

NAME CHANGE PROCEDURE FOR KENOSHA COUNTY

The following information provides a general outline of name change proceedings in Wisconsin. Any forms mentioned in this guide may be obtained from the Clerk of Court's office for a fee or online at <http://www.wicourts.gov> select Forms, Circuit Court, Civil, then Name change . Please type or complete the forms in black ink.

Introduction Any eligible resident of Wisconsin, whether a minor or an adult, may petition the court in the county where he or she resides to have his or her name changed. If you hold a professional license (other than a license to teach in the public schools) and your name change is for a reason other than marriage or divorce, you may need the approval of your licensing board or commission to change your name to a name other than the name on your license. Contact the appropriate board to learn its requirements.

A person required to register as a sex offender under Ch. 301.45, Wis. Stats. (Class H felony) may not change his or her name. Sec. 301.47(2)(a), Wis. Stats. Please note that juvenile sex offenders may be subject to Sec. 301.45, Wis. Stats.

Petition for Name Change.

There are two Petition for Name Change forms. Complete form CV-450 if the person whose name is to be changed is above the age of 14. Complete form CV-455 if the person whose name is proposed to be changes is under the age of 14. These forms **must** be signed before a Notary Public. Staff in Room 204 of the Kenosha Courthouse are notaries and can perform this duty at no charge. You must have valid and current photo identification.

The Petition for Name Change form has specific instructions. Once you have completed the form, you make three copies of the completed form and bring them with you to the clerk's office for filing.

Who can petition for a minor under 14 years of age:

1. Both parents, or the sole surviving parent, or the sole adoptive parent of the minor child;
2. One of the parents of a minor child having two living parents and paternity has been established;
3. The mother of a minor child when the child has not been adopted, or whose parents have not married, and paternity of the minor child has not been established.
4. The legal guardian/custodian of the minor child because either both parents are dead or the parental rights of both parents have been terminated by judicial proceedings.

Requirements for service of documents:

The name of a minor under 14 years of age who has 2 living parents may be changed on the petition of one parent if, in addition to filing a copy of the notice of hearing with proof of publication, the petitioning parent files proof of personal service of the petition and notice of hearing on the non-petitioning parent. If the non-petitioning parent cannot be found or provided with the petition and notice of hearing, the name of a minor under 14 years of age who has 2 living parents may be changed on the petition of one parent, if the petitioning parent has made a reasonable attempt to find and provide notice to the non-petitioning parent, but with reasonable diligence the non-petitioning parent cannot be found or provided with notice, and the non-petitioning parent does not appear at the hearing or otherwise answer the petition.

If the non-petitioning parent appears at the hearing on the petition or otherwise answers the petition and shows that he or she has not abandoned the minor, or failed to assume parental responsibility for the minor, the court shall require the consent of the non-petitioning parent before changing the name of the minor.

Required Documents:

1. Petition for Change of Name(Form CV-450 or CV-455, see above).
 2. Notice and Order for Name Change Hearing (Form CV-460).
 3. Order for Change of Name (Form CV-470).
- The forms can be printed off the State of Wisconsin's website <http://wicourts.gov>. The forms must be filled out completely. The Petition must be signed in front of a notary public. The Clerk of Court's office has a notary available, but you must have proper current identification. You must have an original and three copies of all documents.

The original forms and the required copies must be filed with the Clerk of Courts office in Room 204 of the Courthouse. A fee of \$164.50* is due at the time of filing. Checks should be made payable to "Clerk of Circuit Court". Credit card payment is also accepted with a 3% fee. Your documents will be assigned a case number and forwarded to the judge for scheduling of a hearing date. **You** will need to pick up the copies the following week. Your hearing date will be scheduled a minimum of three weeks past the filing date to allow for publication in the local newspaper. Publication of the Notice of Hearing for three consecutive weeks in the Kenosha News must be obtained prior to the hearing date by you. The Kenosha News is located at 715 58th Street, and can be reached at 262-657-1000 to obtain publication rates. You will need to provide the newspaper with the conformed copy of the Notice of Hearing and payment for the cost of publication. Once the Notice has been published for three consecutive weeks, the newspaper will provide you with a "Proof of Publication". You **must** bring this form with you and present it to the judge at the hearing. At the hearing you will testify to the information that you stated in your Petition for Name Change.

If only one parent is requesting the name change is under the age of 14, the non-petitioning parent must be served with a copy of the Petition for Name Change and the Notice and Order for Name Change hearing. This is in addition to the publication notice listed above. The non-petitioning parent must be provided with these two documents far enough in advance of the hearing. A sheriff or private process server must attempt to personally serve the non-petitioning parent. There is a fee for this task. Once the documents have been served, the sheriff or process server will provide you with proof of service. This proof or affidavit must be filed with the Court and you should have a copy with you at the hearing. If the sheriff or process server is unable to serve the non-petitioning parent, they will provide you with an Affidavit of Attempted Service which should contain proof of due diligence in service. This information will be provided to you by the sheriff or process server and can be used with Form CV-465. Bring this completed form with you to your hearing.

Required Order for Name Change:

If the judge approves the name change the judge will sign the Order for Name Change. The bailiff will take the file to the Clerk of Courts office in Room 204. If the person was born in Wisconsin, the birth record must be changed to reflect the name change. If the person was born in the State of Wisconsin, two certified copies of the Order are required to change the birth certificate. If the person was born in another state, you must contact that state to determine what is required to effectuate the name change. The fee for the certified copies is \$6.25* per copy. If born in Wisconsin, take one certified copy to the Register of Deeds, Administration Building, 1010 – 56th St., Kenosha, Wisconsin to be recorded. There is a fee of \$11.00* for the first page and \$2.00 for each additional page. If the person was born in Wisconsin, you must have your birth record changed to reflect the name change. The cost for this is \$22.00*. You must submit the second certified copy of the Order for Name Change along with a Vital Statistics Form to the State of Wisconsin, Bureau of Vital Statistics. This form can be obtained from the Clerk of Circuit Court in Room 204.

* Fees may change according to statute without notice.