

These forms are not a substitute for legal advice.

\$1.00

By law, no member of the Law Library staff may give any patron legal advice.

Accordingly, staff may not interpret legal materials for patrons, advise them as to how the law might apply to their particular situation, or assist them in preparing and filling out legal forms of any kind. Staff can provide patrons legal assistance by directing them to topical print materials, sections, and subject headings that might be helpful in answering a particular question.

PROCEDURES FOR NAME CHANGE OF A MINOR One Parent as Petitioner

This form packet contains these documents:

1. Name Change Checklist
2. Original Petition for Change of Name of Child
3. Verification
4. Consent
5. Order Setting Hearing Date
6. Waiver of Citation
7. Order Granting Name Change
8. Sample Prove Up

Steps to Follow:

- 1. Prepare the Original Petition for Change of Name**, keeping the basic format shown. You may use this form as a “fill in the blank” if it fits your set of circumstances. Otherwise, you should re-type or re-write the Petition, including the information that applies to your personal set of circumstances; leave out that which does not. You will be assigned a case number and court when you file.
- 2. Sign the Verification form** in the presence of a Notary Public.
- 3. If the child is ten years of age or older**, have the child sign the Consent form.
- 4. Make two additional copies of these completed forms before filing.**
- 5. File the Original Petition and the Verification** in the District Clerk’s office on the first floor of the courthouse at 2100 Bloomdale Drive in McKinney. If the child is ten years of age or older, file the signed Consent form with the District Clerk at this time. You will be required to pay a filing fee to the Clerk at this time. Give the Order Setting Hearing Date to the District Clerk; the Clerk will arrange to get a hearing date set for you.
- 6. Give the Waiver of Citation to the other party** along with the copy of the Petition that has been stamped “filed” by the District Clerk and the Order Setting Hearing Date. *A copy of the filed Petition, Order Setting Hearing Date, and Waiver of Citation must be delivered to all*

parties having a legal interest in the child. This constitutes service of process, rather than having the other party served by a Constable. The following persons are entitled to citation:

- a. a parent of the child whose parental rights have not been terminated.
- b. any managing conservator whose parental rights have not been terminated.
- c. any guardian of the child.

The other party should sign the Waiver of Citation in front of a Notary Public. File this signed Waiver in the District Clerk's office.

7. If the other party will not sign the Waiver, then you must have him/her served by a constable. The District Clerk's office can arrange this for you.

8. If you do not know the whereabouts of the other party, you must have them served by publication. Please ask for a **Citation by Publication** packet.

9. Prepare the [Order Granting Name Change](#) prior to the hearing.

10. Make two additional copies of the prepared Order to take with you to the hearing.

11. At the hearing, you will state the facts of your petition as shown on the Sample Prove Up sheet. The judge will not help or ask questions. Give the Order Granting Name Change to the judge to sign after he hears the Prove Up.

Name Change Checklist

Some places to contact after you have changed your name:

- 1. Social Security**
- 2. Motor-vehicle agency**
- 3. Passport agency**
- 4. Financial services, including banks, credit cards, retirement plans, and insurance companies**
- 5. Utilities and phone company**
- 6. Medical services, including doctor, dentist, and health plan**
- 7. Voter registration**
- 8. Employer**
- 9. Estate lawyer, for will and other estate planning documents**
- 10. Schools and alumni groups**
- 11. Airlines and frequent-flier miles**
- 12. Family and friends**

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Case No. _____

In Re

[Child's Name]
A Minor Child

**In the District Court
Collin County, Texas**

_____ **Judicial District**

ORIGINAL PETITION FOR CHANGE OF NAME OF CHILD

TO THE HONORABLE JUDGE OF THIS COURT:

_____ [name of parent],
Petitioner, who is the parent of the child, brings suit on behalf of
_____ [name of child], a child, for the change of _____
[his/her] name, and in support of this request shows:

I.

The Petitioner affirmatively pleads that discovery should be conducted in accordance with a discovery control plan under Civil Procedure Rule 190.3.

II.

The child, _____ [name of child], resides at
_____ [address],
Collin County, Texas. _____'s [name of child] present full legal
name, address, and last 3 of social security number are:

Name: _____
Address: _____
Last 3 of SSN: _____

III.

Respondent, _____ [respondent's name], is the parent
of the child.

[Select one of the following by placing a check mark.]

_____ No service is necessary at this time due to Waiver of Citation filed.

_____ Respondent should be served with process at:

[address].

IV.

This request for a change of name is made because:

[State reasons]

V.

Petitioner requests that the Court issue an order changing _____ [his/her] name to:
[Specify full requested name]

VI.

[Select one of the following by placing a check mark.]

- The child is not subject to the continuing jurisdiction of a Court.
 The Court having exclusive jurisdiction of the child under Family Code Section 155.001 et seq. is _____ [specify court].

Respectfully submitted,

[Signature of Petitioner]

[Printed or Typed Name]

[Address and Telephone No.]

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Case No. _____

In Re

[Child's Name]
A Minor Child

**In the District Court
Collin County, Texas**

_____ **Judicial District**

VERIFICATION

STATE OF TEXAS
COUNTY OF _____

BEFORE ME, the undersigned Notary Public, on this day personally appeared _____ [petitioner's name] who, after being duly sworn, stated under oath that _____ [he/she] is the Petitioner in the above entitled cause; that _____ [he/she] has read the above Petition; and that every statement contained in the Petition is within _____ [his/her] personal knowledge and is true and correct.

[Petitioner's signature]

[Typed or Printed Name]

SUBSCRIBED AND SWORN BEFORE ME on _____ [date], to certify which witness my hand and official seal.

[Signature of Notary Public]

[Typed or Printed Name]

Notary Public in and for the State of Texas
My commission expires: _____

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CONSENT

(To be completed if child is ten years of age or older.)

I, _____ [name of child], am _____ [number]
years of age. I consent to the change of my name to:
_____ [specify full requested
name], as requested in the Petition to which this consent is attached.

[Signature of Child]

[Typed or Printed Name]

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Case No. _____

In Re

[Child's Name]
A Minor Child

**In the District Court
Collin County, Texas**

_____ **Judicial District**

ORDER SETTING HEARING DATE

IT IS ORDERED that the hearing on the Petition be set for _____ o'clock on the _____ day of _____, 20__ in the courtroom of the _____ Judicial District Court, in the County of Collin in McKinney, Texas.

SIGNED this the _____ day of _____.

JUDGE PRESIDING

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Case No. _____

In Re

[Child's Name]
A Minor Child

**In the District Court
Collin County, Texas**

_____ **Judicial District**

WAIVER OF CITATION

BEFORE ME, the undersigned authority, on this day personally appeared _____ [respondent's name] who, being by me duly sworn upon _____ [his/her] oath, stated:

1. "I, _____ [respondent's name], am the Respondent in the above entitled and numbered cause. My mailing address is:

[address].

2. The last three digits of my Social Security number (if issued) are _____, the last three digits of my driver's license number (if issued) are _____.

3. "I have been given a copy of the Original Petition for Change of Name of Child that has been filed in this cause.

4. "I have read it and understand it.

5. "I hereby enter my appearance in this cause for all purposes and waive the issuance and service of process.

6. "I agree that the Petition may be amended and that the cause may be taken up and considered by the Court without further notice to me.

7. "I further waive the making of a record of testimony in this cause.

8. "I agree that this case may be considered and adjudicated by the Referee or Master assigned to this Court or to this case by the Court, or by the Court.

9. "I hereby agree and consent to the entry of a decree in this case."

SIGNED on _____ [date].

[Respondent's signature]

[Typed or printed name]

THE STATE OF TEXAS,
COUNTY OF _____

Signed under oath on _____ [date] before me, the undersigned authority, personally appeared _____ [respondent's name], personally known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that _____ [he/she] executed it for the purposes and consideration expressed therein.

[Signature of Notary Public]

[Typed or printed name]
Notary Public in and for the State of Texas
My commission expires: _____

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Case No. _____

In Re

[Child's Name]
A Minor Child

**In the District Court
Collin County, Texas**

_____ **Judicial District**

ORDER GRANTING NAME CHANGE

On _____ [date], the court heard the Petition for Change of Name of Child of _____ [petitioner's name].

Petitioner appeared in person and announced ready.

The making of a record of testimony was waived with the consent of Court.

The Court finds:

1. The Court has jurisdiction over this case and _____ [name of child].
2. All persons entitled to citation were properly cited.
3. Petitioner is the _____ [parent *or* managing conservator *or* guardian of the person] of _____ [name of child].
4. _____ [name of child] is a child.
5. _____ [name of child] was born on _____ [date] in _____ [city, county, state].
6. _____'s [name of child] last 3 of SSN is _____ [last 3 of Social Security number].
7. _____ [name of child] was a resident of Collin County at the time the Petition for Change of Name of Child was filed.
8. The change of name requested is in the best interest of _____ [name of child].
9. The child _____ [has *or* has not] consented in writing to the change of name.

IT IS ORDERED that _____'s [name of child] name is changed from _____ [prior name] to _____ [new first, middle, & last names]

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IT IS ORDERED that all relief requested in this case and not expressly granted is denied.

SIGNED on _____ [date].

JUDGE PRESIDING

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SAMPLE PROVE UP – NAME CHANGE OF A MINOR

Good morning, Your Honor. My name is _____ [present name]. I am here to prove up my Order Granting Name Change for my child.

I am the parent of _____ [name of child].

My child’s present true full name is _____ [present full name]. The child resides at _____ [address].

The child is a _____ [specify race and gender]. The child was born on _____ [birth date].

The child’s last 3 digits of the Social Security Number are _____ [last 3 of Social Security no.].

The child is not under the continuing jurisdiction of the Court.

I request that the name of _____ [child’s full name] be changed to _____ [full requested name].

The reason for this requested name change is:

[State reason.]

I am not requesting this name change for the purpose of falsifying records, to avoid any debts, or for any other wrongful, fraudulent, or capricious purpose.

I believe that a change of my child’s name is in the best interest of my child and of the public.

I ask the Court to grant my child a name change from

_____ [present full name] to
_____ [requested full name].

That is all I have, Your Honor.

Give the judge your prepared Order Granting Name Change.