

PETITION TO CHANGE NAME

INDIVIDUAL 21 YEARS OF AGE OR YOUNGER

OR

FAMILY WITH ALL FAMILY MEMBERS 21 YEARS OF AGE OR YOUNGER

All persons contemplating any legal name change procedure should be aware that the law regarding name changes is complicated and is subject to change. Because the results of a mistake in a name change proceeding can be very serious, all persons are strongly encouraged to consult with an attorney and retain legal advice and services in name change proceedings. **The county clerk staff and court staff are specifically prohibited by law from giving legal advice or assistance in name change proceedings.** Michigan Compiled Laws 700.1211 clearly states: "Court personnel shall not provide or offer to provide legal advice or legal counsel to a fiduciary or an interested person and shall not complete a form, petition, or document for a fiduciary or an interested person".

All name change petitioners should be aware of the following general legal requirements and local practices. However, please note that even within these general statements, there are exceptions, and legal advice should be sought about the particular facts of each case.

All pleading forms must be filled out completely and in compliance with Michigan Court Rules. This requires that they be on clean, good quality paper, either **typewritten or printed in black or blue ink** with the print to be no smaller than 12 point. The clerk is required by MCR 1.109 to reject nonconforming pleadings.

All required pleadings, fees, and processes must be completed before the case will be scheduled for any hearings. These requirements include:

1. The petitioner(s) seeking a legal name change in Wexford County must be a resident of Wexford County for at least one year prior to the filing of the petition.
2. To change the name of a minor who is less than 14 years old, you must file a petition for a name change in the county where the child lives. The child must have lived in the county for at least one year prior to filing the petition. A petition for a name change of an infant cannot be filed until the child is one (1) year of age or older.
3. If the name change is sought for an entire family, it may be done with the filing of one petition. There is only one \$175.00 filing fee, but separate fees of \$50 per person are required to create a new birth record for each individual changing their name.
4. Complete the *Petition to Change Name* (PC 51).
5. Include a certified copy of the Birth Certificate of each individual changing their name with the completed petition.
6. Complete an *Application to Correct or Change a Michigan Birth Record* (if born in Michigan) for each individual changing their name and provide a copy of your Driver's License or Michigan State ID to submit along with each of the completed *Applications to Correct or Change a Michigan Birth Record*. An *Application to Correct or Change a Michigan Birth Record* must be completed for each individual changing their name and must have a copy of a Driver's License or Michigan State ID attached to each application.

7. Pay \$175.00 filing fee to the Wexford County Clerk.
8. Pay \$10.00 fee to the Wexford County Clerk to enter the name change Order.
9. Pay \$10.00 fee to the Wexford County Clerk for one certified copy of the name change Order. There will be an additional charge of \$4 for each additional certified copy you would like to purchase at that time.
10. Pay \$83.95 (Check or Money order only) made payable to the Cadillac News for the publication fee (per MCR 3.613 a notice of any Petition to Change Name must also be published).
11. Pay \$50.00 (Check or Money Order only) made payable to the State of Michigan for a new birth record (only if born in Michigan - if not born in Michigan you are responsible for changing the birth record with the appropriate state of birth). Separate fees of \$50.00 per person are required for each individual changing their name.

In special circumstances, there may be other forms that are required. Again, it is stressed that the Clerk's Office is not responsible for assuring that the correct forms are selected or filed, and if the incorrect forms are filed or are not correctly filled out, the case may be delayed or dismissed. It is the petitioner's responsibility to do everything correctly, so assistance by an attorney is strongly recommended.

March 2024

28th STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION Wexford COUNTY	PETITION FOR NAME CHANGE	CASE NO. and JUDGE
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Court address 437 E. Division St. Cadillac, MI 49601 **Court telephone no.** 231-779-9450

- A. You must complete form *PC 51* or *PC 51c* to begin a name change proceeding. Use this form (*PC 51*) unless you have good cause not to publish notice of your name change proceeding, such as you believe publication of the notice of hearing will put you or another individual in danger of physical harm, or at risk of unlawful retaliation or discrimination. If you have good cause, use form *PC 51c, Petition for Name Change and Ex Parte Request for Nonpublication and Confidential Record* to ask the court for permission not to publish a notice about the name change and to keep the record confidential.
- B. Unless you have received permission not to publish, the law requires that notice of hearing about the petition be published in a newspaper. You must file a completed *PC 50, Publication of Notice of Hearing Regarding Petition for Name Change*, with the court. Contact the court clerk for information about when *PC 50* must be submitted.
- C. Every person 22 years of age or older who is requesting a name change must have a criminal background check. For details, go to michiganlegalhelp.org.

In the matter of _____
 Current first, middle, and last name(s) (type or print)

Petitioner's name, address, and telephone no.

Petitioner's attorney, bar no., address, and telephone no.

1. An action within the jurisdiction of the family division of circuit court involving the family or family members of person(s) named above has/have been previously filed in _____ Court, Case Number _____, was assigned to Judge _____, and remains is no longer pending.

2. The name change is for

a. a married person who wishes to also include a name change for their spouse. minor child(ren), of whom the petitioner has legal custody. (For a minor 14 years or older, written consent is required. See form *PC 51b*.)

b. an adult.

c. a minor, whose natural or adopted parents are _____ Parent Deceased and _____ Parent Deceased

Both parents are deceased. The guardian is _____ Name (Attach letters of guardianship.)

3. The name change is for the following reason: _____

4. The name change is not sought for any fraudulent intent.

5. The following person(s) seeking a name change has/have a criminal record: _____

6. Each person for whom a name change is sought has been a resident of the county for at least one year.

Note: Skip item 7 if the noncustodial parent consents to the name change or if there is not a noncustodial parent.

7. I have legal custody of the minor.
- a. The noncustodial parent has had the ability to visit, contact, or communicate with the child and has regularly and substantially failed or neglected to do so for a period of two years or more before the filing of this petition and either:
 - a support order has been entered, and the noncustodial parent has failed to substantially comply with the order for a period of two years or more before the filing of this petition; or
 - a support order has not been entered and the noncustodial parent, having the ability to support or assist in supporting the child, has failed or neglected to provide regular and substantial support for two years or more before the filing of this petition.
 - b. The noncustodial parent has been convicted of child abuse (MCL 750.136b), criminal sexual conduct (MCL 750.520b, 750.520c, 750.520d, or 750.520e), or assault with intent to commit criminal sexual conduct (MCL 750.520g) and the child or a sibling of the child was the victim. (Attach judgment of sentence.)
 - c. The noncustodial parent has been convicted of first degree murder (MCL 750.316) or second degree murder (MCL 750.317). (Attach judgment of sentence.)

8. I request the following name change(s): (Type or print first name, middle name, and last name.)

	FROM (current name)	TO (proposed name)	DATE OF BIRTH
Petitioner	First:	First:	Put DOB in Ref. No. row 10 on MC 97a.
	Middle:	Middle:	
	Last:	Last:	
Spouse	First:	First:	Put DOB in Ref. No. row 11 on MC 97a.
	Middle:	Middle:	
	Last:	Last:	
Minor child	First:	First:	Put DOB in Ref. No. row 12 on MC 97a.
	Middle:	Middle:	
	Last:	Last:	
Minor child	First:	First:	Put DOB in Ref. No. row 13 on MC 97a.
	Middle:	Middle:	
	Last:	Last:	
Minor child	First:	First:	Put DOB in Ref. No. row 14 on MC 97a.
	Middle:	Middle:	
	Last:	Last:	

Note: If you want a new live birth certificate, check item 9. A special order is not needed if you only want to add the changed name(s) to the original certificate(s).

9. I request the court to order the State Registrar to create a new live birth certificate that does not disclose the name(s) of _____ at birth and to seal the original certificate.
Name(s)

I declare under the penalties of perjury that this petition has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Date

Petitioner's signature

Petitioner's attorney signature

SIGNATURE OF PARENT/GUARDIAN FOR MINOR

Date

Signature

Name (type or print)

Address

City, state, zip

Telephone no.

Date

Signature

Name (type or print)

Address

City, state, zip

Telephone no.

CONSENT BY SPOUSE OF PETITIONER

If the petition is filed for a spouse, this consent must be signed by the spouse of the petitioner.

I am the spouse of the petitioner and consent to the granting of this petition to change my name.

Date

Signature

Name (type or print)

Address

City, state, zip

Telephone no.

Attorney signature

Attorney name (type or print)

Address

City, state, zip

Telephone no.

Bar no.

Name Change Fees All Due Upon Filing (Revised 03/11/2024)

One Person; \$175 Filing Fee, \$10 for court to prepare and enter order, \$10 for a Certified Copy of the order, a check made payable to the Cadillac News for \$83.95 for Publication, If Child was Born In Michigan, a Check Payable to The State of Michigan for (\$50 for Application Fee to correct birth record): **Total \$328.95**

Two Person Family; \$175 Filing Fee, \$10 for court to prepare and enter order, \$10 for a Certified Copy of the order, A check made payable to the Cadillac News for \$83.95 for Publication, If Children were Born In Michigan, a Check Payable to The State of Michigan for \$100 for Application Fees to correct birth records (\$50 for each child): **Total \$378.95**

Three Person Family; \$175 Filing Fee, \$10 for court to prepare and enter order, \$10 for a Certified Copy of the order, A check made payable to the Cadillac News for \$83.95 for Publication, If Children Born In Michigan, a Check Payable to The State of Michigan for \$150 for Application Fees to correct birth records (\$50 for each child): **Total \$428.95**

Four Person Family; \$175 Filing Fee, \$10 for court to prepare and enter order, \$10 for a Certified Copy of the order, A check made payable to the Cadillac News for \$83.95 for Publication, If Children Born In Michigan, a Check Payable to The State of Michigan for \$200 for Application Fees to correct birth records (\$50 for each child if born in Michigan): **Total \$478.95**

Five Person Family; \$175 Filing Fee, \$10 for court to prepare and enter order, \$10 for a Certified Copy of the order, A check made payable to the Cadillac News for \$83.95 for Publication, If Children Born In Michigan, a Check Payable to The State of Michigan for \$250 for Application Fees to correct birth records (\$50 for each child if born in Michigan): **Total \$528.95**

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY	PROTECTED PERSONAL IDENTIFYING INFORMATION	CASE NO. and JUDGE
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Court address

437 E DIVISION ST, CADILLAC, MI 49601

Court telephone no.

231-779-9450

Plaintiff's/Petitioner's name	v	Defendant's/Respondent's name
In the matter of _____		

This form is nonpublic because it contains personal identifying information (PII) that is protected from public inspection under MCR 1.109(D)(9)(a). Use this form to provide PII only for a person who is a defendant, respondent, or decedent. If the person is a plaintiff, petitioner, or other individual, use form MC 97a.

Instructions:

- When PII (such as date of birth) must be filed with the court on a public document, DO NOT include it on that public document. Instead, you must provide it on this form.
- Provide only the protected PII required for your particular case. For example, if you are filing a public document that requires you to provide a date of birth to the court, complete only that field on this form.

Name of form/document that this MC 97 is being filed with: _____

Printed name of individual completing form and date

Instructions: Provide the name of the person that the PII applies to, followed by the specific PII that is required to be provided. For Other, specify the type of PII in addition to the PII itself. Use the below reference number (Ref. No.) in the public document in place of the protected PII. For example, insert "Ref. No. 1" in place of the DOB in the public document.

Ref. No.	Name (required)
1	Date of birth
2	National ID no. / Last 4 digits of SSN XXX-XX-_____
3	Driver's License / State-issued ID no.
4	Passport no.
5	Other

Ref. No.	Instructions: List the name of the financial institution and the account number. List the paragraph that references the account, if needed for clarity. Use reference number (Ref. No.) when necessary to refer to account in public documents.		
6	Financial institution	Account no.	Paragraph no.
7	Financial institution	Account no.	Paragraph no.
8	Financial institution	Account no.	Paragraph no.
9	Financial institution	Account no.	Paragraph no.

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY	ADDENDUM TO PROTECTED PERSONAL IDENTIFYING INFORMATION	CASE NO. and JUDGE
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Court address
437 E DIVISION ST, CADILLAC, MI 49601

Court telephone no.
231-779-9450

Plaintiff's/Petitioner's name	v	Defendant's/Respondent's name
In the matter of _____		

This form is nonpublic because it contains personal identifying information (PII) that is protected from public inspection under MCR 1.109(D)(9)(a). Use this form to provide PII only for a person who is a NOT a defendant, respondent, or decedent. If the person is a defendant, respondent, or decedent use form MC 97.

Instructions:

- When PII (such as date of birth) must be filed with the court on a public document, DO NOT include it on that public document. Instead, you must provide it on this form.
- Provide only the protected PII required for your particular case. For example, if you are filing a public document that requires you to provide a date of birth to the court, complete only that field on this form.

Name of form/document that this MC 97a is being filed with: _____

Printed name of individual completing form and date _____

Ref. No.	Instructions: Provide the name of the person that the PII applies to, followed by the specific PII that is required. For Other, specify the type of PII in addition to the PII itself - for example, Social Security No. XXXX. Use the below reference number (Ref. No.) in the public document in place of the protected PII. For example, insert "Ref. No. XX" in place of the DOB in the public document.		
10	Name	DOB	Other
11	Name	DOB	Other
12	Name	DOB	Other
13	Name	DOB	Other
14	Name	DOB	Other
15	Name	DOB	Other
16	Name	DOB	Other
17	Name	DOB	Other
18	Name	DOB	Other

PAYMENT Check or Money Order made out to the "State of Michigan" Application Fee is Non-Refundable

Application Fee:	\$50.00 (includes one copy)	\$50.00
Additional Certified Copies:	\$16.00 each	\$
RUSH Processing Fee	\$25.00	\$
TOTAL ENCLOSED:		\$

REQUIRED DOCUMENTATION Original documents will not be returned to you

Changes or corrections to birth records that can be made by this office are limited by law and are subject to very specific supporting documentation.

- In general, we require at least two (2) dated documents proving the correct information. Documents typically need to be at least five years old or older. Some changes require documents dated close to the time of birth.
- If you are changing the name on a birth certificate for a person over the age of one (1) and do not have documents to prove you have always used that name, you will have to petition the court in your county for a legal name change order and submit a copy of the court order to our office.
- To correct a parent's information on a birth certificate we generally need a copy of the parent's birth certificate, marriage license or two documents dated five (5) years old or older showing the correct information.

For more information on documents needed, visit our FAQs on our website at www.michigan.gov/vitalrecords You can also call our Changes Unit at 517-335-8660 or email MDHHS-VR-Changes@Michigan.gov.

ELIGIBILITY

Must be at least 18 years old or legally emancipated. Legal guardians must include a copy of the court guardianship documents. Legally licensed representatives must provide documentation on official letterhead documenting that he/she represents the person named on the record and provide their state bar license number, along with client's identification.

IDENTIFICATION REQUIREMENT Original documents will not be returned to you

To change a Michigan birth record, a copy of a current valid, government-issued identification is required to establish eligibility.

If you are correcting a child's name, we require identification for all parents listed on the record. If a child's name change is court ordered, we only require identification for one parent.

Please send a copy of one of the following unexpired identifications:

- ✓ U.S. or U.S. Territories Driver's License or Identification Card
- ✓ U.S. or Foreign Passport
- ✓ U.S. Passport Card
- ✓ U.S. Military Identification Card with both picture and signature
- ✓ Other U.S. or U.S. Territories issued document that meets the following criteria: Document must be unexpired. Document must contain a photograph and at least the following information: name, date of birth, date of expiration, signature, and address.

If you do not have identification as listed above, we will accept other documents to prove your identity. For a list of alternative documents please visit our website at www.michigan.gov/vitalrecords or call our office at 517-335-8666.

PROCESSING TIME Prepaid self-addressed envelopes will NOT be used by our office

Normal processing time to correct or change a Michigan birth certificate is 5-6 weeks if all required documents are received. If we must contact you for additional documentation, the processing time starts when we receive all documentation needed. If you pay for RUSH service, processing time is 2-3 weeks from when all required documentation is received in our office. Processing time is not guaranteed. There could be situations out of our control that cause processing times to be longer.

Note: Applications sent to the Vital Records post office box with an overnight delivery are not received in the Vital Records office for three (3) days.

PENALTIES

Any person who willfully and knowingly makes false application to change a Michigan birth record may be fined and/or imprisoned pursuant to MCL 333.2894(1)(b) and (c)

The Michigan Department of Health and Human Services (MDHHS) does not discriminate against any individual or group because of race, religion, age, national origin, color, height, weight, marital status, genetic information, sex, sexual orientation, gender identity or expression, political beliefs, or disability.