

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

*This procedure applies to any person filing a Petition to Change Name who is 21 years of age or younger at the time of filing the petition and have been a **Michigan and Oakland County resident for one year. 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 petition is for a minor, both parents' names must be listed on the form. **Make sure all information including your name, address and phone number is legible.** If the parents are deceased or parental rights are terminated, you must provide copies of documentation at time of filing.
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, made payable to Oakland County Clerk, is \$175.00. 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. **ALL FEES ARE NON-REFUNDABLE.** If you are filing by mail, return the completed petition along with your two (separate) checks or money orders to:
Oakland County Clerk's Office
1200 N. Telegraph Dept. 413
Pontiac, MI 48341-0413
Attn: Name Change
4. If you are filing a petition for the name change of a minor child and a non-custodial parent is involved, **IT IS YOUR RESPONSIBILITY TO "SERVE" THE NON-CUSTODIAL PARENT WITH A COPY OF THE PETITION.** (This applies only if the non-custodial parent will not sign the petition to change name.) If you do not complete proper service, your petition may be dismissed, and you will have to start the entire process over by filing a new petition and paying the filing fees again. Acceptable methods of service are:
Personal Service - by delivering copies to the party in-person
Service by Mail - by mailing copies (only first-class mail is required)
Publication - required for persons whose addresses or whereabouts are unknown
5. Once we receive your petition, a hearing date will be set on a Wednesday morning at 8:30 a.m. at approximately 4-5 weeks. You will be notified of the judge and hearing date by mail.
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.)