

THIRTEENTH JUDICIAL CIRCUIT
FAMILY LAW DIVISION

**MINOR NAME CHANGE
BOTH PARENTS AGREE**

(Packet #30)

USE THIS PACKET IF:

- 1) YOU WANT TO ASK THE COURT TO CHANGE THE NAME OF YOUR MINOR CHILD, and
- 2) THE CHILD'S OTHER PARENT AGREES TO THE NAME CHANGE.

NOTE:

The petition must be filed in the *county where the Petitioner resides* (see Florida Statutes). **Fingerprints of the Petitioning Parent(s) are now required** for all name changes, except where a former name is being restored.

*If you want to amend the birth certificate you must send a **Certified copy of the Final Judgment with an Application for Amended Birth Certificate** to the Department of Vital Statistics. The application is available in the Clerk's office.*

If you choose to represent yourself (*pro se*) in your case, you should be aware that you will be required to follow the same rules that are required in cases filed by persons represented by attorneys. The judge assigned to your case is not necessarily required to grant what you request in a form. If you do not like the outcome of your case, you may not be able to change it. If you have any questions or concerns about your case, you should consult with an attorney.

If you do not know an attorney, you may call the Lawyer Referral Service at 221-7780. If you do not have the money to hire an attorney, you may apply to Bay Area Legal Services by calling 232-1343. You may also obtain legal information at the Legal Information Center at the George Edgecomb Courthouse (call 864-2280 for hours and information).

All instructions and forms distributed by the Thirteenth Judicial Circuit are provided merely as a public service to persons seeking to represent themselves in court without the assistance of an attorney. These documents are meant to serve as a guide only, and to assist *pro se* (self-represented) litigants with their cases. The Thirteenth Judicial Circuit does not guarantee that either the instructions or the forms will achieve the result desired by the parties or ensure that any individual judge will follow the procedures exactly or accept each and every form as drafted. Any person using these instructions and/or forms does so at his or her own risk, and the Thirteenth Judicial Circuit shall not be responsible for any losses incurred by any person in reliance on the instructions and/or forms.

In no event will the Florida Supreme Court, The Florida Bar, or anyone contributing to the production of these forms, commentary, instructions, and appendices be liable for any direct, indirect, or consequential damages from their use.

THE FOLLOWING FORMS ARE CONTAINED IN THIS PACKET:

<u>FORMS</u>	<u>FORM #</u>	<u>WHEN TO USE</u>
General Information for Self-Represented Litigants	Appendix C	For your information only
12 Rules of Courtroom Civility	12 Rules	Required to start case – must be signed by both parties
Nonlawyer Disclosure	12.900(a)	Use if a someone who is not a lawyer helps you with the forms
Civil Cover Sheet	12.928	Required to start case
Petition for Change of Name (Minor Children)	12.982(c)	Required to start case
Consent for Change of Name (Minor Children)	12.982(d)	Required if one parent will not be present at the hearing
Notice of Related Cases	12.900(h)	Required
Final Judgment of Change of Name (Minor Child)	12.982(e)	Take this with you to the final hearing
Fee Schedule for Family Law Cases	Fee	A schedule of fees for Family Law related cases
Notice of Confidential Information Within Court Filing	2.40(d)(2)	Use to notify the clerk of documents containing confidential information

STEP BY STEP INSTRUCTIONS

STEP ONE - Complete the forms to start the case and have them notarized

- 1) **FORMS MUST BE COMPLETED AND SIGNED IN BLACK INK AND MOST MUST BE NOTARIZED.** The clerk's office will notarize documents and charge a fee (see attached schedule). Please bring a valid ID.
- 2) **Names must be written the same way on all documents (no full names on one document and initials on another).**
- 3) **PETITIONER should complete the following forms and notarize the ones with a notary signature line:**
 - A) Civil cover sheet - (does not need to be notarized)
 - B) Petition for Change of Name (Minor Children), Form 12.982(c) – if both parents sign the petition, both must attend the hearing. If one parent is unable to attend the hearing, that parent should sign the Consent for Change of Name, Form 12.982(d), instead of signing the petition
 - C) Notice of Related Cases, Form 12.900(h)
- 4) **RESPONDENT should complete the following forms and notarize the ones with a notary signature line:**
 - A) Consent for Change of Name, Form 12.982(d) – only complete this form if you are unable to attend the final hearing
- 5) **BOTH PARENTS should complete the following forms and notarize the ones with a notary signature line:**
 - A) Petition for Change of Name (Minor Children), Form 12.982(c) – if both parents sign the petition, both must attend the hearing. If one parent is unable to attend the hearing, that parent should sign the Consent for Change of Name, Form 12.982(d), instead of signing the petition
 - B) 12 Rules of Courtroom Civility - (does not need to be notarized)

STEP TWO – Make copies

After you have completed the forms and have signed and notarized them, make 2 complete copies of everything you have signed (one copy is for the Petitioner and one copy is for the Respondent). Copies can be obtained for a fee in the Court Business Center, on the 6th floor of the George Edgecomb Courthouse. You may also purchase copies for \$0.15 per page, before filing your case, from the Family Law Intake staff in room 101.

STEP THREE – Fingerprinting

The petitioning parent(s) will need to be fingerprinted for a background check (fee is approximately \$40.50 per person). Fingerprinting can be done at the following locations:

- 1) Livescan Vendors and Service Providers – see list of providers from the following website:
<http://www.fdle.state.fl.us/Content/getdoc/04833e12-3fc6-4c03-9993-379244e0da50/livescan.aspx>

OR

- 2) Tampa Police Department, 411 Franklin Street, Tampa, FL 33602. Phone: 813-276-3376. **Monday, Wednesday, Friday 8:00am-3:00pm.** Tampa Police Department charges an additional \$20.00 per person service fee payable with cash or a check at the Tampa Police Department at the time of fingerprinting.

STEP FOUR – Paying for the background check online if you are having your fingerprints done at the Tampa Police Department

The Tampa Police Department cannot accept payment for the background check (only for the \$20 service fee). You will need to submit payment using a secure web-based payment system called the Civil Work Control System (CWCS) developed by the Florida Department of Law Enforcement (FDLE). You can get to this site by using this link: <http://www3.fdle.state.fl.us/caps>. You will need your credit card and the fingerprint card given to you by the fingerprint technician at the police department. This fingerprint card will include a Transaction Control Number (a number that will begin with the 70LX followed by 16 digits, located on the top left corner of the fingerprint card) and your name. Follow the instructions on the CAPS website very carefully. **TYPE THE TRANSACTION CONTROL NUMBER AND YOUR NAME EXACTLY AS THEY APPEAR ON THE FINGERPRINT CARD.** At the conclusion of your online transaction, print a copy of the CWCS receipt screen.

NOTE: You must submit your payment via CWCS WITHIN 30 DAYS of having your fingerprints scanned or your electronic response will be deleted from the CWCS database. If you do not submit payment within 30 days, you will need to go back to the police department to have your prints scanned again. You will then have another 30 days in which to remit payment.

STEP FIVE - Filing your case

Take the *original* set of completed and signed forms and a copy of the CWCS receipt screen to the clerk on the 1st floor of the main courthouse and pay the filing fee. The clerk will assign a case number and division.

STEP SIX – Scheduling the final hearing

1. You will be contacted by mail regarding a court date.
2. If you have not received a court date within 60 days, contact the Case Management Unit (813-272-5173) to schedule the final hearing.

STEP SEVEN – The final hearing

Normally the final hearing is when the petition will be granted and all issues will be decided. If you do not go to the final hearing your case may be dismissed.

HOW TO DRESS - Dress appropriately. No shorts, tank tops, or sandals. Do not chew gum.

WHAT TO EXPECT

The hearing will take place in a hearing room or a courtroom. You will not be in front of a jury, just the general magistrate or judge. Do not interrupt the magistrate or judge when he or she speaks. When speaking to the magistrate or judge, address him or her as “Your Honor” or “Judge.”

Each court has at least one bailiff who is a deputy sheriff and is there to maintain order. When you arrive for your hearing, let the bailiff know that you are present and ready. He or she will announce your case when it is time for your hearing, and will tell you where to sit and where to place your belongings as you enter the hearing room. A bailiff will usually remain inside the room during your hearing. If witnesses are called, the bailiff will step out to bring the witness into the hearing room.

At your hearing, be prepared to discuss any issues covered in the petition and be able to provide proof of any disputed facts by presenting evidence. Evidence is proof presented at a hearing in the form of witnesses (people), exhibits (documents), and objects (things). Not all evidence can be considered by the judge, however. Evidence must conform to the Rules of Evidence in Chapter 90 of the Florida Statutes to be admissible in court. Remember, the duty of establishing the facts that you want to present to the court is on YOU. You should provide the judge with admissible evidence to support the claims in your petition and your statements in court. Telling your story may not be enough to win your case.

The judge will make a decision and sign your judgment. The final judgment will contain all the details of your court order and the court’s decision. Once the judge signs your order, a copy will be given or mailed to you. The original order will go to the clerk’s office to be recorded in the public records, and filed in your court file.

Family Forms and Packets - available for purchase at the Court Business Center

Form Packets with Instructions:

- 1) Complete packets with all forms and self-help instructions are priced individually and available at the Court Business Center (CBC), in Room 630 (6th Floor) of the George Edgecomb Courthouse, 800 E. Twiggs Street, Tampa, Florida.
- 2) Free online at:
 - a) www.fljud13.org/Portals/0/Forms/pdfs/family/packetList.pdf
 - b) www.hillsclerk.com/en/About-Us/Forms → then click on “Family Law”

Individual Forms (may not include necessary instructions):

- 1) For \$.10 per page at the Court Business Center (CBC), in Room 630 (6th Floor) of the George Edgecomb Courthouse, 800 E. Twiggs Street, Tampa, Florida.
- 2) Free online at: www.flcourts.org → then click on “Family Law Forms”

YOU MAY FILE FORMS AT THE FOLLOWING LOCATIONS:

Tampa - George Edgecomb Courthouse – Main Location

Clerk of the Circuit Court, 800 E. Twiggs Street, Room 101, Tampa, FL 33602

Brandon – Brandon Regional Service Center

Clerk of the Circuit Court, 311 Pauls Drive, Suite 110, Brandon, FL 33511

Plant City – Plant City Courthouse

Clerk of the Circuit Court, 301 N. Michigan, Room 1071, Plant City, FL 33563

Ruskin/Sun City – SouthShore Regional Service Center

Clerk of the Circuit Court, 410 30th Street SE, Ruskin, FL 33570