

## Instructions for Agreed Child's Name Change

## Instrucciones para el cambio de nombre acordado de un menor

### Who Can Use These Forms to Change a Child's Name?

Any parent or conservator or any person who has a legal relationship to the child must join in the petition to change the child's name. This means both the child's mother and father have to agree to the name change, along with any other person who has ever been given legal rights to the child in a court order.

Additionally, if the child is over 10 years old, the child must agree to the name change, in writing.

If all parties do not agree, then these forms should not be used. The child's name can still be changed, just not with these forms.

### ¿Quién puede usar estos formularios para cambiar el nombre de un niño menor de edad?

Cualquier padre o tutor, o persona que tenga una relación legal con el menor, tiene que ser parte en la *Petición* del cambio de nombre de un menor. Esto quiere decir que tanto el padre como la madre del menor tienen que estar de acuerdo en cambiarle el nombre, junto con cualquier otra persona que haya recibido derechos legales al menor por orden de la corte.

Además, si el menor es mayor de 10 años de edad, también tiene que indicar, por escrito, que está de acuerdo con su cambio de nombre.

Si todas las partes no están de acuerdo no se pueden usar estos formularios. Sí podrá cambiar el nombre del menor, pero no puede usar estos formularios.

### What?

A court order to change a child's name simply changes a child's name. It does not take away any legal rights or responsibilities the child had under the original name. It does not grant any new legal rights, either. Changing a child's name is NOT a simple adoption, and does not terminate any parental rights or responsibilities.

### ¿Qué?

Una orden de la corte para cambiar el nombre de un menor simplemente cambia el nombre. No quita ningún derecho o responsabilidad legal que el menor tenía bajo su nombre original. Tampoco otorga ningún derecho nuevo. El cambio de nombre de un menor NO es una adopción simple y no da por terminados los derechos y responsabilidades de los padres.

### Where?

You must file the petition to change the child's name in the county where your child lives.

### ¿Dónde?

Tiene que presentar la *Petición* de cambio de nombre de un menor en el condado donde vive el menor.

### When?

You can file the petition at any time. However, if you simply want to correct a mistake made on your child's birth certificate, you may not need a court order. Contact the Bureau of Vital Statistics (the agency responsible for maintaining birth records) to see if it is possible for you to amend the birth certificate without a court order, before you pay court costs to change your child's name. ([www.dshs.state.tx.us](http://www.dshs.state.tx.us))

### ¿Cuándo?

Puede presentar su *Petición* en cualquier momento. No obstante, si simplemente quiere corregir un error en el acta de nacimiento de su hijo, es posible que no necesite una orden de la corte. Póngase en contacto con la Agencia de Estadísticas Vitales (Bureau of Vital Statistics, la agencia responsable por mantener los registros de nacimiento) para averiguar si es posible corregir el acta de nacimiento sin necesidad de una orden de la corte, para no tener que pagar los costos de la corte para cambiar el nombre de su hijo. ([www.dshs.state.tx.us](http://www.dshs.state.tx.us))

**My child's name is hyphenated. I just want to drop the hyphen. Do I have to go through the name change process?**

Yes.

**Mi hijo tiene dos nombres unidos por un guión. Sólo quiero quitar el guión. ¿Tengo que pasar por todo el proceso de cambio de nombre?**

Sí.

**I cannot locate my child's father. He hasn't paid child support in years. Do I still have to give him legal notice?**

Yes. Texas law requires every parent be served with legal notice, in any case that involves the child, unless the parent is dead or the parent's parental rights have been terminated by a court order -- even if they have never paid one penny of child support. If you are having trouble locating the other parent, see Service by Publication for more information.

**What are the Steps?**

There are at least two forms to be filed.

First, you file the Original Joint Petition For Child's Name Change. The petition must be signed by both of the child's parents, and any other person who has been given legal rights to your child in a court order. Everyone's signature must be notarized.

*Texas Family Code, Section 45.002.*

Second, if your child is over 10 years old, he or she needs to sign the Child's Consent To Name Change, which tells the judge that he or she wants the name change. *Texas Family Code, Section 45.002(b).*

Finally, you will complete the Agreed Order Granting Child's Name Change, and present it to a judge. Your child's name is not changed until the judge signs the order. The clerk's office keeps the original, signed order, but can make certified copies for your records. You will need either a certified copy of the court order **or** a Name Change Certificate to change your child's name on his or her birth certificate and social security records. Both can be obtained from the Clerk's office. Choose whichever is the least expensive. You do not need to get both of them.

Birth certificates and social security records do not change automatically when the court signs the Order. You are responsible for notifying the Bureau of Vital Statistics and Social Security Office of the child's name change by providing them with a certified copy of the order or a Name Change Certificate.

**No puedo ubicar al padre de mi hijo. Hace años que no paga la manutención de los hijos. ¿Igual tengo que darle aviso legal?**

Sí. Las leyes de Texas requieren que todos los padres reciban aviso legal en cualquier caso que involucre a un hijo, a menos que el padre haya muerto o que una orden de la corte haya dado por terminados sus derechos de paternidad -- aunque nunca hayan pagado ni un centavo de manutención de los hijos. Si tiene problemas para encontrar al otro padre, lea la sección "Entrega legal por publicación" para más información.

**¿Qué pasos hay que seguir?**

Tiene que llenar por lo menos dos formularios.

Primero tiene que presentar la *Petición original conjunta para cambiar el nombre de un menor (Original Joint Petition For Child's Name Change)*. La *Petición* tiene que estar firmada por ambos padres y por cualquier otra persona que tenga derechos legales al menor por orden de la corte. Todas las firmas tienen que estar notariadas. *Código de Familia de Texas (Texas Family Code), sección 45.002.*

Segundo, si su hijo tiene más de 10 años de edad, tiene que firmar el *Consentimiento de un menor para cambio de nombre (Child's Consent to Name Change)*, para decirle al juez que quiere cambiar su nombre, *Código de Familia de Texas, sección 45.002(b).*

Finalmente, tiene que llenar la *Orden acordada para otorgar el cambio de nombre de un menor (Agreed Order Granting Child's Name Change)* y presentársela al juez. El nombre de su hijo no cambiará hasta que el juez firme la *Orden*. La Oficina del secretario conservará la copia original de la *Orden* firmada, pero puede solicitar copias certificadas para tener de comprobante. Necesitará ya sea una copia certificada de la orden de la corte **o** un *Certificado de cambio de nombre (Name Change Certificate)* para poder cambiar el nombre de su hijo en su acta de nacimiento o registros del Seguro Social. Puede obtener estos documentos en la Oficina del secretario de la corte. Elija la opción menos costosa. No hace falta obtener ambos documentos.

Los actas de nacimiento y registros del Seguro Social no cambiarán automáticamente cuando la corte firme la *Orden*. Usted es responsable por notificar el cambio de nombre de su hijo a la Agencia de Estadísticas Vitales (Bureau of Vital Statistics) y la Oficina del Seguro Social (Social Security Office). Para notificarles, envíeles una copia certificada de la *Orden* o un *Certificado de cambio de nombre*.

IN THE MATTER OF THE  
**CHANGE OF NAME OF**

(Name of the child now)

\_\_\_\_\_  
First Middle Last

A CHILD

§  
§  
§  
§  
§

The clerk fills out below.

**Case No:**

In the (check one):  District  County  Justice Court of:

\_\_\_\_\_ County, Texas

**Petition to Change the Name of a Child**

Print your answers

No discovery is intended in this case.

**I. PETITIONER**

1. My name is

\_\_\_\_\_  
*first middle last*

2. My address is: \_\_\_\_\_

3. I am the child's

Parent

Managing Conservator

Legal Guardian

**II. CHILD'S LEGAL STATUS**

*Check one.*

No court orders exist involving this child at this time.

A court has made orders involving this child before, in the following case:

**Case number**

**County & State**

**Type of case**  
*(support, custody, adoption, etc.)*

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**III. Co-PETITIONER**

*Check and complete either 1 or 2.*

1.  No other adult has a legal relationship with this child because:

*(check one):*

The other parent is dead. *(Attach the death certificate.)*

Parental rights were terminated. *(Attach the court order of Termination.)*

2.  The following person has a legal relationship to this child. (That person must also sign this Petition in front of a notary to show s/he agrees with the name change.)

Name: \_\_\_\_\_  
*First middle last*

Relationship:

- Parent       Managing Conservator       Legal Guardian

#### IV. NAME CHANGE REQUEST

1. I ask the Court to change this child's name to

\_\_\_\_\_ *First middle last*

2. The reason I want to change this child's name is

\_\_\_\_\_  
\_\_\_\_\_

#### V. INFORMATION ABOUT THE CHILD

1. The child's current name is:

\_\_\_\_\_ *First middle last*

2. Home Address: \_\_\_\_\_  
*street address city state*

3. Social Security Number: \_\_\_\_\_

4. Driver's license number: \_\_\_\_\_  
*State that issued license*

5. Date of birth and gender: \_\_\_\_\_  Male – *Varón*  Female – *Mujer*  
*month day year*

If the child is 10 or older, the **child** must fill out *Child's Consent to Name Change form*.

6. Place of birth: \_\_\_\_\_  
*City County State Country*

7. This child:  is  is not a registered sex offender.

If the child is a registered sex offender, you must fill out and submit a *Sex Offender Update* form to local law enforcement to tell them you are asking the Court to change your child's name. Attach a copy of the form to this Petition and write **Exhibit A** at the top.

8. I ask the Court to make an Order to change the child's name, and any other Orders the child may be entitled to. I swear under oath that the facts stated in this *Petition* are true and correct.

**Do not sign until you are in front of the notary!**



\_\_\_\_\_

Petitioner signs in front of a notary

\_\_\_\_\_

Date

**Notary fills out below**

State of Texas, County of \_\_\_\_\_  
*(Print the name of county where this affidavit is notarized.)*

Sworn to and subscribed before me, the undersigned authority, on this date: \_\_\_\_\_

by \_\_\_\_\_  
*(Print the first and last names of the person who is signing this affidavit.)*

*(Notary's seal here)*



\_\_\_\_\_

*Notary's signature*

**Do not sign until you are in front of the notary!**



\_\_\_\_\_

Co-Petitioner signs in front of a notary

\_\_\_\_\_

Date

**Notary fills out below**

State of Texas, County of \_\_\_\_\_  
*(Print the name of county where this affidavit is notarized.)*

Sworn to and subscribed before me, the undersigned authority, on this date: \_\_\_\_\_

by \_\_\_\_\_  
*(Print the first and last names of the person who is signing this affidavit.)*

*(Notary's seal here)*



\_\_\_\_\_

*Notary's signature*

Print court information exactly as it appears on your Petition

IN THE MATTER OF THE  
CHANGE OF NAME OF

§

§ **Case No:**

§

(Name of the child now)

§

In the (check one):  District  County  Justice Court of:

§

\_\_\_\_\_ County, Texas

First

Middle

Last

A CHILD

### Child's Consent to Change Name

Print your answers


1. My name is \_\_\_\_\_  
*first middle last*

2. My age is \_\_\_\_\_

3. The name change is for me.

4. I want my name changed to  
\_\_\_\_\_  
*First middle last*

Child **prints** his/her current name here: \_\_\_\_\_

 \_\_\_\_\_  
Child **signs** here

\_\_\_\_\_  
Date the child signed

Print court information exactly as it appears on your Petition

IN THE MATTER OF THE  
CHANGE OF NAME OF

(Name of the child now)

\_\_\_\_\_  
First Middle Last  
A CHILD

§  
§  
§  
§  
§

Case No:

[Empty box for Case No.]

In the (check one):  District  County  Justice Court of:

\_\_\_\_\_ County, Texas

### Order to Change the Name of A Child

A hearing took place today, and the following people were present.

#### I. APPEARANCES

1. The Petitioner was present, without an attorney.

Petitioner's name: \_\_\_\_\_  
First Middle Last

2. Co-Petitioner's name (the other parent): \_\_\_\_\_  
First Middle Last

3. (check one):

- The Co-Petitioner was **present** and has signed below, agreeing to this Order.
- The Co-Petitioner was **not present**, but signed below, agreeing to this order.
- There is no Co-Petitioner because the child's other parent is dead or parental rights have been terminated by court order.

#### II. JURISDICTION

The Court received evidence and finds that it has jurisdiction over this case and the parties, that the notice requirements have been met, and that the Petition meets all legal requirements.

#### III. RECORD

A Court Reporter (check one):  did  did **not** record today's hearing.



