

Name Change Procedure for an Adult in Dane County

Introduction

Any resident of the State of Wisconsin, whether a minor or an adult, may upon petition to the circuit court of the county where he or she resides and upon filing a copy of the notice, with proof of publication, if no sufficient cause is shown to the contrary, have his or her name changed or established by order of the court.

Eligibility

You must be a resident of Wisconsin, Wis. Statute 786.36(1).

***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 board that issued the license to inquire about its requirements.

Documents

The packet includes these required four forms:

1. **Petition for Change of Name Adult or Minor 14 or Older (CV-450)**
2. **Notice and Order for Name Change Hearing (CV-460)**
3. **Order for Name Change (CV-470)**
4. **Form HCF 5021 "Report of Legal Name Change"** required for changing WI birth certificates and other vital records.

****Note: If you have found this packet online, you will need to print each form individually.**

Even if an entire family is requesting to change their last name, each person should complete a separate set of the required forms. Each family member will be assigned a case number and charged a separate filing fee, but each case file will be assigned to the same judge. The judge will need to sign separate Orders for Name Change (CV-470) for each family member.

All forms must be typed or printed in **BLACK INK**. You (the Petitioner) must sign the **Petition for Change of Name** in front of a Notary Public. Your bank or credit union will notarize documents for you. Make one copy of the Notice and Order for Name Change Hearing. You should also make a copy for yourself. Additional name change forms are available online for free at the Dane County Clerk of Court's website at <http://countyofdane.com/clrkcourt/prepare/formOther.aspx>. For assistance finding the forms online or to purchase them for a small fee, contact the Legal Resource Center at (608) 266-6316.

Filing

Take all forms to the Clerk of Courts Office, Rm 1000, Dane County Courthouse, 215 S Hamilton Street, Madison. The filing fee is \$164.50. The clerk will assign a case number and judge to the case and will keep the original **Petition for Change of Name** and the **Order for Name Change** for the case file. Take the remaining forms to the clerk in the office of the assigned judge.

The judge's clerk will assign a date and time for the hearing (not less than four weeks in the future so that you will have time to publish the notice, see below) and obtain the judge's signature on the **Notice and Order for Name Change Hearing**. The clerk will keep the original of the **Notice and Order for Name Change Hearing** and return the remaining copies to you. Note: If the judge is busy, you may have to wait or come back for the papers.

Publication – Required in all Cases

State law (Wisconsin Statute § 786.37) requires publication of third class notice (i.e., printed once a week for three weeks) using the **Notice and Order for Name Change Hearing** form in a local newspaper prior to the hearing date. Take or send a copy of the **Notice and Order for Name Change Hearing** form to Capital Newspapers, 1901 Fish Hatchery Road, Madison 53713 **with a check for \$85**. They will send you a "Proof of Publication" affidavit, which you will need to bring with you to the hearing. Contact Capital Newspapers directly if you have questions about the fees at (608) 252-6200.

Hearing

Arrive at least 15 minutes early for your hearing at the assigned courtroom and inform the bailiff of your presence. You must have the original or certified copy of your birth certificate for the judge's review. The judge will ask you for the "Proof of Publication" affidavit. You will be placed under oath and questioned about the information on the **Petition**. If your petition is granted, the judge will sign the **Order for Change of Name**. If you are changing a WI birth certificate or other vital record, Form HCF 5021 "Report of Legal Name Change" must be partially completed at the conclusion of the hearing and taken to the Clerk of Courts Office. The judge's clerk will return the file to the Clerk of Courts Office in Room 1000.

Immediately after the hearing at the Clerk of Courts Office (Room 1000), you may request certified copies of the **Order for Change of Name** for change of record(s) needs. Cost for each certification is \$5 plus \$1.25 per page.

To change your Wisconsin birth certificate:

Mail or take Form HCF 5021 "Report of Legal Name Change" to the Vital Records Office of the State Dept. of Health & Family Services, Room 158, State Office Building, 1 W. Wilson St., Madison 53703 with appropriate payment so that they can change a Wisconsin birth certificate or other vital record. Copies of the new birth certificate can be mailed to you upon request and appropriate payment. See the Report of Legal Name Change for fee amounts or you can contact the State Vital Records office directly at (608) 266-1374.

If you were born or married outside of Wisconsin: You will need to write to the other state's "vital records office" and ask what it is they require to change your birth/marriage certificates. Addresses can be obtained from your local library.

You may also want to take one certified copy to the Register of Deeds Office, Real Estate Recording Section, Room 110 City County Building, and ask them to record it. This is important only if you own real estate in Dane County. It will cost \$30.

You may also want to take a certified copy of the name change order to the Social Security Administration