

INSTRUCTIONS FOR FILING FOR A CHANGE OF NAME (MINOR)

These standard instructions are for informational purposes only and do not constitute legal advice about your case. If you choose to represent yourself, you are bound by the same rules and procedures as an attorney.

GENERAL INFORMATION BEFORE YOU FILE YOUR PETITION

- ◆ The minor child must be a resident of the county in which you are filing the Petition, **OR**
- ◆ If the minor child is under the age of 19 years and is the subject of an action concerning child support, allocation of parental responsibilities, or parenting time, the Petition for Name Change must be filed in the District Court that has jurisdiction.
- ◆ The Parent/Petitioner must be 18 years of age or older.
- ◆ The minor child, if 14 years of age or older, must not have been adjudicated as a juvenile delinquent for an offense that would constitute a felony if committed by an adult in this state or any other state or under federal law.
- ◆ The Court will not consider a Petition for a name change for a minor 14 years of age or older, unless a fingerprint-based criminal history record check is conducted within 90 days prior to the filing of the Petition.
- ◆ Unless the Court has ordered that publication is not required, proof of publication must be completed and submitted to the Court prior to the name change being officially granted.
- ◆ You may want to check with the Court where you plan to file your case for specific days or times when name change hearings are scheduled. You may have your hearing on the same day that you file your case or a future hearing will be set.
- ◆ For additional information, please review Colorado Revised Statutes §13-15-101-102 C.R.S.
- ◆ If you have a disability and need a reasonable accommodation to access the courts, please contact your local ADA Coordinator. Contact information can be obtained from the following website:
http://www.courts.state.co.us/Administration/HR/ADA/Coordinator_List.cfm

COMMON TERMS

- ⊗ Petition: Document officially commences the Change of Name process.
- ⊗ Petitioner: The person filing a Petition for Change of Name.
- ⊗ Public Notice: Change of name shall be published at least three times within 21 days from the date of the Order in a legal newspaper in the county where this case is filed.
- ⊗ May: In legal terms, "may" is defined as "optional" or "can."
- ⊗ Shall: In legal terms, "shall" is defined as "required."

If you do not understand this information, please contact an attorney.

FEES

The filing fee is \$100.00 if you file your Petition in County Court. If the minor child named in the Petition is the subject of a child support, allocation of parental responsibilities or parenting time action, you must file the Petition with the District Court that has jurisdiction in the matter and pay a District Court filing fee of \$227.00. If you are unable to pay, you must complete the Motion to File without Payment and Supporting Financial Affidavit (JDF 205) and submit it to the Court. Once you submit the completed JDF 205 form and a blank Order (JDF 206), the Court will decide whether you need to pay the filing fee.

Other fees that a party to the case may encounter are as follows:

- Publication Fee Varies (May be payable to the Court or to the newspaper)
- Copies of Documents (Documents on File) \$.75 per page or \$1.50 if double-sided
- Copies of Documents (Documents not on File) \$.25 per page or \$.50 if double-sided
- Certification Fee \$ 20.00
- Cost of Fingerprints Varies (Payable to local law enforcement)
- Fingerprint-based Criminal History Check (Payable to CBI by Cash or Money Order only)
- Fingerprint-based Criminal History Check (Payable to Treasury of the United States by Money Order or Certified Check)

FORMS

To access forms online, go to the website at www.courts.state.co.us and click on the “Forms” tab. The packet/forms are available in PDF or WORD by selecting “**County Civil - Minor Name Change**”. You may complete a form online and print or you may print it and type or print legibly in black ink. You may need all or some of these forms. Read these instructions carefully to determine what forms you may need.

- JDF 421 Petition for Change of Name of a Minor Child
- JDF 422 Notice to Non-Custodial Parent
- JDF 423 Consent of Non-Custodial Parent
- JDF 424 Request to Publish Notice and Order
- JDF 425 Notice of Non-Custodial Parent by Publication
- JDF 426 Order for Publication for Change of Name
- JDF 427 Public Notice
- JDF 448 Final Decree for Change of Name

STEPS TO FILING YOUR CASE

Step 1: Complete the required fingerprint-based criminal history record check.

The minor child, if 14 years of age or older, must submit a criminal history check from the Colorado Bureau of Investigation (CBI) and Federal Bureau of Investigation (FBI) at the time the Petition is filed. Please follow these steps:

- Contact your local law enforcement office to be fingerprinted. The Court may provide you with two fingerprint cards, or, in the event that your local court does not provide them, your local sheriff's department should. You will see a box labeled “Reason Fingerprinted” on the card in the upper left hand corner. Complete that box with the following: “**§13-15-101 Legal Name Change.**” It is important that the CBI and FBI know that the criminal history check is for a legal name change. Please write your name, home address, and date of birth clearly on the fingerprint card. If the agency completing the fingerprints uses an electronic print system, please do not write on the cards as the agency will automatically input the information.
- You are responsible for mailing or hand-delivering the completed fingerprint cards to CBI and FBI. Allow up to 13 weeks to process the criminal history check from the FBI. It can take 4 weeks to receive your criminal history check back from the CBI. **The criminal history results must be conducted within 90 days prior to the filing of the Petition.** For this reason, it is best to mail your FBI fingerprint card, wait 7 - 9 weeks, and then mail or hand-deliver your CBI fingerprint card. You will be provided with a full report from both agencies.
- The FBI requires an applicant information form to be submitted along with the fingerprint card. This form, along with additional information on FBI requests, can be obtained at the following link: <https://www.fbi.gov/services/cjis/identity-history-summary-checks>
- Mail the completed fingerprint card and applicant information form to the FBI at, Criminal Justice Information Services (CJIS) Division, Attn: SCU, Mod. D-2, 1000 Custer Hollow Road, Clarksburg, WV 26306 along with a certified check or money order. **Do not fold the fingerprint card.** You can also contact customer service at 304-625-5590.
- Mail or hand-deliver your completed CBI fingerprint card to the CBI at 690 Kipling, Denver, Colorado 80215 along with a money order. **Do not fold the fingerprint card.** If you hand-deliver the fingerprint card, you can also pay by cash. The following link will give you information about obtaining a CBI background check as well as the fees charged: [CBI - Criminal History Record Information Fees](#). You can also contact CBI at 303-239-4208.
- If the minor child has an adjudication that would constitute a felony in Colorado or any other state, and you know that it is inaccurate, it is your responsibility to obtain the disposition information from the Court where such action occurred as identified in the CBI and FBI reports.
- The Parent/Petitioner is also responsible for providing certified copies of any criminal dispositions of the minor child that are not reflected in the Colorado Bureau of Investigations or Federal Bureau of Investigation records and any other dispositions which are unknown, by contacting the agency where such actions occurred.

Step 2: Complete appropriate forms.

Petition for Change of Name of Minor Child (JDF 421):

- Complete all sections of this form.
- If the child is under 19 and is the subject of a child support, allocation of parental responsibilities, or parenting time action, please check the appropriate box and identify the case number, type of case, and name of court.
- Insert the minor child's full legal name and proposed name change as identified in the caption on page 3.
 - Attach the FBI and CBI criminal history record results to the Petition and identify as Exhibit A.
 - Make sure that the fingerprint-based criminal history record checks are conducted within 90 days prior to the filing of the Petition.**
- Attach any other criminal disposition documentation and identify as Exhibit B.
- You may be required to provide a birth certificate for the minor child. Check with the clerk when filing your case to determine if this is a requirement in that location.
- This Petition must be signed by the Parent/Petitioner in the presence of a Court Clerk or Notary Public.

<input type="checkbox"/> County Court <input type="checkbox"/> District Court <input type="checkbox"/> Denver Juvenile Court _____ County, Colorado Court Address: <hr/> In the Matter of the Petition of: Parent/Petitioner: (Insert your legal name here.) for: Minor Child: (Insert minor child's full legal name here.) to change the child's name to: (Identify proposed name of minor child here.)	COURT USE ONLY
Attorney or Party Without Attorney (Name and Address): Phone Number: E-mail: FAX Number: Atty. Reg. #:	Case Number: Division Courtroom
NAME OF FORM	

Consent and Notice Forms: (If the non-custodial parent is deceased, then the Parent/Petitioner should provide a death certificate).

Consent of Non-Custodial Parent (JDF 423):

- The non-custodial parent may complete this form and consent to the change of name of the minor child.
- This form must be signed by the non-custodial parent in the presence of a Court Clerk or Notary Public.

or

Notice to Non-Custodial Parent (JDF 422):

- Proof of notice of hearing sent by certified mail with the attached return receipt signed by the addressee only (non-custodial parent) must be filed with the Court at least 14 days prior to the hearing.
- The non-custodial parent must be advised of the date, time and location of the hearing and the right to appear.

or

Request to Publish Notice and Order (JDF 424) and Notice to Non-Custodial Parent by Publication (JDF 425):

- If the location of the non-custodial parent is unknown, you may ask the Court to order publication of the notice in a newspaper.
- Publication is to be made once weekly for five successive weeks from the date of the Order.
- Order for Publication for Change of Name (JDF 426):**
 - Complete all sections of this form.
 - The Judge or Magistrate will sign the Order for Publication at the time of the hearing.
- Public Notice (JDF 427):**
 - Complete all sections of this form.
 - This is the form that you will submit to the local newspaper to publish notice of the requested name change.
- Final Decree for Change of Name (JDF 448):**
 - Complete caption only.
 - The Judge or Magistrate will sign the Decree.
 - This form will be returned to you only upon proof of publication.

Step 3: You are ready to file your Petition with the Court.

A Petition for a change of name must be filed in the County Court where the minor resides, unless the child is the subject of a child support or allocation of parental responsibilities (decision-making and parenting time) action. If this situation applies to you, the Petition must be filed in District Court where the child support or allocation of parental responsibilities (decision-making and parenting time) action exists.

- Provide the Court with the documents completed as described in Steps 1 – 2 above and pay the appropriate filing fee. **County Court = \$100.00 District/Denver Juvenile Court = \$227.00**
- If the Petition has not been signed in the presence of a Notary Public, you will sign the Petition before the Clerk at this time.
- Keep a copy of each form for your own records.
- The Court may require a self-addressed stamped envelope.

Step 4: Be prepared for your hearing.

You may be asked questions about your request for a name change.

Step 5: Publish proposed name change.

After the Order for Publication is entered, the change of name must be published at least three times within 21 days from the date of the publication order in a local newspaper by using the Public Notice (JDF 427) form, unless pursuant to §13-15-102, C.R.S. the minor child has been:

- The victim of a crime, the underlying factual basis of which has been found by the Court; to include an act of domestic violence as defined in §18-6-800.3(1), C.R.S.; or
- The victim of child abuse as defined in §18-6-401, C.R.S., or
- The victim of domestic abuse as defined in §13-14-101(2), C.R.S.

Step 6: Obtain a signed copy of the Decree for Name Change from the Court.

- Submit proof of publication to the Court. This can include copies of the newspaper notice.
- If publication is not required pursuant to §13-15-102, C.R.S., you will receive your Decree once ordered by the Court.
- If you need certified copies, please provide the appropriate fees.