



Fourth Judicial District (Hennepin) Supplemental Name Change Guide

Spouses/Domestic Partners: Married or registered domestic partners may apply jointly for a change of name in the same application. Each person changing his or her name should attach a separate proposed order to the application.

Non-Citizens: You do not have to be a U.S. citizen to ask for a name change for yourself or your minor child. If you are not a citizen, you must contact the Department of Homeland Security – U.S. Citizenship and Immigration Services (USCIS) to determine any special requirements it may have.

Background Check: The judge assigned to your name change case may have you take more steps regarding your criminal history. For example, a judge may have you obtain your background check from the Bureau of Criminal Apprehension, 1430 Maryland Avenue, St. Paul, MN 55106, and bring it to your name change hearing. When you schedule your name change hearing, ask the judge’s clerk whether the judge will require this background check.

If Only One Parent is Applying for a Minor Child’s Name Change: Minnesota law states that no minor child's name may be changed without both parents having notice. The applicant must show proof that the other parent(s) has received notification of the Application for Name Change of a Minor.

No notice to the non-applicant parent is required if all of the statements below are true:

1. The other parent is not listed on the birth certificate.
2. The applicant was not married to the other parent at the time the child was born or within 280 days of the birth. (This includes attempted marriages.)
3. The other parent never signed a “Recognition of Parentage.”
4. There is no court order determining the other parent is a legal parent.

If notifying the other parent is required, follow the instructions below:

- If the address of the other parent is known, once you have a hearing date, send a certified letter (return receipt requested) to the other parent with the date, time, place, and purpose of the hearing. Bring the certified mail receipt with you to the hearing with a copy of the letter as proof to the judge that the other parent received notice of the name change proceedings. If the other parent signed the return receipt, bring the return receipt to your court hearing too.

- If you do not know the address of the other parent(s), you should come to court prepared to provide information regarding your last contact with the other parent(s) and your efforts to contact the other parent(s). A judge may also require you to file an affidavit with this information. A judge may require you serve the other parent by publishing notice in a newspaper.

Property Owners: If you or your minor child owns any real property (ex: house or land), you must list the legal description of the property on your name change application. (This is not the address.) You can find the legal description on the deed, contract for deed or mortgage.

Or, if the property is in Hennepin County, you can get the legal description from the Real Estate Services Office located on the skyway level of the Hennepin County Government Center, or by calling 612-348-3011. If the property is located in another county, you must get the legal description from the Property Recorder of that county.

Sex/Gender Marker Change Requests: If you are asking for an Order to change the sex designated on your birth certificate, you must contact the Department of Health for its requirements. The Department of Health has an administrative process to change the sex designation on your birth certificate without a court hearing. Visit <https://www.health.state.mn.us/people/vitalrecords/amend.html> for more information.

If the Department of Health tells you that it requires a court order for the sex/gender marker change and you are changing your name, you can use these forms. You should also come to court with written medical certification of appropriate clinical treatment for gender transition in the form of an original letter from a licensed physician. If you are unsure about what to bring, you should ask the assigned judge's clerk what you need to bring at the hearing. You must also follow the directions below regarding all changes to birth certificates. Finally, if you are not changing your name you cannot use these forms to amend your birth record.

Birth Certificate Change Requests: If you are asking for an Order to change your (or your child's) birth certificate, you must contact the Department of Health for its requirements. The Department of Health has an administrative process to change certain information on your birth certificate without a court hearing. Visit <https://www.health.state.mn.us/people/vitalrecords/change.html> for more information. If the Department of Health tells you that it requires a court order, you must explain to the court what you want changed and why. Include this in the "Other" section at the end of the name change application. Please note that changes to a birth certificate require that you show that the information on the original certificate was incomplete, inaccurate, or false when it was created. Consequently, requests to amend a birth certificate are **not** automatically granted. Your request could be denied by the judge assigned to your case. If you are not changing your name you cannot use these forms to amend your birth record.

- **Note about Out of State Birth Records.** Judges in Hennepin County do not have the authority to order a state other than the State of Minnesota to amend a birth record although some states will honor an order from another state. The practice is different from state to state. Therefore, such requests may not be successful and you should contact the state that issued the birth certificate for further guidance.

Fee Waiver: If your income is low and your name change request has merit, the court may waive or reduce the filing fee. To ask for this, you must fill out the fee waiver paperwork (IFP forms) and turn it in with your name change paperwork. IFP forms are available at the Self-Help Center.

Turn in (File) Your Original Name Change Paperwork with the Court: File your paperwork with Civil Filing. There will be an initial filing fee. You must have the fee (cash, check, money order, or credit) or an IFP form for the Court to accept your papers.

Schedule a Name Change Hearing: Within 2 weeks after filing your papers, the court will send you a letter telling you which judge has been assigned to your case. The letter will tell you the judge's clerk's phone number. Call the judge's clerk to schedule a hearing. If there are other parties you need to serve (for example, a non-applicant parent), ask for a court date that is at least 30 days away so you have enough time to give everyone notice. Make sure you write down the date, time, and room number of the hearing. If you need an interpreter, let the clerk know.

Go To Your Court Date: Be on time! You will need to bring two witnesses to the hearing. If you are married, one witness should be your spouse. The other witness can be a friend or family member who has known you for at least one year. If you are requesting the name change of a minor, the minor should attend the hearing.

Get a Certified Copy of the Order: You will need a certified copy of the Court's order to change important documents (such as MN I.D. or driver's license, social security card, bank account, etc.). If you requested a birth record amendment (and the judge granted it), you will use the certified copy of the Court's order to apply for the new birth certificate through the Minnesota Department of Health.