

**PETITION FOR NAME
CHANGE (CHILD OR
CHILDREN)**

IMPORTANT

DO NOT WRITE ON OR SMUDGE FINGERPRINT CARDS!

IF YOU CHOOSE TO BE FINGERPRINTED BY THE SANTA ROSA COUNTY SHERIFF'S DEPARTMENT, YOU **MUST** DO SO AT THE MAIN OFFICE OF THE SANTA ROSA COUNTY SHERIFF'S DEPARTMENT IN EAST MILTON

ONLY THE MAIN OFFICE CAN SUBMIT THE FINGERPRINTS ELECTRONICALLY!

Once you have been fingerprinted and the fingerprints have been submitted electronically, you will need to go to the following website to pay for your criminal background check.

Only credit card payments will be accepted:

<https://www3.fdle.state.fl.us/caps>

You will need your ***transaction control number*** in order to pay for the background check online.

INFORMATION ABOUT THIS PACKET

Before you choose to represent yourself in any action, it is strongly recommended that you seek the advice of an attorney.

The forms included in this packet are for those litigants who choose to represent themselves in court, pro se (without an attorney). The packet may or may not include all the forms you need for your particular situation. Additional forms may be available upon request from the Clerk of Court's office.

It is up to you, the pro se litigant, to determine which forms are appropriate for your situation and to fill the forms out completely and properly. It is also your decision whether or not to use these forms. If you have any questions concerning your legal rights and remedies, please contact an attorney.

The Clerk of Court's Office and the Family Law Pro Se Coordinator cannot give you legal advice. You are representing yourself and you alone are responsible for the correct completion and filing of forms.

For a complete list of forms that are available through the Clerk of Court's Office, please refer to the Family Law Forms, Commentary and Instructions Book. For other information, refer to the Florida Statutes and the Florida Family Law Rules of Procedure.

IMPORTANT INFORMATION AND INSTRUCTIONS FOR PRO SE

ABOUT LEGAL PROCEEDINGS:

- A pro se litigant is a person who represents himself on a legal matter without the legal advice and representation of an attorney licensed to practice law.
- It is highly recommended that you consult with an attorney before deciding to represent yourself in court.
- The Pro Se Coordinator nor the Clerk are attorneys and cannot give you legal advice, represent you in court, tell you what to say, do or write, or tell you about your legal rights and remedies.
- The Pro Se Coordinator can give information and guidance on how the court systems works, what forms are available for your use, local procedures for filing your forms and getting a hearing date and agencies in the community that may be able to assist you.
- It is the pro se litigant's responsibility to file the appropriate pleadings with the Clerk of Court, properly serve the opposing party with a copy of all documents, and make sure that the other party is given sufficient notice of the hearing.
- There is no confidential relationship between Family Law Pro Se Staff and pro se litigants.

ABOUT THE COURT HEARING:

- Be prepared to tell the Court what specific issues are to be addressed. It is recommended that you write down all issues and concerns that you will need to know in court rather than rely on memory.
 - The parties are not allowed to speak to each other. All questions and objections must be directed to the Judge. Address the Judge as "Your Honor" and request permission to address the court before speaking. Do not talk while the Judge is talking.
 - Arrangements should be made in advance for the care of minor children. The court will not address family law issues while the minor child(ren) are present.
 - Be sure to dress appropriately. No shorts, flip flops, slippers, halter or low cut tops, tight or short skirts/dresses.
 - All parties must maintain the utmost respect for the Court and each other at all times.
 - The Court will not tolerate emotional outburst. If you disagree with the Judge's decision, refrain from yelling, cursing, or making rude, threatening or other inappropriate comments.
- CAUTION:** The Judge can hold you in contempt of court for inappropriate actions or words, and you could be find and/or incarcerated.

SELF-HELP PACKET FOR PETITION FOR CHANGE OF NAME (CHILD OR CHILDREN)

These instructions are to assist you to request a change of name for a minor child or children. These forms cannot be used in connection with divorce, paternity or adoption actions. A name change in those types of cases should be done as part of that case. Filing fees are involved in this action. If you cannot afford these fees, you may qualify for a payment plan for filing fees only. You must request a **Civil Affidavit/Application for Indigent Status** from the Clerk of Court and file it along with a **Civil Partial Payment Agreement**. Based upon these documents, the Clerk of Court will determine if you meet the criteria for indigency. If you meet the criteria, a Certificate of Indigency will be provided to you and the Clerk will set the Partial Payment Agreement for the filing fee.

If both parents agree to the child(ren's) name change(s) and live in the county where the name change is sought, you may file as joint petitioners. In this situation, service is not necessary and you need only schedule a hearing once you have filed the appropriate forms as listed below.

If only one parent is asking for the child(ren's) name change, the other parent must be notified and his/her consent obtained. If consent is not obtained, you may still schedule a hearing but the other parent must be provided with the petition through personal service or constructive service and notified of the hearing.

Please read the General Information for Self-Represented Litigants in the front of your packet before proceeding. You cannot give a hearing date until all required forms have been filed with the Clerk of Court and all allowed time periods for filing information have passed.

Following is a checklist of forms and requirements. Specific instructions are available for each form to insure that you complete them correctly. You may need to obtain additional forms depending on your circumstances. Additional forms may be obtained from the Santa Rosa County Clerk of Court, Domestic Relations Division, located at the Santa Rosa County Courthouse, 6865 S.W. Caroline Street, Milton, Florida (850)981-5552 or can be downloaded from the internet at www.flcourts.org.

Information and documents to be filed (you may want to use this as a checklist)

1. _____ Form 12.982(c) Petition for Change of Name (Minor Child or Children)
2. _____ Certified copy of Birth Certificate(s) for child(ren) named in the Petition
3. _____ Notice and Acknowledgment of Limitation of Services Provided (must be filed with the petition)
4. _____ Form 12.982(d) Consent for Change of Name. This form is needed from the other parent if not filing a joint petition or for any child for whom you are requesting a name change that is not the legal child of both adults filing this petition. If the other parent is deceased, a copy of the Death Certificate must be filed with the petition.
5. _____ If anyone other than a lawyer helps you to complete any of the forms, you must file for 12.900(a) Disclosure from Non-Lawyer.
6. _____ Notice of Permanent Mailing Address
7. _____ Waiver of Personal Appearance on Final Judgment for Change of Name Minor Child(ren)
8. _____ Form 12.910(b) Process Service Memorandum when the other parent (unless deceased) does not consent to the name change of any or all children.
9. _____ Fingerprint Card to be taken to an approved Live-Scan device owner. Once fingerprinted, Live-Scan Device owner will transmit to FDLE electronically.
10. _____ Go to FDLE website and pay for criminal background check. Results will be sent to Clerk's Office

11. _____ Form 12.982(3) Final Judgment of Change of Name (Child or Children). This form can be completed at the Clerk's Office via a public computer terminal. You may ask a Clerk for assistance.

Where do I file?

Once you have completed the required documents, you must file the original documents with the Clerk of Court located in the Santa Rosa County Courthouse, 6865 S.W. Caroline Street, Milton, Florida 32570, (850)981-5552. Keep a copy for your records.

What do I do after I have filed?

If service is needed, the Clerk will issue the Summons along with the attachments to the other party. The summons informs the respondent that he/she will have 20 days to respond to your petition. If the respondent lives in Santa Rosa County, take the Summons with attachments to the Santa Rosa County Sheriff's Office Civil Division for service of process on the respondent. The Sheriff's Office will send a Return of Service to you and/or the Clerk of Court state whether the respondent was or was not served. If the respondent lives in another county, he/she must be served by the Sheriff's Office or a certified process server in that county and the Return of Service will be sent to you and you will have to file it with the Clerk of Court.

What if the other parent does not file an answer or submit required documents?

Once the parent has been served or waived service, he/she will have 20 days to file an answer. If he/she fails to answer, then you must file Form 12.922(a) Motion for Default and Form 12.912(b) Nonmilitary Affidavit (if you are certain the other party is not in the military).

If you are a person with a disability who needs any accommodation in order to participate in this proceeding you are entitled at no cost to you to the provision of certain assistance. Please contact: Court Administration ADA Liaison Santa Rosa County 6865 Caroline Street Milton FL 32570 Phone 850-623-3159 Fax 850-982-0602 ADA.SantaRosa@flcourts1.gov at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.