

OAKLAND COUNTY COURT PROCEDURE FOR NAME CHANGE OF PERSONS 22 YEARS OF AGE OR OLDER

*This procedure applies to any person filing a Petition to Change Name who is 22 years of age or older at the time of filing the petition and have been a **Michigan and Oakland County resident for one year.** (If using this form to file for a family, **children must be over the age of one year** to process a last name change. You must have legal custody of the minor whose name you are petitioning to change. If the child has been adopted in a foreign country, check with the adoption department before you start this process – you may need a Delayed Registration of Foreign Birth.)*

1. Complete the Petition to Change Name form. Include your middle name if you wish to include it in your name change. Sign your full name on the second page. Your spouse must sign (if applicable). A minor child age 14 through 17 must be present at the court hearing and sign a consent in front of the judge (if applicable). If petition includes a name change for a minor, both parents' names must be listed on the form (if the parents are deceased or parental rights are terminated you must provide copies of documentation at time of filing). **Make sure all information including your name, address and phone number is legible.**
2. If you were born in Michigan, you may request the State Registrar to create a new birth certificate, check box #9. You must submit an application to correct or change a Michigan birth record to the State of Michigan with the proper documentation. This form may be obtained at the Clerk's office after the hearing. If born in another state, check with that state for acceptable documentation to create a new birth certificate.
3. File the petition with the Oakland County Clerk's Office (248-858-0582). You will receive time-stamped copies of your petition at this time. The filing fee is \$175.00 (made payable to Oakland County Clerk). In addition to the filing fee, there is a \$95.15 publication fee (made payable to Legal News). *These two fees must be made out in separate checks or money orders.* All legal name changes **MUST** be published in the Legal News. We will forward the publishing fee to the Legal News after we have received your record check (steps 4 & 5). **ALL FEES ARE NON-REFUNDABLE.** If you are filing by mail, return the completed petition along with your check or money order to:
Oakland County Clerk's Office
1200 N. Telegraph Dept. 413
Pontiac, MI 48341-0413
Attn: Name Change
4. Once you have filed your petition, you must obtain fingerprints from your local law enforcement agency. Some agencies charge a fee for this service. You will need one set of fingerprints on the RI-8 form for a Michigan State Police & FBI record check. **On the RI-8 form you must:**
 - Fill out sections D through F on the back of the card.
 - In the "For" section check FBI & STATE or NAME CHANGE as the reason for being fingerprinted.
 - Fill in the Requestor ID#/Agency ORI with: **MI-630015J.**

Note: Pursuant to the Supreme Court Administrative Office, all name changes should be heard by the judge within 91 days from the date of filing the petition. Therefore, it is imperative that you complete step 5 immediately to obtain fingerprints.

5. You must then forward the completely filled out fingerprint card (RI-8 form), a copy of your time-stamped petition and a check for \$43.25 (made payable to the State of Michigan) to: **Michigan State Police, Criminal Justice Information Center, P.O. Box 30266, Lansing, MI 48909. WE WILL NOT ACCEPT RECORD CHECK REPORTS FROM YOU; THEY MUST BE SENT DIRECTLY FROM THE MICHIGAN STATE POLICE.** You may follow up with the Central Records Division at (517) 241-0606 to determine if your report has been mailed to the Oakland County Clerk's Office. (Do not call the Clerk's Office to determine the status. It will take approximately three weeks for the Michigan State Police and FBI to complete their records check.)

When we receive your records check report from the Michigan State Police and FBI, we will set a hearing date for a Wednesday morning at 8:30 a.m. for approximately 4-5 weeks out. We will also publish the name change in the Legal

News as required by law. You will be notified of the hearing date by mail. Please note, once the name change has been published in the Legal News, if you request the hearing date to be changed, you will need to pay the \$95.15 publication fee again.

6. **YOU MUST APPEAR AT THE HEARING OR YOUR PETITION WILL BE DISMISSED.**

- On the date of the hearing it is your responsibility to check-in with your assigned judge's clerk to see if your case is on the court docket. The clerk may be in the hallway or inside the courtroom. It is important that you inform the clerk you are checking in for a name change hearing. If your name is not on the docket, check with the Clerk's Office on the ground floor.
- Once the judge signs your name change order, bring your order to the Clerk's Office on the ground floor for filing. You may obtain a certified copy of the Order to Change Name for \$11.00; additional copies are \$1.00 each.

If you have a criminal record, it will be presumed that you are seeking the name change with fraudulent intent. You must prove to the court that the name change is not being sought with fraudulent intent. Be advised that if your name is changed and you have a criminal record, a copy of the order will be sent to the Department of Corrections, local Sheriff's Office and other Circuit Courts. A FALSE STATEMENT THAT IS INTENTIONALLY INCLUDED WITHIN A PETITION FOR A NAME CHANGE CONSTITUTES PERJURY UNDER SECTION 422 OF THE MICHIGAN PENAL CODE, ACT NO. 328 OF THE PUBLIC ACTS OF 1931, BEING SECTION 750.422 OF THE MICHIGAN COMPILED LAWS. (MCLA 711.1 as Amended.)