NAME CHANGE ADULT

IMPORTANT

THIS PACKET IS IN NO WAY INTENDED TO SUBSTITUTE FOR THE ADVICE OF A PRIVATE ATTORNEY

Private Counsel Is Always Recommended For Legal Matters

The law allows any person to represent themselves in a legal action. However, filing an action with the court and representing yourself in the courtroom can be a complicated legal procedure and this packet does not attempt to address all the legal issues involved in bringing your matter before the court. This packet is created to help you access the legal system without the assistance of an attorney.

When representing yourself, you are responsible for understanding the law that governs your case and for filing the proper legal documents. The laws and rules are set out in the Nevada Revised Statutes, The Rules of Civil Procedure, and the local rules governing the jurisdiction in which you are filing your documents.

When you sign these documents and present them for filing with the court, it is assumed by the court that you have carefully read the documents, that you understand all the terms in the documents, that you agree with all the provisions in the documents, and that you are aware of all the consequences those provisions may produce.

Before filling in any portion of the following documents, read all the materials included in this packet regarding custody, visitation, child support and definitions of terms.

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GENERAL INFORMATION ABOUT FILING A NAME CHANGE

The forms must be typewritten or legibly handwritten in black ink.

There will be a filing fee to file this document with the Court. The fee may change from time to time, and it is recommended that you contact the Court Clerk's office to check on the current fee prior to presenting the documents for filing.

If you are indigent and cannot afford the filing fee, you may request the fee be waived by filing the packet entitled **Request for Waiver of Fees and Costs**. The Court will examine your financial status and determine whether a full or partial waiver can be granted, or if the request will be denied.

There will also be a charge by the newspaper for publishing the Notice for the necessary time. This charge **will not** be waived if you qualify for a waiver of fees and costs. It is advised that you call the newspaper to check the charges. You may use any local paper where you reside that publishes such notices.

There are facilities for copying your documents at the Court Clerk's office at the charge of **$.025 per page.** Therefore, it is recommended that you make any copies of the documents you may want, or need, prior to going to the Court Clerk's office. You will need **two** copies of each document to be filed unless told otherwise. If exhibits are attached to the original document, a copy of the exhibits must be attached to each copy.

Location of the Court Clerk's Office

The Court Clerk's Office for **Churchill County** is located at 73 N. Maine Street, Suite B, Fallon, NV, 89406, on the second floor. The phone number is (775) 423-6088.

If you are mailing the documents to the Court Clerk's office for filing, OR if you have submitted an Order of Decree for the Judge to sign, **it is strongly suggested that you provide a self-addressed, stamped envelope when you file your documents. A copy of the file-stamped documents will then be mailed to you.**

FILLING OUT THE DOCUMENTS

1. **For All Documents**: Fill in the spaces on lines 9 through 13, **exactly** as they appear in your other documents. This is the "heading" of the document and it is always the same. If you are the Plaintiff in the original document, you will remain the Plaintiff; if you are listed as the Defendant in the original document, you will remain the Defendant. The Case No. and Dept. No. are always the same.

2. The Civil Cover Sheet: Leave the Case and Dept. No. blank, as this and the department number will be assigned when the document sis filed. Fill in your name, address and phone number under Plaintiff. Check the appropriate box for the action you are filing. Then sign and date the form.

3. The Petition: Leave the Case No. blank, as this and the department number will be assigned when the document if filed. Do not leave any blank spaces.

4. **This document must be signed in the presence of a Notary Public**.

5. The Notice: Complete the requested information. Do not sign or date the form.

6. **You are now ready to file the first documents in this matter.**

7. Once the documents are completed, make one copy of each. Take the original **and copy** to the Court Clerk to be filed, together with the filing fee. The copy will be returned to you for your file.

8. The Court Clerk will "issue" the Notice. After filing the documents, take the Notice to the classified section of the newspaper you have chosen. The Notice must be published one time a week for three (3) consecutive weeks.

9. The Proof of Publication: When the publication is completed, the newspaper will mail you an "Affidavit of Publication," which will have a copy of the Summons as it appeared in the newspaper and the run dated. The original Affidavit of Publication must be attached to the Proof of Publication form.

10. Once the document is completed, make one copy, take the original and copies to the Court Clerk to be filed. The copy will be returned to you for your file.

11. The Request for Submission: In order to submit a Motion, Request, Objection, Petition, or other original document to the court for consideration, a Request for Submission must be filed. The Court may not review the file unless this document is filed.

12. **Important Note: A party may challenge or oppose the name change within ten (10) days after the last date of publication of the Notice in the paper.**

13. If no one responds within ten (10) days, you may file the Request for Submission form.

14. Once the document is completed, make one copy. Take the original **and copies** to the Court Clerk to be filed. The copy will be returned to you and your file.

15. The Order: Complete all information, but do not fill in the dates, times, or sign the document.

16. Submit the original Order and two copies to the Court Clerk, who will give them to the Judge. If the Order is signed, a file-stamped copy will be mailed to you if you have provided a self-address, stamped envelope.

17. When you pick up or receive the Order of Decree, you may want to get several certified copies of the Order or Decree from the Court Clerk. These certified copies are necessary for such things as Social Security name changes, for school or work records, and as notices to other entities.

If you need guidance in filling out the forms or in the procedure of the case, seek the advice of a private attorney.

NOTE: YOU MAY NOT USE THESE FORMS IF YOU ARE PRESENTLY REPRESENTED BY AN ATTORNEY IN THIS MATTER.

If you are requesting that the Court waive the filing fee, the filing procedure is different than above. Complete the **Request for Waiver of Fees and Costs** packet and following those directions.