAIL" step is the postcard you receive in the mail showing delivery.
- **Fill Out** the "Affidavit of Service" form in this packet.
- **NOTARIZE:** Take the completed, "Affidavit of Service" form to a Notary and **SIGN the FORM before the Notary.**
- **TAKE (1) NOTARIZED "Affidavit" form and (1) Returned Postcard** to the hearing.

C. IF YOU DO NOT KNOW WHERE YOUR SPOUSE LIVES: NOTICE BY PUBLICATION:
The Court will not accept NOTICE by Publication unless diligent efforts have been made to locate the person for whom NOTICE is required. For more information about Service by Publication, please see the Law Library Resource Center Packet on "*Service of Court Papers When you Cannot Find the Other Party.*"

(1) If Spouse's last known address is in Maricopa County or a state OTHER THAN ARIZONA:

- **OBTAIN** an "Affidavit of Service" from the Law Library Resource Center.
- **Take** your completed Notice of Hearing to a newspaper of general circulation in Maricopa County.
- **Give** the Classified Advertising Staff your Notice of Hearing.
- **ASK** the newspaper staff to **PUBLISH a LEGAL NOTICE** (Classified advertisement showing the date, time and place of your hearing) **ONCE A WEEK FOR four (4) CONSECUTIVE WEEKS before the hearing.**

(2) If Spouse's last known address is in an Arizona County OTHER THAN MARICOPA COUNTY: You must publish NOTICE in TWO (2) Newspapers.

- **OBTAIN** an "Affidavit of Service" from the Law Library Resource Center.
- **Take** your completed Notice of Hearing to **BOTH** a newspaper of general circulation in Maricopa County **AND a newspaper of general circulation in the County of the Spouse's last known address.**
- **Give** the Classified Advertising Staff your Notice of Hearing.
- **ASK** the newspaper staff to **PUBLISH a LEGAL NOTICE** (Classified advertisement showing the date, time and place of your hearing) **ONCE A WEEK FOR four (4) CONSECUTIVE WEEKS before the hearing.**

AFTER PUBLICATION ONCE A WEEK FOR 4 CONSECUTIVE WEEKS:

- **OBTAIN an AFFIDAVIT OF PUBLICATION** from the Law Library Resource Center.
- **GO to the NEWSPAPER** where the NOTICE was published.
- **REQUEST** newspaper staff to **COMPLETE THE AFFIDAVIT of PUBLICATION**
- **TAKE** the Affidavit of Publication to the Clerk of Court where you filed the name Change Application
- **FILE the AFFIDAVIT of PUBLICATION** with the Clerk of Court.

STEP 9: ATTEND THE HEARING. Adults who request a name change **MUST** attend the hearing. **PLEASE BRING ALL OF THE FOLLOWING TO THE HEARING:**

- **BRING TWO (2) COPIES** of the “**ORDER CHANGING NAME FOR AN ADULT**” to the hearing for the Judge to sign. (One copy will be kept in the Court file, and the other copy of the ORDER will be prepared for certification and then returned to you.)
- Be prepared to **pay a FEE (\$)** for each certified copy of the ORDER.
- **BRING PHOTO IDENTIFICATION** of the person requesting a name change to the hearing. Government-issued photo identification, such as a drivers’ license is acceptable.
- **BRING A COPY** of your original **BIRTH CERTIFICATE.**
- **BRING** A date stamped **copy of ALL of your FILED DOCUMENTS.**
- **BRING PROOF OF NOTICE** (As described in Step 8).
- **BRING A COPY OF YOUR DIVORCE DECREE** (If Applicable).
- **BRING A COPY OF prior NAME CHANGE ORDERS** (If Applicable).
- **BRING PROOF of NATURALIZATION or RESIDENT ALIEN STATUS** (If Applicable).
- **BRING A COPY of ORDERS OF PROTECTION and/or INJUNCTIONS AGAINST HARASSMENT still in effect** (if Applicable).
- **IF YOU ARE NOT A UNITED STATES CITIZEN** and are requesting this name change, **BRING your PASSPORT OR PROOF OF IMMIGRATION STATUS.**

HELPFUL NOTES about ATTENDING the HEARING

1. You must have all of the above documents for the Court to consider your Application.
2. The Court will not issue a Birth Certificate Change unless you bring a copy of your original Birth certificate to the HEARING.
3. Hospital-issued birth certificates ceremonial and generally will NOT satisfy Court requirements.
4. ALWAYS COPY any DOCUMENTS you give to the Court, and keep one copy for your records.
5. The Judicial Clerk will give you a Judge signed copy of the court order if the Judge orders a name change.

STEP 10: AFTER THE HEARING. If the Judge orders a name change to your Birth Certificate:

- **GET CERTIFIED COURT ORDER:** Within 48 hours of the hearing, **TAKE THE** Judge-signed Court **ORDER to the Court CLERK.**
- **PAY the FEE (\$)** to get your **ORDER CERTIFIED** by the CLERK.
- If more than 48 hours after the hearing has passed, you must go to the Clerk of Court Customer Service Center at 601 West Jackson Street in Phoenix to get a **CERTIFIED ORDER.**
- **If you want the State Office of Vital Records to issue you a Birth Certificate with your CHANGED NAME, you must provide Vital Records with a Certified Copy of the Court Order Changing your Name.**
- The State Vital Records Office at 1818 W. Adams, Phoenix, AZ. 85007, is only available for mail-in service. Vital Records general telephone number is 602-364-1300. Please call for another walk-in location. A fee is required for a change to any birth certificate.