How to change the name of a minor in Illinois- Supplement

This supplement includes a forms guide as well as forms. The forms guide is for use only in filling out the forms. For more information about what these forms mean or are used for, consult the appropriate Self Help packet.

Documents that are included in this supplement:

Forms Guide

List of Circuit Courts in Illinois

Application To Sue As A Poor Person

Motion to Waive Publication Costs

Order Waiving Publication Costs

Notice of Filing Of Petition For Change of Name

Petition For Change of Name

Order For Change of Name

Letter to Newspaper

FORMS GUIDE

At the top of each form is the caption. It is completed as follows:

STATE OF ILLINOIS

IN THE CIRCUIT COURT OF THE (number of circuit) JUDICIAL CIRCUIT

(name of county) COUNTY

IN RE THE MATTER OF:	)	
	)	
(your name)	)	no. (year) –D- (get from the
	)	clerk when you file
	)	

Determine the number of the "Circuit" according to the chart on the next page. If your county does not appear on the chart, call the Circuit Clerk in the County in which you will be filing your case and ask for the number of the Circuit.

Circuit Courts in Illinois

Cook County is its own judicial circuit. The rest of the counties in Illinois fall into one of 21 circuits.

First Circuit-	The counties of Alexander, Pulaski, Massac, Pope, Johnson, Union, Jackson, Williamson and Saline.
Second Circuit-	The counties of Hardin, Gallatin, White, Hamilton, Franklin, Wabash, Edwards, Wayne, Jefferson, Richland, Lawrence and Crawford.
Third Circuit-	The counties of Madison and Bond.
Fourth Circuit-	The counties of Clinton, Marion, Clay, Fayette, Effingham, Jasper, Montgomery, Shelby and Christian.
Fifth Circuit-	The counties of Vermillion, Edgar, Clark, Cumberland and Coles.
Sixth Circuit-	The counties of Champaign, Douglas, Moultrie, Macon, Dewitt and Piatt.
Seventh Circuit-	The counties of Sangamon, Macouin, Morgan, Scott, Greene and Jersey.
Eighth Circuit-	The counties of Adams, Schuyler, Mason, Cass, Brown, Pike, Calhoun and Menard.
Ninth Circuit-	The counties of Knox, Warren, Henderson, Hancock, McDonough and Fulton.
Tenth Circuit-	The counties of Peoria, Marshall, Putnam, Stark and Tazewell.
Eleventh Circuit-`	The counties of McLean, Livingston, Logan, Ford and Woodford.
Twelfth Circuit-	The county of Will.
Thirteenth Circuit-	The counties of Bureau, LaSalle and Grundy.
Fourteenth Circuit-	The counties of Rock Island, Mercer, Whiteside and Henry.
Fifteenth Circuit-	The counties of JoDaviess, Stephenson, Carroll, Ogle and Lee.
Sixteenth Circuit-	The counties of Kane, DeKalb and Kendall.
Seventeenth Circuit-	The counties of Winnebago and Boone.
Eighteenth Circuit-	The county of DuPage.
Nineteenth Circuit-	The county of Lake
Twentieth Circuit-	The counties of Randolph, Monroe, St. Clair, Washington and Perry.
Twenty-first Circuit-	The counties of Iroquois and Kankakee.
Twenty-Second Circuit-	The county of McHenry.

FORM: Application to Sue as a Poor Person

Introduction: Your name

Paragraph 1: Your address, include street and city.

Paragraph 2: The amount and source of your income, for example, $339.00 per month in AFDC, supplemented by Food Stamps.

Paragraph 3:. List other sources of income not listed in 2.

Paragraph 4: The amount of income you had in the last year.

Paragraph 5: Should be the same as 2, unless you expect your income to go up or down, in which case you should list what you expect your income to be.

Paragraph 6: List the names and birthdates of your children and/or others you support financially.

Paragraph 7: First blank: total value of your possessions;
Second blank: year and make of your car; if you do not have a car, simply put "none";
Third blank: value of your car;

***Before** you sign your name on the blank line where it says “Plaintiff” you will need to locate a notary public to watch you sign the form. Notary publics can probably be found at the Circuit Clerk’s office or at your local bank. Make sure you bring identification with you so that the notary can verify that you are the person you claim to be in the document.

FORM: Motion to Waive Publication Costs (use only if you want to apply for a waiver of the costs of publication)

First blank: Your name.

Second blank: Name of county in which you filed your case.

Sign your name on both blank lines next to where it says "Plaintiff" and print your name below each signature.

FORM: Order Waiving Publication Costs (use only if you are submitting the Motion To Waive Publication Costs)

First blank: Name of county in which your case is filed.

DO NOT FILL IN THE DATE OR THE SIGNATURE LINE FOR THE JUDGE.

FORM: Notice of Filing of Petition For Name Change

First blank: Put the date on which you will be filing your Petition For Change of Name. Remember that this date must be at least 6 weeks after the date the Notice appears in the newspaper. Put the day, month, and year.

Second blank: The present full name (first, middle, last) of the child.

Third blank: Your full name.

Fourth blank: Your relationship to the child (father, mother, custodial guardian).

Fifth blank: The present full name (first, middle, last) of the child.

Sixth blank: The new name you want the court to give the child. (first, middle, last)

Seventh blank: The present full name of the child.

Eighth blank: Your signature.

Ninth blank: Your relationship to the child.

Tenth blank: the date on which you signed the form.

FORM: Petition For Change of Name

First blank: The name of the child.

Second blank: Your name.

Third blank: Your relationship to the child.

Fourth blank: The age of the child in years.

Fifth blank: Your present full name (first, middle, last)

Sixth blank: Your relationship to the child.

Seventh blank: The child's current address.

Eighth blank: The state of the child's birth. If the child was born in another country, then that should be listed.

Ninth blank: The child's present full name.

Tenth blank: The child's desired new name.

Eleventh blank: The child's present full name.

Twelfth blank: Your present full name.

Thirteenth blank: Your relationship to the child.

FORM: Order For Change of Name

First blank: The child's present full name (first, middle, last)

Second blank: The new name you want the court to give the child. (first, middle, last)

DO NOT FILL IN THE DATE OR THE SIGNATURE LINE FOR THE JUDGE.

FORM: Letter to Newspaper

First blank: Name and address of newspaper in your town or county.

Second blank: Your case name. (for example, In Re The Marriage Of Jones)

Third blank: Your case number (for example 96-D-67)

If your Motion To Waive Publication Costs was denied or you did not ask for a waiver then check box 1. If your Motion To Waive Publication Costs was approved, check box 2 and list the name of the county in which your case was filed in the first two blanks and the name of the city in which the courthouse is located in the third blank.

Sign your name and print your name, address, and telephone number where you can be reached. Don't forget to include a self-addressed, stamped envelope.

STATE OF ILLINOIS

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT

_____ COUNTY

	)
IN RE THE MATTER OF:	) _____Application granted
	) _____Application denied
_____	)
	)
	) No. _____
	)
	) _____, 20__
	)
	) _____
	JUDGE

APPLICATION TO SUE AS A POOR PERSON

I, _____, on my own behalf, on oath state:

1. My current address is _____.

2. My occupation, source of income, amount of public benefits is _____.

3. My other sources of income or support are _____.

4. My income for the preceding year was approximately _____.

5. The sources and amounts of income I expect to receive in the future are:

_____.

6. Person(s) who are dependent on me for support are:

_____

_____

7. I own no real estate. The total value of all my personal property does not exceed $_____ in value and consists of clothing and furniture, and other household items, including a _____, _____ motor vehicle, valued at $_____.

8. I filed no applications for leave to sue or defend as a poor person during the preceding year, and none were filed on my behalf.

9. I am unable to pay the costs of commencing and prosecuting this action.

10. I have a meritorious claim.

WHEREFORE, Applicant prays the Court to permit her/him to commence and prosecute this action as a poor person under 735 ILCS 5/5-105 of the Code of Civil Procedure.

_____

Plaintiff

STATE OF ILLINOIS)
) SS.
COUNTY OF _____)

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, do hereby certify that _____, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he/she signed, sealed, and delivered the said instrument as a free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal this_____ day of _____, 200__.

_____

NOTARY PUBLIC

STATE OF ILLINOIS

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT

_____ COUNTY

IN RE THE MATTER OF:	)
	)
_____	)
	) NO. _____
	)
	)
	)

MOTION TO WAIVE PUBLICATION COSTS

I, _____, state the following facts are true:

1. I have filed an Application to Sue as a Poor Person, which lists my income, resources and assets.

2. An order was entered by this Court which allowed me to pursue this action without payment of costs.

3. Illinois case law recognizes that publication costs of persons like myself are a local obligation and that service by publication is a constitutional right under due process of law.*King v. King*, 21 Ill. App.3d 1062, 316 N.E.2d 555 (4th Dist. 1974).

WHEREFORE, I ask that the Court waive publication costs and order the _____ County Treasurer to pay the costs of publication to the newspaper which publishes the required Notice of Filing of Petition For Change of Name.

_____, Petitioner

Under penalties as provided by law pursuant to Section 5/1-109 of the Code of

Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that she/he verily believes the same to be true.

_____, Petitioner

STATE OF ILLINOIS

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT

_____ COUNTY

IN RE THE MATTER OF:	)
	)
_____	)
	) NO. _____
	)
	)
	)

ORDER WAIVING PUBLICATION COSTS

The Court, having considered the Motion to Waive Publication Costs filed herein by Plaintiff and having previously allowed Plaintiff to pursue this action as a poor person, finds that Plaintiff is indigent.

IT IS HEREBY ORDERED that the Clerk of the Circuit Court shall cause publication to be made on behalf of Plaintiff and the Treasurer of _____ County pay costs of publication upon presentation of a statement by the newspaper wherein such notice was published and upon filing and allowance of claim. The County Treasurer shall pay for such necessary and proper expenses pursuant to 55 ILCS 5/ 5-1106.

DATE: _____ ENTER:_____

JUDGE

STATE OF ILLINOIS

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT

_____ COUNTY

IN RE THE MATTER OF:	)	
	)	
_____	)	NO._____
	)	
	)	

NOTICE OF FILING OF PETITION FOR CHANGE OF NAME:

Notice is given you, the public, that on _____,

_____, a minor, by _____,

his/her _____and next friend, will request that this Court change

his/her present name of _____ to the name of

_____.

_____, a minor, by,

_____,

his/her_____.

_____
Date

STATE OF ILLINOIS

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT

_____ COUNTY

IN RE THE MATTER OF:	)	
	)	
_____	)	NO._____
	)	
	)	

PETITION FOR CHANGE OF NAME:

_____, by _____,

his/her _____and next friend, without the assistance of an attorney, respectfully requests that this Court change his/her name. In support of my petition, it is stated that the following items are true:

1. This Court has jurisdiction over the subject matter and the petitioner.
2. Petitioner is a minor of the age of _____ years, and _____, by whom this petition is signed, is the petitioner's _____, having the legal custody of his/her person.
3. Petitioner's current address is

   _____

   _____

   .
4. Petitioner has lived in Illinois for at least 6 consecutive months before this petition was filed.
5. The state/country of Petitioner's birth is:_____.

6. Petitioner's current full name

   is:_____.

7. The new name petitioner would like the Court to recognize

   is:_____.

Wherefore, it is requested that the Court grant this petition for a Name Change.

_____, a minor, by,

_____,

his/her_____.

_____
date

STATE OF ILLINOIS

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT

_____ COUNTY

IN RE THE MATTER OF:	)	
	)	
_____	)	NO. _____
	)	
	)	
	)	

ORDER FOR CHANGE OF NAME

The Court, having considered the Petition for Change of Name filed herein by Plaintiff, heard the evidence, and being otherwise fully advised in the premises, finds that it should be granted.

IT IS HEREBY ORDERED that the Plaintiff's name of

_____, is hereby changed to:

_____, by which

he/she shall be hereafter known and called.

DATE: _____

_____

JUDGE

LETTER TO NEWSPAPER

DATE: _____
_____

Newspaper
_____
_____

Dear Sir or Madam:

Re: _____,Case number: _____

Enclosed you will find a Notice to File Petition For Change of Name in the above referenced case. Please run this Notice once a week for 3 weeks. After publication has been completed, please send the Certificate of Publication to me in the enclosed self addressed stamped envelope.

( ) Please bill me for the cost of publication. If you have any questions, please feel free to contact me.

( ) Please bill the office of the Treasurer in _____ County, _____ County Courthouse, _____, Illinois for the cost of publication. I have enclosed a court order requiring the Treasurer to pay the cost of publication in my case. If you have any questions, please fell free to contact me.

I thank you for your cooperation
Sincerely,
_____
_____
_____