

NAME CHANGE INSTRUCTIONS

A Petition to Change Name may be filed by any adult who has been a resident of Muskegon County for at least one year.

If the name change is for a minor child, they must be at least one (1) year old. **Both biological parents must sign the Petition**, unless the non-custodial parent has had no contact with the minor child and has paid no support for at least two (2) years; or, if the non-custodial parent was convicted of child abuse **and** the child or a sibling of the child was a victim (a copy of the Judgment of Sentence must be attached).

The Statute and Court Rules governing Name Change proceedings are: MCL 711.1 through 711.3 and MCR 3.613. Court forms, additional information, rules and requirements may be found at the following website:

http://courts.michigan.gov/scao/selfhelp/family/nc_help.htm

1. File a PETITION TO CHANGE NAME (form PC51) and pay the filing fee of \$175, plus an additional \$12.00 fee for a certified copy of the Order at the end of the case (which you will need). Please note: cash, money order or credit card only - **no personal checks**. The credit card company will charge you a nominal fee for using the credit card. **Bring a certified copy of your birth certificate with you when you file. The clerk must see the certified copy. We will then make a copy for our file.**
2. If you are 22 years of age or older, you must be fingerprinted. Your fingerprints can be done at the Muskegon County Sheriff Office. The charge having your fingerprints taken at the Sheriff's Department is \$15.00. Fingerprints are only done until 4:00 p.m. on weekdays.
3. After you have had your fingerprints taken, mail a copy of the PETITION TO CHANGE NAME, the fingerprint card and the appropriate payment to the Michigan State Police. The fee must be made payable to the State of Michigan. Please call the State Police Office at 517-241-0606 for the correct fee amount.

For Regular Mail: Michigan State Police
Court Reporting Coordinator
Criminal History Unit
P O Box 30634
Lansing, MI 48909

For Express Carrier: Michigan State Police
Court Reporting Coordinator
Criminal History Unit
7150 Harris Drive
Dimondale, MI 48821

Those fingerprints will be used by the Michigan State Police and Federal Bureau of Investigation to check criminal records. Once the Federal Bureau of Investigation has reviewed its records and reported the information to the Michigan State Police, the Michigan State Police will send a report to the court regarding any criminal records. This takes approximately eight (8) weeks.

4. If the person whose name is to be changed is under the age of 22, no fingerprints are required, therefore, the hearing date can be scheduled by the judicial secretary approximately 45 days from the date of the Petition.
5. Please call the judge's office eight (8) weeks after you forwarded your fingerprints to the Michigan State Police to see if the report has been received by the Court.
6. If the report has been received, you need to schedule the hearing date with the judge's secretary. The judge's secretary will inform you of the date and time of the hearing. **This hearing should be set in approximately 45 days.** You must insert this hearing date on the PUBLICATION OF NOTICE OF HEARING FOR NAME CHANGE.
7. Complete the form entitled PUBLICATION OF NOTICE OF HEARING FOR NAME CHANGE. This must be published in one of the publications listed on the PUBLICATIONS LIST enclosed in this packet. PLEASE NOTE: **THIS NOTICE MUST BE PUBLISHED ONE TIME AT LEAST 14 DAYS PRIOR TO THE DATE OF THE HEARING.** Timing is very important! If the publication is not done at least 14 days prior to the hearing date, you may need to publish again and re-schedule the hearing.
8. **The original PUBLICATION OF NOTICE OF HEARING FOR NAME CHANGE, and the receipt that you paid for the publication must be filed with the Circuit Court Records Office on the 6th floor as soon as possible.**
9. You must to forward **proof of this publication to the Circuit Court Records Office prior to the court hearing.**
10. You must attend the hearing on the date and time stated in the Notice of Hearing. If the change is for a minor child, the parent must also be in attendance.

11. Prepare the ORDER FOLLOWING HEARING ON PETITION TO CHANGE NAME (PC52) and bring it to your hearing.
12. If the Petitioner has a criminal record, and pursuant to Section 711.1 of the Probate Code of 1939, "...the **Court** shall forward the Order to the Criminal Records Division of the Michigan State Police and to one or more of the following:
 - The Department of Corrections if the person named in the order is in prison or on parole or has been imprisoned or released from parole in the immediately preceding 2 years
 - The sheriff of the county in which the individual named in the order was last convicted if the individual was incarcerated in a county jail or released from a county jail within the immediately preceding 2 years
 - The court that has jurisdiction over the individual named in the order if the individual named in the order is under the jurisdiction of the family division of the circuit court or has been discharged from the jurisdiction of that court within the immediately preceding 2 years."
13. If the Petitioner wishes to change the name on the birth certificate, the certified order may be mailed to the Vital Records Office in the state of birth, with an Application to Record Court-Ordered Legal Name Change to a Michigan Birth Record form, which can be found at the County Clerk's Office.

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	PETITION TO CHANGE NAME	FILE NO.
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In the matter of the name change of _____
Present first name(s), middle name(s), and last name(s) (type or print)

to _____
Requested new first name(s), middle name(s), and last name(s) (type or print)

1. An action within the jurisdiction of the family division of circuit court involving the family or family members of the person(s) named above has/have been previously filed in _____ Court, Case Number _____, was assigned to Judge _____, and remains is no longer pending.

2. The name change is for:

a. a married person who wishes to also include a name change for:

his/her spouse. his/her minor child(ren), of whom the petitioner has legal custody.

b. an adult.

c. a minor, whose natural or adopted parents are: _____ and _____
Mother

Father

Both parents are deceased. The guardian is _____ . (Attach letters of guardianship.)
Name

3. The name change is for the following reason: _____

4. The name change is not sought for any fraudulent intent.

5. The following person(s) seeking a name change has/have a criminal record: _____

6. Each person for whom a name change is sought has been a resident of the county for at least one year.

[Complete item 7 only if the name change is for a minor. Please see other side for remainder of petition.]

7. I have legal custody of the minor.

a. The noncustodial parent has had the ability to visit, contact, or communicate with the child and has regularly and substantially failed or neglected to do so for a period of two years or more before the filing of this petition **and either**:
 a support order has been entered, and the noncustodial parent has failed to substantially comply with the order for a period of two years or more before the filing of this petition; **or**

a support order has not been entered and the noncustodial parent, having the ability to support or assist in supporting the child, has failed or neglected to provide regular and substantial support for two years or more before the filing of this petition.

b. The noncustodial parent has been convicted of child abuse (MCL 750.136b), criminal sexual conduct (MCL 750.520b, MCL 750.520c, 750.520d, or 750.520e), or assault with intent to commit criminal sexual conduct (MCL 750.520g) and the child or a sibling of the child was the victim. (Attach judgment of sentence.)

c. The last-known address of the noncustodial parent is: _____

The noncustodial parent is not living at the above address, and I have taken the following steps to locate him/her:

(SEE SECOND PAGE)

Do not write below this line - For court use only

8. I request the following name change(s): (Type or print first name, middle name, and last name.)

FROM	TO	DATE OF BIRTH
Petitioner		month, day, year
Spouse		month, day, year
Minor child		month, day, year
Minor child		month, day, year
Minor child		month, day, year
Minor child		month, day, year

If you want a new live birth certificate, check item 9. A special order is not needed if you only want to add the changed name(s) to the original certificate(s).

9. I request the court to order the State Registrar to create a new live birth certificate that does not disclose the name of

_____ at birth and to seal the original certificate.
Name

I declare that this petition has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Date

Date

Petitioner signature

Petitioner signature

Name (type or print)

Name (type or print)

Address

Address

City, state, zip Telephone no.

City, state, zip Telephone no.

10. I am the spouse of the petitioner or the noncustodial parent of the minor and consent to the granting of this petition to change name.

Date

Signature

11. I am a minor 14 years of age or older, and I consent to the granting of this petition to change my name.

Date

Minor's signature

Date

Minor's signature

12. I am a minor under 14 years of age, and I state my preference to the above name change.

Date

Minor's signature

Date

Minor's signature

Attorney signature

Address

Attorney name (type or print) Bar no.

City, state, zip Telephone no.

SPECIAL INSTRUCTIONS FOR NAME CHANGE

Every person 22 years of age or older whose name appears on the "Petition to Change Name" must follow these instructions before the court can act on the petition.

Pursuant to Michigan law, every person 22 years of age or older who is requesting a name change must have a complete set of fingerprints taken at a local police agency. Those fingerprints will be used by the Michigan State Police and Federal Bureau of Investigation to check criminal records. The Michigan State Police will send a report to the court regarding any criminal records.

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.

INSTRUCTIONS:

1. File the "Petition to Change Name" (form PC 51) with the circuit court and pay the filing fee.
2. Make one copy of the completed "Petition to Change Name" (form PC 51).
3. Go to your local police agency for the fingerprint card and to have your fingerprints taken. The police agency will advise you of the appropriate fee. Take a copy of the "Petition to Change Name" with you.
4. After you have had your fingerprints taken, mail the copy of the "Petition to Change Name," the fingerprint card, and the appropriate fee to the Michigan State Police. The fee must be made payable to the State of Michigan. Mail to:

Michigan State Police
Criminal Records Division
P.O. Box 30634
Lansing, Michigan 48913

5. The Michigan State Police will review your criminal records and will forward the fingerprints to the Federal Bureau of Investigation. Once the Federal Bureau of Investigation has reviewed its records and reported the information to the Michigan State Police, the Michigan State Police will send a report to the court.
6. After the court receives the required report from the Michigan State Police, the court can schedule a hearing on the "Petition to Change Name."
 - The court will mail you a notice when the required report is received. You must give the court a pre-addressed, postage-paid envelope for mailing this notice.
 - Contact the court eight weeks after you mail or deliver your fingerprint card to the Michigan State Police to find out if the required report has been received.

STATE OF MICHIGAN PROBATE COURT COUNTY OF	PUBLICATION OF NOTICE OF HEARING	FILE NO.
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In the matter of _____

TO ALL INTERESTED PERSONS including:*

whose address(es) are unknown and whose interest in the matter may be barred or affected by the following:

TAKE NOTICE: A hearing will be held on _____ at _____
Date Time

at _____ before Judge _____
Location Bar no.

for the following purpose:

_____	_____	_____	_____
Attorney name (type or print)	Bar no.	Petitioner name (type or print)	
_____	_____	_____	_____
Address		Address	
_____	_____	_____	_____
City, state, zip	Telephone no.	City, state, zip	Telephone no.

PUBLISH ABOVE INFORMATION ONLY

Publish _____ time(s) in _____ in _____ County.
Name of publication

Furnish _____ copies to _____.

Furnish affidavit of publication to the court.

Forward statement for publication charges to _____.

***NOTE TO PREPARER:** This notice may be combined with the Notice to Creditors (form PC 574) by adding the language from the Notice to Creditors.

USE NOTE: If this form is being filed in the circuit court family division, please enter the court name and county in the upper left-hand corner of the form.

Do not write below this line - For court use only

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	ORDER FOLLOWING HEARING ON PETITION TO CHANGE NAME	FILE NO.
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In the matter of the name change of _____
Present first name(s), middle name(s), and last name(s) (type or print)

to _____
Requested new first name(s), middle name(s), and last name(s) (type or print)

1. Date of Hearing: _____ Judge: _____
Bar no.

THE COURT FINDS:

2. A petition for name change has been filed.
3. Notice of hearing was given by publication.
4. Each person for whom a name change is sought has been a resident of the county for at least one year.
5. The court has received the required criminal record report(s) from the Michigan Department of State Police.
6. _____ has a criminal record.
Name(s) (type or print)
7. a. The request for name change of _____ is made with fraudulent intent.
Name(s) (type or print)
- b. The request for name change of _____ is not made with fraudulent intent.
Name(s) (type or print)
8. The petitioner, having legal custody, requests the name change of a minor. The noncustodial parent has consented to the name change.
9. The petitioner requests the name change of a minor. The custodial parent has consented to the name change. The noncustodial parent was given notice of the hearing.
 - a. The noncustodial parent has had the ability to visit, contact, or communicate with the minor but has regularly and substantially failed or neglected to do so for the past two years, **and**
 - a support order has been entered, and the noncustodial parent has failed to substantially comply with the order for a period of two years or more before the filing of the petition for name change. **or**
 - a support order has not been entered and the noncustodial parent, having the ability to support or assist in supporting the child, has failed or neglected to provide regular and substantial support for two years or more before the filing of the petition for name change.
 - b. The noncustodial parent has been convicted of child abuse (MCL 750.136b), criminal sexual conduct (MCL 750.520b, 750.520c, 750.520d, or 750.520e), or assault with intent to commit criminal sexual conduct (MCL 750.520g), and the child or a sibling of the child was the victim.
10. The minor(s) under the age of 14 has/have stated a preference to a name change.
11. The minor(s) is/are not of sufficient age to express a preference to a name change.

(PLEASE SEE OTHER SIDE)

Do not write below this line - For court use only

IT IS ORDERED:

12. The name(s) of the following person(s) is/are changed:

FROM	TO	DATE OF BIRTH
		month, day, year
		month, day, year
		month, day, year
		month, day, year
		month, day, year
		month, day, year

13. The State Registrar shall create a new live birth certificate for _____
Name

that does not disclose the name at birth and shall seal the original certificate.

14. The request to change the name of _____ is denied.
Name

15. The request is denied and the petition is dismissed.

Date

Judge

Attorney name (type or print) Bar no.

Address

City, state, zip Telephone no.

NOTE TO PETITIONER: You must provide this order to the State Registrar if you want to change your birth certificate.

Note to Clerk: Pursuant to MCL 711.1(3), if the court enters an order to change the name of a person who has a criminal record, the court shall forward the order to the Criminal Records Division of the Michigan State Police and to one or more of the following:

- The Department of Corrections if the person named in the order is in prison or on parole or has been imprisoned or released from parole in the immediately preceding two years.
- The sheriff of the county in which the person named in the order was last convicted if the person was incarcerated in a county jail or released from a county jail within the immediately preceding two years.
- The court that has jurisdiction over the person named in the order if the person named in the order is under the jurisdiction of the family division of the circuit court.