

**PROBATE COURT OF MADISON COUNTY, ALABAMA
INSTRUCTIONS FOR NAME CHANGE OF A MINOR**

REQUIREMENTS:

1. A current, non-expired State of Alabama issued Driver's License or State ID for each parent or petitioner. Petitioner(s) must reside in Madison County, and the ID should state a current Madison County address. Physical address is required. PO Box addresses will not be accepted. If the address on identification is not in Madison County, proof of residency will be required (i.e. utility bill, lease, etc.).
2. Certified copy of Minor's birth certificate. Birth Certificate must contain full names of parents and will remain with the Court as a permanent part of the file.
3. Completed, notarized Petition and Declaration for Minor Name Change
4. Filing fee of \$37.00

COMPLETING THE FORMS:

1. The Probate Office does not provide legal advice or assist with completing the Petition and Declaration for Minor Name Change.
2. The Probate Office does not provide notary services for the Petition and Declaration for Minor Name Change. Please have all documents notarized prior to filing.
3. Petition and Declaration for Minor Name Change must be fully completed and legible – typewritten is preferred and recommended.
4. USE BLACK INK ONLY. Do not mark through or use liquid paper on the Petition and Declaration for Minor Name Change. Petitioner's signatures must be the same as identified on the birth certificate and signed before a notary public. Must use FULL NAMES. Initials or nicknames will not be accepted.
5. Both parents are required to sign the petition or sign a consent to the petition. If a parent is unable to sign the petition or consent, see the notes below for additional information.
6. If minor is over age 14, they must sign the petition where indicated.
7. Completed forms can be filed in person, mailed via USPS or overnight carrier. Please include a check or cashier's check, made payable to the Judge of Probate, in the amount of \$37.00 to:

Madison County Probate Judge's Office
Madison County Service Center
1918 Memorial Parkway NW
Huntsville, AL 35801

PLEASE NOTE:

Consent from both parents is required. If a parent is deceased, the Probate Court will require an original death certificate to process the petition. If a parent's rights have been terminated the Probate Court will require a certified copy of the Court's order terminating parental rights. If the requirements set out above cannot be met for the Probate Court to process the petition and enter an order, the Probate Court may set a hearing on a petition for minor's name change.

If a hearing is required, it is the responsibility of the petitioning attorney to publish legal notice in Madison County for three (3) consecutive weeks. Proof of publication must be provided to the Court prior to the hearing.

If a hearing is held, the Minor must attend unless they are over the age of 14 and have signed a consent.

STATE OF ALABAMA
MADISON COUNTY

IN THE PROBATE COURT
CASE NO. _____

PETITION AND DECLARATION FOR MINOR NAME CHANGE

TO: The Honorable Frank Barger, Probate Judge

COME NOW, _____ and
_____ as Parents of
_____ and shows unto the
Court as follows:

1. That Minor's present true, correct legal name is _____
2. Minor is a bona fide resident of Madison County, Alabama, has resided in said county for months preceding this Petition and is currently residing at _____
3. That a true and correct certified copy of the Minor's birth certificate is attached hereto:
4. That the Minor's date of birth is _____ and the minor is _____ years of age
5. That the Petitioner(s) is/are the true and lawful legal guardian(s) of the minor child pursuant to law
6. That there are no pending or prior civil legal case(s) involving the minor child, or the Petitioner regarding or involving the child, such as but not limited to: custody, visitation, child support, contempt, domestic violence, adoption, protection from abuse, termination of parental rights, delinquency or dependency in any state, territory of possession of the United States or any foreign country;
7. That there is no federal, state, county or other governmental agency that has current or pending oversight, custody, or control over the minor child (such as Department of Human Resources -DHR, Juvenile Court, District Court, Circuit Court, etc.);
8. That the Minor has never been convicted of a felony or crime involving moral turpitude, is not currently facing criminal charges, and has never been a criminal defendant, ward, delinquent, dependent or Child in need of Supervision, in any federal, state, district or juvenile court in any state, territory or possession for the United States; and
9. That the Minor is not and has never been married.

Petitioner(s) desire(s) to change Minor's name because _____

WHEREFORE, the premises considered, the Petitioner(s) pray that this Honorable Court will grant the Petitioner(s) prayer, and issue an Order changing the Minor's name to _____.

Done this _____ day of _____, 20____.

Parent # 1

Case No. _____

Petitioner (Sign Name)

Petitioner (Print Name)

Address: _____

Home Telephone No. _____

Work Telephone No _____

STATE OF ALABAMA)

)

COUNTY OF MADISON)

SUBSCRIBED and SWORN to before me
this _____ day of _____, 20_____

By: _____ Notary Public

My Commission Expires: _____

Parent # 2

Case No. _____

Petitioner (Sign Name)

Petitioner (Print Name)

Address: _____

Home Telephone No. _____

Work Telephone No. _____

STATE OF ALABAMA)

)

COUNTY OF MADISON)

SUBSCRIBED and SWORN to before me
this _____ day of _____, 20 _____

By: _____ Notary Public

My Commission Expires: _____

Case No. _____

Signature of Minor if 14 years of age or older

I, the undersigned authority, a Notary Public, in and for Madison County, Alabama, hereby certify that said Petitioner(s), whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day, that being informed of the contents of said Petition, that he/she executed the same voluntarily on the day the same bears date.

STATE OF ALABAMA)
)
COUNTY OF MADISON)

SUBSCRIBED and SWORN to before me
this _____ day of _____, 20_____

By: _____ Notary Public

My Commission Expires: _____