

SELF-HELP CENTER

PROCEDURE FOR "INFANT CHANGE OF NAME" APPLICATIONS

PAPERS MUST BE 8-1/2" x 11".

REQUIRED PAPERS:

- 1) ORDER
- 2) VERIFIED PETITION
- 3) PROOF OF PRESENT NAME. IF BORN IN NEW YORK STATE, ANNEX CERTIFIED COPY OF BIRTH CERTIFICATE.

* **THE APPLICATION MUST BE MADE IN THE COUNTY IN WHICH THE APPLICANT RESIDES. SEE CIVIL RIGHTS LAW (ARTICLE 6) AT A PUBLIC ACCESS LAW LIBRARY.**

* **ONLY COUNTY RESIDENTS MAY APPLY FOR A CHANGE OF NAME IN THAT COUNTY'S SUPREME COURT.**

* REQUIRED FEES: INDEX NUMBER FILING FEE OF \$210.00. THIS FEE IS PAYABLE IN CASH OR BY POSTAL MONEY ORDER TO THE OFFICE OF THE COUNTY CLERK. THERE IS ALSO A PUBLICATION FEE (NEWSPAPER'S RATE). THE ORDER REQUIRES PUBLICATION IN A NEWSPAPER CHOSEN BY THIS COURT. (PLEASE NOTE: IF YOU FEEL THAT YOUR PERSONAL SAFETY, OR THE SAFETY OF YOUR CHILDREN, COULD BE JEOPARDIZED BY HAVING YOUR NAME CHANGE PRINTED IN A NEWSPAPER, THEN YOU **MAY ASK THE COURT TO WAIVE (DO WITHOUT) THIS REQUIREMENT BASED UPON YOUR EXPLANATION OF THE REASONS.**)

* IF APPLICANT WAS BORN IN **NEW YORK STATE**, A CERTIFIED COPY OF THE BIRTH CERTIFICATE MUST ACCOMPANY THE APPLICATION.

* BIRTH CERTIFICATES CAN BE OBTAINED FROM THE CLERK OF THE CITY/TOWN/VILLAGE **WHERE THE BIRTH OCCURRED**. THERE IS A SMALL FEE PER COPY, PAYABLE IN CASH OR BY CHECK OR MONEY ORDER. SUBMIT THE APPLICATION, FEE, AND SHOW IDENTIFICATION TO THE CASHIER SO THEY CAN ISSUE THE BIRTH CERTIFICATE. NEW YORK STATE BIRTH CERTIFICATES CAN ALSO BE ORDERED ONLINE AT:
<http://www.vitalchek.com>.

* IF THE APPLICATION IS BY A **NATURALIZED CITIZEN**, THE PETITION SHOULD STATE SO, AND DATE WHEN NATURALIZED. YOU MUST SUBMIT PROOF OF YOUR CURRENT NAME.

- * IF APPLICANT IS A LEGAL ALIEN, SUBMIT A COPY OF RESIDENT ALIEN CARD. A COPY OF THE ORDER MUST BE SERVED ON THE U.S. IMMIGRATION AND NATURALIZATION SERVICE.
- * IF AN ALIEN, OR CONVICTED OF A CRIME; OR ANSWER IN THE AFFIRMATIVE TO PARAGRAPH 8 OF THE PETITION, THEN THE APPROPRIATE CLAUSE MUST BE INSERTED IN THE ORDER. SEE ATTACHED LIST OF ADDITIONAL CLAUSES.
- * IF FAMILY MAKES APPLICATION (TO CHANGE THE FAMILY NAME), THEN ALL MUST JOIN IN APPLICATION. HUSBAND AND WIFE AND INFANTS (14 TO 17) MUST SIGN PETITION. THOSE 18 YEARS OR OLDER CANNOT JOIN AND MUST SUBMIT A SEPARATE APPLICATION.
- * IF PARENT MAKES APPLICATION TO CHANGE THE NAME OF INFANT, THE PETITION MUST BE VERIFIED BY THE PARENT OR NATURAL GUARDIAN OF THE CHILD.
- * IF ONE PARENT MAKES THE APPLICATION TO CHANGE THE NAME OF INFANT, THEN THE OTHER PARENT MUST EITHER JOIN IN THE PETITION OR HIS/HER CONSENT, ACKNOWLEDGED BEFORE A NOTARY, IS REQUIRED AND MUST ACCOMPANY THE APPLICATION.
- * IF CONSENT CANNOT BE OBTAINED, APPLICATION MUST BE ACCOMPANIED BY A **NOTICE OF PETITION** WHICH MUST BE SERVED UPON THE OTHER PARENT UNLESS IT IS ALLEGED IN THE PETITION THAT THE PERSON'S WHEREABOUTS ARE UNKNOWN TO THE APPLICANT, AND WHAT EFFORTS WERE MADE TO LOCATE THAT PERSON. "HOW TO MAKE OR RESPOND TO A MOTION," ALSO AVAILABLE IN THE SELF-HELP CENTER. **TAKE NOTE THAT THE COURT MAY REQUIRE YOU TO SUBMIT ADDITIONAL PROOF OF YOUR EFFORTS TO LOCATE THE OTHER PARENT OR DIRECT YOU TO SERVE NOTICE BY PUBLICATION.**
- * AN APPLICATION ON BEHALF OF AN INFANT 14 YEARS OR AGE OR OLDER (14 TO 17 YEARS OLD), SHALL BE ACCOMPANIED BY A SWORN STATEMENT FROM THE INFANT CONSENTING TO THE APPLICATION.