

INSTRUCTIONS FOR NAME CHANGE OF MINOR CHILD(REN) ON BIRTH CERTIFICATE

INSTRUCTIONS

There are various reasons and ways to change a child's name or a parent's name on the child's birth certificate. In this packet you will find two similar petitions for changing a child's birth certificate. They serve different purposes, so you should choose only the one you need and discard the other. Do not use them both. Here is how to determine which petition to choose:

1. If your goal is to correct the name of the *father* of the child on the birth certificate and possibly also change the *child's name* to reflect the father's name, then you should use the petition that is entitled **"Petition to Amend Minor Child's Birth Certificate to Change Parent's Name and/or Child's Name."** You can either change the father's name OR supply a father's name if one was never named on the original birth certificate if you use this form. In addition, you also have the option of changing the child's name in addition to changing or supplying the father's name.
2. ***However***, if your goal is simply to change only the *child's name* (to give the child a new first, middle, or last name, or just to correct a misspelled name, etc.), and you do not want to change the father's name on the birth certificate, then you should use the petition entitled **"Petition to Amend Minor Child's Birth Certificate to Change Child's Name Only."** If a father was named on the child's original birth certificate, the father's name will not be changed when you use this petition. This form will only change the child's name, not the father's.

IMPORTANT

IF THERE IS ANY QUESTION in your mind concerning these forms, the use of these forms, or your legal rights, it is strongly recommended that the services of an attorney be obtained. If you do not know an attorney, you should contact your local Bar Association.

If you are unable to afford the services of an attorney, you should contact the following organization to see if you are eligible for their services:

- Georgia Legal Services Program, Piedmont Regional Office (404) 894-7707

DUE TO THE CHANGING NATURE OF THE LAW, the forms and information contained in these packets may become outdated. Therefore, you should review and research statutes and rules of procedure referenced in the instructions to ensure that the forms are accurate and current.

IN NO EVENT will the Clerk of Court, Sheriff's Office, Judge's Chambers or ADR Office or anyone contributing to the production of these forms, commentary, instructions, and appendices be liable for any indirect or consequential damages resulting from the use of the booklet.

USE THESE FORMS AT YOUR OWN RISK. THESE FORMS MAY OR MAY NOT BE APPROPRIATE IN YOUR PARTICULAR CASE. ANY DESIRED OUTCOME FROM THE USE OF THESE FORMS CANNOT BE PREDICTED OR GUARANTEED. IT IS STRONGLY RECOMMENDED THAT YOU SEEK LEGAL ADVICE.

It is advisable to have an attorney when filing legal papers to be sure that your rights are protected and that all the procedures are correctly followed. **Courthouse personnel are prohibited by state law O.C.G.A. § 15-19-51 from giving legal advice.** Different situations may require special procedures and courthouse personnel cannot advise you on how to proceed or what forms may be necessary in specific situations.

Be aware that answering questions about legal procedure (such as what the law requires you to do, how to prove your case, how to respond to requests by the opposing party or how to get that party to respond to your requests, how to comply with a law or a court order, etc.) constitutes "giving legal advice." Georgia law strictly forbids anyone employed by the Clerk's office, Sheriff's office, judge's chambers, or ADR office from answering such questions. *When you choose to represent yourself, it is your responsibility to research the law yourself and figure out what the law requires you to do and how you should proceed. The fact that you are not an attorney is not an excuse or an exception to this requirement.*

**IN THE SUPERIOR COURT OF HENRY COUNTY
STATE OF GEORGIA**

Petitioner: _____

and

Respondent: _____

Civil Action File No.: _____

**PETITION TO AMEND MINOR CHILD’S BIRTH CERTIFICATE
TO CHANGE PARENT’S NAME AND/OR CHILD’S NAME**

COMES NOW _____ (hereinafter referred to as “Petitioner”), in the above-styled action and files his/her Petition to Amend Minor Child’s Birth Certificate, and shows this Honorable Court the following:

1

Petitioner, _____, is a resident of the State of Georgia, Henry County, and has been a resident of the State of Georgia for at least six months preceding the filing of this Petition.

2

Petitioner and Respondent, _____, are the legal parents of the subject minor child, *to wit:* _____, born _____ (*year only*). Respondent resides at _____, and can be served at that residence by _____ person if needed.

3

The biological Father of said child is _____. The biological Father is also known of record to be the legal Father of the child pursuant to an Order dated _____, and signed by the Honorable Judge _____ in the case styled _____, Superior Court of _____ County, Civil Action File Number _____. A copy of the Order or Final Judgment is attached hereto as “Exhibit A.”

4

At the time of the issuance of the child’s Birth Certificate, the child’s name was listed as _____. The child’s Father’s name was stated as _____. Attached herto as “Exhibit B” is a copy of the minor child’s Birth Certificate, showing this designation.

5

Petitioner now moves the Court to amend the minor child’s Birth Certificate to change (PICK ALL THAT APPLY):

- The child’s name from _____ to _____ (write out name in full – no initials); AND/OR
- The father’s name from _____ to _____.

6

Both Petitioner and Respondent submit herewith a proposed Final Consent Order to Amend Minor Child’s Birth Certificate, and request that the Court issue said Order which would amend the Birth Certificate to remove _____ (input Father’s name as it appears on the Birth Certificate. If the Mother was married at the time of birth to someone not the Father and put “refused,” write the full name of the Mother’s spouse) as the “Father’s Name” on the same, and insert _____ (input full name of new Father’s name to be added, no initials) as the “Father’s Name.”

7

Petitioner and Respondent also request that the Court change the minor child’s name to _____ (Enter full and complete name that the minor child is known by – no initials.)

WHEREFORE, the Petitioner respectfully prays that this Honorable Court inquire herein, and that:

- 1) This Court enter the above-referenced Order; and
- 2) Petitioner have such other and further relief as this Court deems just and proper.

Signed this _____ day of _____.

[day] [month] [year]

(Sign your name here)

Pro se

Petitioner’s Name (print or type): _____

Petitioner’s Address: _____

Petitioner’s Telephone Number: _____

**IN THE SUPERIOR COURT OF HENRY COUNTY
STATE OF GEORGIA**

Petitioner: _____

and

Respondent: _____

Civil Action File No.: _____

**PETITION TO AMEND MINOR CHILD’S BIRTH CERTIFICATE
TO CHANGE CHILD’S NAME ONLY**

COMES NOW _____ (hereinafter referred to as “Petitioner”), in the above-styled action and files his/her Petition to Amend Minor Child’s Birth Certificate, and shows this Honorable Court the following:

1

Petitioner, _____, is a resident of the State of Georgia, Henry County, and has been a resident of the State of Georgia for at least six months preceding the filing of this Petition.

2

Petitioner and Respondent are the legal parents of the subject minor child, *to wit*:

_____, born _____ (*year only*). Respondent resides at _____, and can be served at that residence by person if needed.

3

Petitioner is the legal (circle one: Mother or Father) of said child.

4

At the time of the issuance of the child’s Birth Certificate, the child’s name was stated as _____ . Attached herto as “Exhibit B” is a copy of the minor child’s Birth Certificate, showing this designation.

5

Petitioner now moves the Court to amend the minor child’s Birth Certificate to change the child’s name to _____ (*write child’s name clearly and in full – no initials*).

Both Petitioner and Respondent submit herewith a proposed Final Consent Order to Amend Minor Child’s Birth Certificate, and request that the Court issue said Order which would amend the Birth Certificate to remove “_____” (*Input Father’s name as it appears on the Birth Certificate. If the Mother was married at the time of birth to someone not the Father and put “refused” write the full name of the Mother’s spouse.*) as the “Father’s Name” on the same, and insert _____ (*Input full name of new Father’s name to be added, no initials*) under “Father’s Name.”

Petitioner and Respondent also request that the Court change the minor child’s name to _____ (*Enter full and complete name that the minor child is to be known by – no initials.*)

WHEREFORE, the Petitioner respectfully prays that this Honorable Court inquire herein, and that:

- 3) This Court enter the above-referenced Order; and
- 4) Petitioner have such other and further relief as this Court deems just and proper.

Signed this _____ day of _____.
[day] [month] [year]

 (Sign your name here) *Pro se*

Petitioner’s Name (print or type): _____

Petitioner’s Address: _____

Petitioner’s Telephone Number: _____

IN THE SUPERIOR COURT OF HENRY COUNTY
STATE OF GEORGIA

Petitioner: _____

and

Respondent: _____

Civil Action File No.: _____

VERIFICATION

I, _____, personally appeared before the undersigned attesting officer authorized by law to administer oaths, and after being duly sworn, declare under oath that I am the Petitioner in the above-styled action and that the facts stated in the foregoing Petition to Amend a Minor Child's Birth Certificate are true and correct to the best of my knowledge.

Signed this _____ day of _____.
[day] [month] [year]

(Sign your name here before Notary) Petitioner, *Pro se*

Petitioner's Name (print or type): _____

Petitioner's Address: _____

Petitioner's Telephone Number: _____

Sworn to and affirmed before me, this
_____ day of _____.

NOTARY PUBLIC

My commission expires: _____

(Notary Seal)

**IN THE SUPERIOR COURT OF HENRY COUNTY
STATE OF GEORGIA**

Petitioner: _____

and

Respondent: _____

Civil Action File No.: _____

**FINAL CONSENT ORDER TO AMEND MINOR CHILD'S BIRTH CERTIFICATE AND FOR
NAME CHANGE OF MINOR CHILD**

COME NOW _____ (hereinafter referred to as "Petitioner") and
_____ (hereinafter referred to as "Respondent"), the parties in the above-styled case, and
hereby indicate their consent to entry of the within Final Consent Order. Accordingly, it is hereby ORDERED, AJUDGED,
and DECREED as follows:

1

Petitioner and Respondent are the parents of the subject minor child, *to wit:* _____,
born _____ (year only).

2

Petitioner has been legally determined to be the biological and legal Father of said child, pursuant to an Order dated
_____, and signed by the Honorable Judge _____ in the case
styled _____, Superior Court of _____ County, Civil Action File
Number _____.

3

At the time of issuance of the minor child's Birth Certificate, the child's Father was identified as
_____.

4

Petitioner now moves the Court to amend the minor child's Birth Certificate to change the Father's name on the
Birth Certificate from _____ (input full name of Father as it appears on the original Birth
Certificate, no initials) and replace it with _____ (input the new Father's name as you want it
to appear on the new, amended Birth Certificate.)

5

Accordingly, the Court hereby ORDERS that the name "_____" (input Father's name
as it appears on the original Birth Certificate, no initials) and/or "REFUSED" be removed as the "Father's Name" under said
section of the Birth Certificate, and that the name _____ (input full name of Father as you want
it to appear on the new, amended Birth Certificate, no initials) be added under "Father's Name" on the Birth Certificate.

IT IS SO ORDERED, this _____ day of _____, 20_____.

Judge, Henry Superior Court
Flint Judicial Circuit

CONSTENTED TO BY:

(Sign your name here before Notary) **Petitioner, Pro se**

Petitioner's Name (print or type): _____

Petitioner's Address: _____

Petitioner's Telephone Number: _____

Sworn to and affirmed before me, this
_____ day of _____.

NOTARY PUBLIC

My commission expires: _____
(Notary Seal)

(Sign your name here before Notary) **Respondent, Pro se**

Petitioner's Name (print or type): _____

Petitioner's Address: _____

Petitioner's Telephone Number: _____

Sworn to and affirmed before me, this
_____ day of _____.

NOTARY PUBLIC

My commission expires: _____
(Notary Seal)

IN THE SUPERIOR COURT OF HENRY COUNTY
STATE OF GEORGIA

Petitioner: _____
and
Respondent: _____

Civil Action File No.: _____

CERTIFICATE OF SERVICE

This document certifies that on _____, 20_____, I sent a copy of the within and foregoing
Petition to Amend Minor Child's Birth Certificate to the opposing party by first class mail/ certified mail and return
receipt was requested.

The documents were addressed as follows:

Signed this _____ day of _____.
[day] [month] [year]

(Sign your name before Notary) Petitioner Respondent, *Pro se*

Name (print or type): _____

Address: _____

Daytime Telephone Number: _____

Sworn to and affirmed before me, this
_____ day of _____.

NOTARY PUBLIC

My commission expires: _____
(Notary Seal)

NOTE: If you are filing a new action on the above Petition, you will need a Sheriff's Entry of Service from the Clerk's
Office. If you are filing the above Petition within an action already filed and served by the Sheriff, use this Certificate of
Service.