

Instructions for Completion and Submission of:

Petition for Confidential Name Change for Minor Child under 14 (CV-456)

(There is a \$164.50 Filing Fee, and if applicable, service fees, see instructions below)

- Any resident of the State of Wisconsin may petition the circuit court for a confidential name change where publication is not required if the petitioner shows that publication of the petition could endanger the child and that the child is not seeking a name change in order to avoid a debt or conceal a criminal record. **The petition must be filed in the circuit court in the child's county of residence.** After the petition is filed, "**Notice/Order**" of intent to change the child's name must be served on the other parent along with the Petition, if applicable (there is a fee for both of this service). *[This does not apply to a petition for the name change of a minor under 14 years of age made under s. 786.36(1m)(c).]* The Court will then hold a hearing and determine if the request may be granted.

Procedure Checklist

- Complete** FORM CV-456 (Petition for Confidential Name Change for Minor Child under 14)
- Fill in** heading, caption and name information of FORM CV-461 (Notice & Order for Name Change Hearing)
- Complete** FORM CV-471 (Order for Name Change)
- Make** copies of the Petition for Confidential Name Change for Minor Child Under 14, one for yourself and if applicable one for service on the other parent.
- Bring** the following items to the Clerk of Court's office for filing during regular courthouse hours:
 - Original and copies
 - Filing fee of \$164.50
 - A self addressed stamped envelope with sufficient postage to return your documents, an additional fee can be paid to cover the cost of mailing (The Clerk's office is unable to open cases immediately, so a self addressed stamped envelope or additional mail fee is needed to return your copies.) Call for current return postage/envelope rate.
- Payments may be made by cash, check, money order, or debit/credit card (additional fee for using debit/credit card) payable to Clerk of Courts. The clerk will file stamp all copies, keep one copy and return the original and any additional copies provided to you. You will retain the original in your records.
- You should IMMEDIATELY have Petition and Notice served** on the non-petitioning parent if paternity has been established. For the court to hear the case, the non-petitioning parent must be provided with a copy of the Petition for Name Change and Notice and Order for Name Change Hearing far enough in advance of the hearing. A sheriff or private process server must attempt to personally serve the non-petitioning parent. After the documents are served, you will be provided with a **Proof of Service**.

If personal service cannot be accomplished, a Affidavit/Certificate of Non-Service will be sent to you by the sheriff or private process server and the Affidavit of Attempted Service on Non-Petitioning Parent (CV-465) can be used to demonstrate attempted service on the non-petitioner.

This does not apply to a petition for the name change of a minor under 14 years of age made under s. 786.36(1m)(c).

- **File** if appropriate **Proof of Service or Affidavit/Certificate of Non-Service** at least 48 hours prior to the hearing date.
- **Appear** at the Name Change Hearing via Zoom meeting ID & password included on your Notice and Order for Name Change Hearing. Sign in 10 minutes prior to make sure your audio/video are in working order.
 - **If the Judge GRANTS** the petition for confidential name change, an order will be signed and filed in the case.
 - **If the Judge DENIES** the petition for confidential name change, an order denying confidential name change will be signed. If the petitioner would still like to proceed with a name change, they would proceed with the standard name change procedure. A new case would be opened without an additional filing fee.
- **After** the hearing, the Clerk will call you to follow-up with your next steps.
 - **Certified Copies**, you will be asked how many certified copies you would like right away. The cost is \$5.00 certification plus \$1.25 per page. Any future copies you will be required to provide your government issued photo ID to obtain copies (Petitioner and/or Child).
 - **Register of Deeds Reporting**, you will need to pay the Register of Deeds \$30.00 to register your name change.
 - **State of Wisconsin Vital Statistic Reporting (Birth Certificate)**, if the child was born in the State of Wisconsin and the order affects the vital record, you will be provided a Vital Records **Report of Confidential Legal Name Change** to be completed by you and submitted with payment to the State of Wisconsin Vital Records Department. It is important that the individual purchase at least one changed birth record because when the confidential order is applied, all records, including the new certificate will be impounded by Vital Records and only another court order will allow them to issue the record, including to the subject of the record.
 - **Out of State Vital Statistic Reporting**, if the child was born outside of Wisconsin and the court order affects the vital record, you will need to contact the other state's "vital records office" and find out what is required for them to change your birth certificate information.
 - **Reporting elsewhere: To report your change of name from a personal and business perspective**, you will need to contact individual entities and provide adequate proof of the name change in order for those places to change your name on their records. Entities to consider include the department of motor vehicles, social security administration, healthcare facilities, places where you bank, carry insurance, educational facilities, passport agency, employment, utility and phone services, etc.

All numbered forms referenced can be found at www.wicourts.gov under forms→circuit court→civil→name change

See the Clerk of Courts website for further information at: <https://www.co.eau-claire.wi.us/our-government/departments-and-facilities/department-directory/clerk-of-courts>