INSTRUCTIONS FOR NAME CHANGE OF MINOR CHILDREN

WHAT THIS FORM DOES NOT DO:

- The legal procedure of a name change does not change the legal status of the child or the father in any way.
- If you are the father of a child born out of wedlock, and you want to become the legal father, you must use a different procedure called "Legitimation." The Cobb County Law Library has the forms for that procedure as well. You may change the child's name in the Legitimation action, and do not have to file a separate name change petition.
- If you are a mother or father who wants to have a court decide who is the child's father, you must file a Paternity action.
- If you are the natural parents of a child born out of wedlock in Georgia, and you have not married each other and want to change the child's birth certificate to show the father and change the child's name, you do not have to file a court action. Instead, you may file a simple form with the Georgia Bureau of Vital Records. This form is called *Application for an Amended Certificate of Birth by Legitimation* (form # 3929), and it is available from the Vital Records Office.

WHAT IS THE LAW ABOUT CHANGING NAMES IN GEORGIA?

Court cases that are only about changing names are covered by Official Code of Georgia Sanctions 19-12-1 through 19-12-4 and 31-10-23(d). Other court cases can also include name changes as part of the case. These include legitimations, paternity actions, and divorces. Each of these actions has its own part of the Official Code of Georgia, and is not included in this packet of forms.

GENERAL COMMENTS

It is a good idea to talk to a lawyer before filing any court action. This name change is no exception to that rule. There are often more issues involved than you might realize if you fail to get legal advice. If you do talk to a lawyer before filing this action, it is a good idea to review the forms and instructions in this packet before you talk to the lawyer, so that you will be able to make the best use of time with the lawyer.

State law, **O.C.G.A. § 15-19-51**, prohibits court personnel (including staff attorneys, law clerks, calendar clerks, Clerk's Office staff, and Sheriff's Department staff) from giving legal advice or answering legal questions. This rule also applies to the Cobb County Law Library.

FORMS INCLUDED IN THIS PACKET:

(1) *Petition to Change Name of Minor Child(ren)* – (4 pages)

(2) *Verification of Name Change Petition* – (1 page)

(3) *Consent to Change Name(s) of Minor Child(ren) & Acknowledgment of Service* – (2 pages; 2 copies of each)

(4) *Notice of Petition to Change Name(s) of Minor Child(ren)* – (1 page)

(5) *General Civil Case Filing Information Form* – (1 page)

(6) *Final Order Changing Name(s) of Minor Child(ren)* – (2 pages)

(7) *General Civil Case Final Disposition Information Form* – (1 page)

(8) *Sheriff's Return of Service Forms* – (one for each person to be served by the Sheriff)

BASIC STEPS FOR NAME CHANGE OF MINOR CHILD(REN):

☐ **STEP 1:** Fill out the *Petition*, *Verification*, *Consent*, and *Acknowledgment*, *Notice*, and *Case Filing Information* forms. Sign the forms in front of a notary public. (Save the *Final Order* and *Case Disposition Information* forms for later, when you have your final hearing).

☐ **STEP 2:** Have one of the *Consent & Acknowledgment* forms completed and signed in front of a notary public by each of the other parent(s) and guardian (if any), unless one of the exceptions applies.

☐ **STEP 3:** Make copies of all the forms.

☐ **STEP 4:** File forms at the Superior Court Clerk's Office.

☐ **STEP 5:** Arrange for publication of the *Notice* in *The Marietta Daily Journal*.

☐ **STEP 6:** Arrange for service on all parents and guardians (if any), unless they have signed the *Consent and Acknowledgment* form.

☐ **STEP 7:** Wait the required time, and prepare the forms for the final hearing.

☐ **STEP 8:** Schedule and attend the final court hearing.

☐ **STEP 9:** File the *Final Order* and get a certified copy of it.

☐ **STEP 10:** (Optional) Change birth certificate(s).

DETAILED INSTRUCTIONS FOR NAME CHANGE OF MINOR CHILD(REN):

The rest of these instructions tell you how to fill out each form and complete each step of the process to complete your name change. **Please read these instructions and each form very carefully.** Missing or misreading a word could cause you to make serious errors in your case, causing confusion and delays, and even causing the Court to deny the name changes you are requesting.

You must type or print in **black ink** on any forms you will file in Cobb County Courts.

STEP 1(A): PETITION TO CHANGE NAME OF MINOR CHILD(REN)

- **Caption (Heading):**

  Type or print the current names of the minor child(ren) on the blanks provided (to the left of the vertical line). Fill in your name on the blank for the Petitioner. If you are one of the parents, list the other parent as the Respondent. If you are not one of the parents, but are a guardian, fill in the name(s) of the child(ren)'s living parent(s) as the Respondents. If the child(ren) do(es) not have any living parents, then leave the Respondent's line blank. Do not fill in the Civil Action Case Number. The clerk will assign a number to your case when you file your *Petition* in the Clerk's Office.

- **Paragraph 1: Name and Residency**

  Type or print your name on the blank in this paragraph.

- **Paragraph 2: Relationship to the Child(ren)**

  Check the box next to the word that describes your relationship to the child(ren). Only people who have a legal relationship (that is, parents and guardians) can change the name of a minor child.

- **Paragraph 3: Names and Birthdates of Child(ren)**

  Fill in the current name, date of birth, and proposed new name for each child on the chart in this paragraph. Spell the current name exactly as it appears on the child's birth record (including any middle names). Spell the name exactly as you want it to appear on the birth certificate. For example, if your children's names are Mary Smith and John Henry Smith, and you want to change them to Mary Jones and John Henry Jones, it would look like this:

Current Name of Child	Date of Birth	Proposed New Name
Mary Smith	1-20-86	Mary Jones
John Henry Smith	12-13-90	John Henry Jones

- **Paragraph 4: Child(ren)'s Residence**

  If the child(ren) live(s) with you in Cobb County, check the first box.

  If the child(ren) do not live with you, check the second box. Then, fill in the blanks with the names of the parent or guardian living with the child(ren), and where they live.

- **Paragraph 5: Reasons for Name Change**

  Explain your reasons for the name change in this section. The court needs to know why the name change would be in the best interests of the child(ren). Be clear and reasonably complete, but keep it short.

- **Paragraph 6: Mother's Name and Address**

  Fill in the name of the child(ren)'s mother and her address. However, if the mother is living in a shelter for victims of family violence, do not list the address of the shelter. Instead, on the space for the address, list only the name of the shelter and the state where it is located.

  Then, check one of the boxes. If you are the mother, check the first box (because you will consent to the name change). Otherwise, check the box that applies to the child(ren)'s mother.

  Note: If none of the statements next to the boxes applies to the mother in this case, then you cannot do the name change. This is because the law requires that both parents consent to the name change, unless they are deceased, have abandoned the child(ren), or have not contributed to the child(ren)'s support for at least the past five (5) years in a row.

- **Paragraph 7: Father's Name and Address**

  Fill in the name of the child(ren)'s father, and his address. However, if the father is living in the shelter for victims of family violence, do not list the address of the shelter. Instead, on the space for the address, list only the name of the shelter and the state where it is located.

  Then, check one of the boxes. If you are the father, check the first box (because you will consent to the name change). Otherwise, check the box that applies to the child(ren)'s father.

  Note: If none of the statements next to the boxes applies to the father in this case, then you cannot do the name change. This is because the law requires that both parents consent to the name change, unless they are deceased, have abandoned the child(ren), or have not contributed to the child(ren)'s support for at least the past five (5) years in a row.

- **Paragraph 8: Guardian's Name and Address (if any)**

  If the children do not have a legal guardian (other than their parents), check the first box.

  If both of the parents are deceased or have abandoned the child(ren), and the child(ren) have a guardian, check the second box. However, if the guardian is living in a shelter for victims of family violence, do not list the address of the shelter. Instead, on the space for the address, list only the name of the shelter and the state where it is located.

- **Final Paragraph: Request for Relief and for Service on Parents and Guardians**

  - **Request for Name Change**

    This part applies in all cases, so there is no box to check on this one.

    In all name change cases, if the parents are alive, they must be properly served with the *Petition*. If the children live with someone acting as guardian who is not their parent, then the person acting as guardian must also be served. According to the statute, service can be done in four possible ways, which are explained in more detail in step 6 below. The easiest way to serve them is for them to sign the form called *Consent to Change Name(s) of Minor Child(ren) & Acknowledgment of Service*.

    If they are not going to sign the *Consent & Acknowledgment* form, you must check the boxes in (b), (c), and (d) of this final section of the *Petition*, showing how you plan to have each parent and guardian served.

    When you do have to check any of the service boxes (if both parents have signed the *Consent & Acknowledgment* form), then you do not need to check any boxes about the mother or father in (b), (c), or (d). If the children do not have a person acting as guardian (other than their parents), or if that person has signed a *Consent & Acknowledgment* form, then you do not need to check any of the boxes about the guardian in (b), (c), or (d).

  - **Service by Sheriff**

    Check box **b** if you need to have the sheriff serve either a parent or a person acting as a guardian. This is the type of service required in most cases.

  - **Out-of-State Service**

    Check box **c** if you will serve a parent or guardian by certified mail. You can only use this method of service for people who live outside the State of Georgia.

- **Service by Publication**
  Check box **d** if you want to serve a parent or guardian by publication. You can only use this method of service for people you cannot find, after making a diligent search. Service by publication requires additional paperwork including an *Affidavit of Diligent Search* and other forms.

- **Finishing this Petition**

  Sign your name in the space provided on the last page, and add the date on which you are signing the *Petition*. Write your address and daytime telephone number where Court staff can reach you, if necessary. However, if you are living in a shelter for victims of family violence, do not list the address of the shelter. Instead, on the space for the address, list only the name of the shelter and the state where it is located. Do not even fill in the name of the county. If your address should be kept confidential because of family violence, do not write that address here. Instead, you should write another address here, where you can be sure that you will receive any information that is mailed to you by the court.

STEP 1(B): VERIFICATION

The *Verification* form must be filed with the *Petition to Change Name(s) of Minor Children*. Fill out the caption in the same way you filled it out in the *Petition*. Then, insert your name in the space after the words, "My name is."

Before you sign this *Verification*, remember that you will be swearing under oath that the information you have provided in the *Petition* is true. Therefore, you should re-read the *Petition* one more time, from start to finish, to make sure it is all true. Do not sign it until you are in front of a notary public. The notary must complete the rest of the *Verification* form after you sign it under oath.

STEP 1(C): CONSENT & ACKNOWLEDGMENT FORM

There are two copies of this form in your packet. One is for the mother and one is for the father. You will need to make a third blank copy, if both parents are consenting and there is also a guardian who is consenting (who is not a parent).

- **Caption (Heading):**

  Fill out the caption in the same way you did it on the *Petition*.

- **Paragraph 1: Your Name, Address, and Relationship to the Children**

  Type or print your name and address on the blanks in this paragraph. If you live in a family violence shelter, do not list the address of the shelter. (See notes above on pages 4 and 5). Check the box next to the word that describes your relationship to the children.

- **Paragraph 2: Petitioner's Name; Names and Birthdates of Children**

  Type or print your name on the first blank in this paragraph (near the bottom of page 1 of the form). Then, fill in the current name, date of birth, and proposed new name for each child on the chart in this paragraph, just as you did in paragraph 3 of the *Petition*.

- **Signature**

  Do not sign this form until you are in front of a notary public. When you sign, check the box under your signature that describes your relationship to the children.

STEP 1(D): NOTICE

On the first blank in the main part of the form, fill in your name. On the appropriate blanks, fill in the date you are filing the *Petition*. On the lines on the left side, fill in the current names of the minor children. On the lines on the right side, fill in the proposed new names of the minor children. At the bottom, fill in the date you are signing the form, and sign your name on the blank provided. Print or type your name and address on the lines below your signature. Make sure your address is complete, so *The Marietta Daily Journal* can send you the proof of publication.

STEP 1(E): NON-DOMESTIC GENERAL CIVIL CASE FILING INFORMATION FORM

- **Caption (Heading):**

  This is located on the top left portion of the form. Do not fill in the Case number and Division. The clerk will do that when you file the case. On the lines just underneath the Case Number, type or print the caption of the case, just as it appears on the *Petition*.

- **Plaintiff's Information**

  This is located on the top right portion of the form. Type or print your current name, address, and telephone number on the spaces provided.

- **Defendant's Information**

  This is located on the right side of the form. Leave this section blank.

- **Type of Case and Origin:**

  This is located in the boxes in the center of the form. Check the box next to "Name Change." In the area labeled "ORIGIN," check the box or "Original Proceeding."

- **Related Cases**

  This is located at the bottom section on the form. If there <u>have not</u> been any other cases in this court about you, leave this section blank. Just sign your name at the bottom and fill in the date.

  However, if there <u>have been</u> other cases about you in the Superior Court of Cobb County (for example, divorce, child support, criminal cases, TPO), then you must fill in this section. To complete this section, fill in the name of the judge and the Case Number of the other case. Check the box next to the words "Same issue of fact or grows out of the same transaction." Then, sign your name at the bottom and fill in the date.

STEP 1(F): NOTARY PUBLIC

After you fill out all of the forms, review them to make sure they are complete and accurate. Then, take them to a notary public and sign them in front of the notary.

STEP 2: SIGNED CONSENT & ACKNOWLEDGMENT FORMS

Each of the parents has to sign one of the *Consent & Acknowledgment* forms, unless one of the following exceptions applies:

- The parent is deceased, OR
- The parent has abandoned the children, OR
- The parent has not contributed to the support of the children for a continuous period of at least 5 years immediately before you file the *Petition*.

If both parents are deceased, or have abandoned, or failed to support the children, then the person acting as guardian must sign the *Consent* form. If only one of the parents fits one of the exceptions, then that parent does not have to sign a *Consent* form, but the other parent must sign one.

On each of the *Consent to Change Name(s) of Children & Acknowledgment of Service* forms that will be signed by others, complete them as follows:

- **Caption (Heading):**

  Fill out the caption in the same way you filled it out on the *Petition*.

- **Paragraph 1: Name, Address, and Relationship to the Children**

  The parent or guardian signing the form should fill in their name and address on the appropriate blanks, and then check the box showing their relationship to the children.

- **Paragraph 2: Petitioner's Name, Names, and Birthdates of the Children**

  Type or print your name on the first blank in this paragraph (near the bottom of page 1). Then, fill in the current name, date of birth, and proposed new name for each child on the chart in this paragraph, just as you did in paragraph 3 of this Petition. Be sure to spell the old names exactly as they appear on the current birth certificates, and the new names exactly as you want them to be on the new, amended birth record.

- **Signature**

  You cannot sign this form. The parent or guardian must sign it, but not until they are in front of a notary public. They should also check the box that describes their relationship to the children.

STEP 3: COPYING

Check to make sure you have completed all of the forms needed and that they have all been signed (in front of a notary, where necessary). (Check page 2 of these instructions for a list of all of the needed forms). Then, make one copy of each of the forms for each parent and guardian, with one copy of every form in each set. Clip each set with a paper clip.

STEP 4: FILING

Take all of the sets of forms to the Cobb County Superior Court Clerk's Office to be filed. There is a court filing fee for a name change action (the exact amount can be obtained from the Clerk's Office). You will also have to pay a separate fee for *The Marietta Daily Journal* to publish the notice of name change. These fees can be paid by cash, check, or money order. Be sure to bring a form of payment with you to the Clerk's Office, and remember that the two fees will have to be paid separately.

Note: If you have a low income and feel that you cannot afford to pay these fees, you can ask the Court to waive the court filing fee (but not the publication fee). To do this, you should file *Poverty Affidavit* and *Order on Poverty Affidavit* forms along with your other forms that you have taken to the Clerk's Office. A judge must sign the *Order* approving the *Poverty Affidavit*, before the filing of your case can be completed by the Clerk's Office staff. If the judge signs the order of approval, your filing fee is waived and the case will proceed. If the judge does not approve your *Poverty Affidavit*, you must pay all fees before you case will proceed.

Tell the clerk if there have ever been cases about you in this court so that the case can be assigned to the proper judge. If you paperwork is complete, the clerk will keep the originals for the Court's file. Once your fees have been paid or a *Poverty Affidavit* has been approved by the judge, the clerk will write the case number on the top of the set of your copies, stamp them, and return them to you. Keep these copies for your records. Ask the clerk which judge has been assigned to the case, and get the name and phone number of that judge's calendar clerk.

Unless you filed *Consent & Acknowledgment* for each parent a guardian, you must also arrange service. The other copies of your papers will be used in service. In addition, you need to arrange for publication of the *Notice*.

STEP 5: PUBLICATION OF NOTICE

Publication is required in *all* name change cases, even if all parents and guardians have consented and acknowledged service. While filing your case at the Clerk's Office, give the clerk the *Notice* and payment for the publication fee **(check or money order)** made out to *The Marietta Daily Journal*. The Clerk will forward the *Notice* and payment to *The Marietta Daily Journal*.

You should receive a *Publisher's Affidavit* from *The Marietta Daily Journal* after the *Notice* has been published for four weeks. Keep it with your other court papers related to this name change case. You will need this document at your final hearing in order to show the judge that the notice was published.

STEP 6: SERVICE

Service is the required formal process of notifying the parents and guardians that the name change case has been filed. There are four ways for service to be completed: (1) the parent or guardian signs an *Acknowledgment of Service*, (2) service by the Sheriff's Department or other approved process server, (3) by certified mail, or (4) by publication.

- **Service by *Acknowledgement of Service***

This is the easiest and least expensive method, <u>but only if</u> the parent or guardian is cooperative and willing to sign an *Acknowledgment of Service* form in front of a notary public. You cannot sign for them, and you cannot sign as the notary witnessing their signature, nor is it good enough for them to sign without the signature being witnessed by a notary public. In this packet, the *Acknowledgment of Service* is combined with the *Consent to Change Names*. See step 2 above for the instructions about this form.

So long as every parent and guardian (if any) signs a *Consent* and *Acknowledgment* form, no other type of service is required in your case. However, if any parent or guardian does not sign this form, then that parent or guardian must be served by one of the methods explained below.

- **Service by Sheriff's Department**

  This is the usual way for service to be completed (if an acknowledgment is not signed). It is sometimes called "Personal Service," which means that the deputy sheriff or other court-approved process server hands the papers to the parent or guardian in person. The forms provided by the Superior Court of Cobb County do not include the special motion and order required to have a special process server appointed. Therefore, if a parent or guardian will not sign an acknowledgement, and you know (or can find out) an address where the person can be served, you should make arrangements for the Sheriff's Department to serve the papers.

  If the parent or guardian can be served in Cobb County, then the Cobb County Sheriff's Department can serve the papers. You may pay the service fee at the Clerk's Office when you file the case, and leave the service copy of the papers with the clerk. The clerk will forward your payment and legal documents to the Sheriff's Department for service.

  Note: If you prefer, you may take the fee and service copy of the papers directly to the Sheriff's Department yourself (after you have completed Step 5 above). The Sheriff's Department is not at the jail; it is located in the Superior Court building.

  If the parent or guardian must be served in another county or state, the Cobb County Sheriff's Department cannot serve the papers. You will need to arrange for service directly with the Sheriff's Department of the proper county. You should find out the amount of the fee, and take or send it to the proper Sheriff's Department, along with the service copy of the papers.

  Whether you have service completed by the Cobb County Sheriff's Department or some other Sheriff's Department, you should make sure the service copy includes the *Sheriff's Entry of Service* form. After the Sheriff's Department completes service, they will send the white and yellow copies to the Clerk's Office, which will then send the yellow copy to you (if you have properly filled out the form).

- **Certified Mail Service**

  If the parent or guardian lives outside the State of Georgia, you may use certified mail service. To use this method, mail a copy of the *Petition* and the *Notice* to the person. Use certified mail, with return receipt (the green card). Be sure to include your return address, so that the papers or the green card will be sent back to you by the post office.

  When the green card comes back, complete a *Certificate of Service* form and staple the green card to it, with the signature side of the card visible. Make a copy of the *Certificate of Service* with the green card on it. Then, file the *Certificate of Service* with the Clerk's Office in the same way you filed the *Petition* and other papers to start the case.

- **Service by Publication**

  This is a method of last resort. If you can find the parent or guardian, you must use on of the other methods of service. If you do not know where that person lives or works, and you cannot find that information out, this is your only choice of service method. You must prove to the Court that you have tried to locate the parent or guardian and cannot find him/her.

  To serve by publication, you will need to prepare and file the following two (2) forms:
  - ☐ *Affidavit of Diligent Search*, and
  - ☐ *Order of Publication, Return of Service, and Order Perfecting Service*

  In the *Affidavit of Due Diligence*, you will explain to the Court the steps you took to try to find the parent or guardian. You must make reasonable effort to find the person before you fill out this form, which is available through the Cobb County Law Library and has its own set of instructions. The other two forms are available through the Clerk's Office.

After you file the forms and if the Court grants permission, the judge will then sign an *Order of Publication*. You will need to pay the cost of publication ($80.00) at the Clerk's Office. The *Notice of Publication* will then be published in the county's official legal newspaper, called *The Marietta Daily Journal*, four times (usually four weeks in a row). The court clerk is required to mail the *Notice* to the parent or guardian's last known address (which you have provided in the *Affidavit of Diligent Search*), and then to complete the *Return of Service* part of the 3-section form listed above.

To be on the safe side, you should also mail a set of all the papers, called the "service copy," to the person's last known address. Be sure to put enough postage on it, and be sure to list a return address so that the post office can return it to you if they are unable to deliver it.

After the *Notice of Publication* has been published all four times, you should receive an *Affidavit of Publication* from *The Marietta Daily Journal* stating that publication is complete. You must bring this *Affidavit of Publication* with you to your hearing in order to prove that service by publication has been completed. Usually the judge will then sign the *Order Perfecting Service* (part of the three-part form listed above) at the hearing, showing that the Court has reviewed the service and finds that it was done properly.

If you later find out where the parent or guardian lives or works (before the case is over), you should arrange for the Sheriff's Department to serve the person or for the person to acknowledge service.

STEP 7: WAIT AND PREPARE FOR FINAL HEARING

If all the parents and guardians (if any) live in the State of Georgia, the required waiting period is **30 days from the date of service** on the last person served. If any of the parents or guardians live outside the State of Georgia, the waiting period is **60 days from the date of service**.

In addition, the *Publication of Notice* in *The Marietta Daily Journal* must have been completed. The publication normally runs for 4 weeks, so it will usually be completed at approximately the same time as the waiting period.

- **Final Order for Changing Names of Minor Children:**

  Fill in the caption the same way you did on the *Petition*. Fill in the Case Number with the same number the Clerk wrote down when you filed the case.

  Fill in the current (old) name, date of birth, and proposed new names for each child on the chart in the body of the *Order*. Be sure you spell the names exactly as you want it to appear on official records in the future. Leave the rest of the form blank. The judge will fill in the remainder of the form at your final hearing.

- **General Civil Case Final Disposition Information Form:**

  Check the box next to the word "Superior" in the upper left-hand corner of the form.

  Fill in "Cobb" in the space provided for the county. Fill in the Case Number on the space for the Docket Number. Fill in your name as the Reporting Party; fill in your title, which is "Petitioner."

  Fill in your name on the line for the "Name of Plaintiff/Petitioner." Check the box for "Pro Se." Do not fill in the spaces provided for the Respondent.

  Under "Type of Disposition," check the box for Bench Trial (#6).

  Do not fill in the "Award" section or the "Judgment on Verdict" section. Leave them blank.

  Under "ADR," check the box for "No."

STEP 8: FINAL HEARING

Contact the calendar clerk for the judge assigned to your case, and schedule your final hearing. (Some judges require you to make an appointment, and others will just have certain days and hours when you can come in for this type of hearing). Make sure you have your court papers (including the Case Number) in front of you when you make the call, so that you can answer any questions the calendar clerk may have about your case.

When you go to court for your hearing, take a copy of all of the court papers with you, including:

- ☐ *Petition to Change Names of Minor Children*
- ☐ *Consent to Change Names of Minor Children* & *Acknowledgment of Service*
- ☐ *Publisher's Affidavit* (the paperwork sent to you by *The Marietta Daily Journal*)

You also need to take the following forms you completed in Step 7:

- ☐ *Final Order Changing Names of Minor Children*
- ☐ *General Civil Case Final Disposition Information Form*

When you get to the judge's office, tell the staff that you are there for a name change. The staff may ask you for your final order form. When you go into the judge's office, the judge will have you swear to the truth of what you are about to say. Then, tell the judge the following information:

- ☐ Your name
- ☐ The county where you live
- ☐ How you are related to the children
- ☐ That you are asking the judge to grant a name change for the children from your current name of _____ to the proposed name of _____, and
- ☐ The reasons you want to change the names.

If you have not already given the staff your *Final Order* form, offer it to the judge now. The judge may ask you some additional questions. Then, if the judge approves the name change, s/he will sign the *Final Order* form.

STEP 9: FILE FINAL ORDER

Take the signed *Final Order* to the Clerk's Office and have it filed. Ask for a certified copy of the *Order*. There will be a fee for the certified copy. The certified copy is your proof that your name has officially been changed.

STEP 10: CHANGE BIRTH CERTIFICATE AND RECORDS (Optional)

If the children were born in the State of Georgia, you may have their birth certificates changed to show their new name. (The new birth certificate will be marked as "amended").

To change the birth certificate, take or mail the following document to the **Georgia Bureau of Vital Records** at 2600 Skyland Drive NE, Atlanta, GA 30319-3640; telephone: 404-679-4702:

- ☐ Certified copy of *Final Order*
- ☐ Copy of children's current birth certificates
- ☐ Money order made payable to "Vital Records Services"

Tell the Vital Records staff that you have done a name change and you want to amend the birth certificate. If you do it by mail, be sure to provide them with your name and address so that they can send you the amended birth certificates.

If you are the natural parents of a child born out of wedlock, and you have now married each other, you can also add the father's name to the child's birth certificate. Ask the Vital Records staff for the form called *Application for Amended Certification of Birth by Legitimation* (Form #3929). You must both sign the form after you complete it. Return that form to the Bureau of Vital Records, along with a copy of your marriage certificate and the required fee.

Congratulations! Your Name Change of Minor Children is complete!

Check box **d** if you want to serve a parent or guardian by publication. You can only use this method of service for people you cannot find, after making a diligent search. Service by publication requires additional paperwork including an *Affidavit of Diligent Search* and other forms.