

NAME CHANGE PROCEDURE FOR KENOSHA COUNTY

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

1. Both parents, and both parents must sign the petition.
2. The guardian or person having legal custody of the minor, if both parents are dead or if the parental rights of both parents have been terminated by judicial proceedings.
3. The minor's mother, if the minor is a non-marital child who is not adopted or whose parents do not subsequently intermarry, and if paternity of the minor has not been established.

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. 2. Notice of Hearing. 3. Order for Hearing. 4. Order for Change of Name. The forms can be purchased at Room 204 of the Kenosha County Courthouse as a packet for \$10.50. Forms can also be purchased from Wisconsin Legal Blank, 749 N. 37th St., Milwaukee, WI 53208, 414-344-5155. The forms must be filled completely filled out. All forms must be signed in front of a notary public. The Clerk of Court's office has a notary available. You must have an original and three copies of all documents.

Required Filing, Publication and Hearing:

The original documents are filed with the Clerk of Circuit Court. Office hours are 8 a.m. to 5 p.m. Monday through Friday. There is a required filing fee of \$155.00 which must be paid when the documents are filed. Your documents will be assigned a case number and a judge. The copies will be left with the Clerk of Circuit Court for scheduling a hearing date. You can pick up the copies the following week. The hearing date must be scheduled more than three weeks away because you need to publish the Notice of Hearing in the newspaper for three consecutive weeks. This publication can be done at the Kenosha News, 715 58th Street, Kenosha, WI 53140, 262-657-1000. You must give the newspaper a conformed copy of the Notice of Hearing. After the publication, the newspaper will send you "Proof of Publication". You must bring this document with you to present to the judge at the hearing. The hearing will take place on the assigned date in the assigned courtroom. You will testify to the information that you have stated on the petition and present the Proof of Publication.

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. You must purchase two certified copies of this order. The fee for the certified copies is \$6.25 or a total of \$12.50. You must take one certified copy to the Register of Deeds, Administration Building, 1020 – 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.