

Instructions and Forms for Child Name Change: Both Parents Agree to File Together

Warning: The information and forms in this guide are not legal advice and are not a substitute for the help of a lawyer. It's a good idea to talk with a lawyer about your particular situation. A lawyer is trained to protect your legal rights. Even if you decide to represent yourself, try to talk to a lawyer about your case before filing anything. Visit the [Legal Help Directory](#) or read [Working with a Private Attorney](#) for more information.

These instructions explain the steps to change your child's name if you and the child's other parent agree to file the request for name change together. Each step includes a link to the form or forms needed for that step.

Use these instructions if:

- the child has (or children have) two living parents whose parental rights have not been terminated,
- the parents both agree to the name change, and
- the parents will sign the necessary court forms.

Do not use these instructions if there are any nonparent court-ordered relationships for the children.

As a service to all Texans, the Harris County Law Library combines TexasLawHelp forms and instructions into downloadable PDF packets, which are available at their [Combined TexasLawHelp Forms Packets page](#).

Checklist Steps

Step 1: Fill out your court forms.

Fill out these forms:

- **Petition to Change the Name of a Child**: This form asks the judge to change your child's name. You and your child's other parent must sign this form under penalty of perjury. This means it is a crime to lie on this form.
- You are the "Petitioner." The child's other parent is the "Co-Petitioner."
- If you plan to file the name change case in person instead of online, print your answers neatly using blue or black ink. Do not leave blanks.
- **Order Changing the Name of a Child**: You will ask the judge to sign this form to change your child's name. You must fill it out before going to court. Fill out all blanks except:
 1. the date of judgment,
 2. the judge's signature, and
 3. the judge's name.
- This form must also be signed by both you and the other parent.

Other Forms:

- If your child is 10 years old or older, fill out the **Child's Consent to Name Change (For Child Age 10 or Older)**. It tells the judge that your child wants his or her name to be changed. Note: If your child is 10 years old or older, you cannot change your child's name without his or her consent.
- If you cannot afford to pay the filing fee for your case, fill out the **Statement of Inability to Afford Payment of Court Costs**. Call the clerk's office in the county where the child lives to learn the filing fee for your case.
- **Information on Suit Affecting the Family Relationship**
- **Civil Case Information Sheet**: Note: The **Texas Supreme Court repealed the rule requiring the civil case information sheet**, so you may only need this form if you are filing the name change case in person, at the courthouse, instead of e-filing).

Step 2: Make copies.

Make one copy of each of the following:

1. Completed Petition to Change the Name of a Child (signed by both you and the other parent), and
2. Statement of Inability to Afford Payment of Court Costs (if you cannot afford the filing fee), and
3. Child's completed Child's Consent to Name Change (if your child is 10 or older).

You do not need copies of the Civil Case Information Sheet form, the Information on Suit Affecting the Family Relationship form or the Order Changing the Name of a Child form.

□ Step 3: File your forms with the court.

1. File (turn in) your completed Petition and additional starting forms with the district court clerk (or county court clerk, depending on the specific county) in the county where the child lives.

Note: Check with the clerk of the court in the county where the child lives to learn which court in the county hears name change cases. Depending on the county, name changes may be heard in the district court or county court.

2. Turn in your completed court forms (and copies), except the **Order Changing the Name of a Child** form. Don't turn in the Order form yet. You will present the Order form to the judge when you go to court.
3. Pay the filing fee or file your completed Statement of Inability to Afford Payment of Court Costs if you cannot afford the fee.
4. The clerk will write your "Cause Number" and "Court Number" at the top of the first page of your Petition to Change the Name of a Child and other forms. (Write these numbers at the top of your Order Changing the Name of a Child form.)
5. The clerk will "file-stamp" your copies with the date and time. The clerk will keep the originals and give you back your copies.
6. Ask the clerk if there are local rules or procedures you need to know about for your case. For example, there might be **standing orders**

in your county that need to be attached to your petition.

7. Ask the clerk when you can present your proposed Order Changing the Name of a Child to a judge. You may be able to present your proposed order to a judge that day. Or you may have to come back another day.

Step 4: Go to court to finish your case.

1. Go to court to finish your case. (Read the article **Tips for the Courtroom** for more information about going to court).
2. When you get to the courtroom, tell the judge's clerk you are there and give the clerk the following documents:
 - your completed proposed Order Changing the Name of a Child (signed by both you and the other parent),
 - the file-stamped copy of your Petition to Change the Name of a Child, and
 - the file-stamped copy of the Child's Consent to Name Change (if applicable).
3. Sit down until the judge calls your case.
4. When the judge calls your case, walk to the front of the courtroom and stand in front of the judge's bench. The judge will have you raise your right hand and swear to tell the truth. Tell the judge that you and your child's other parent are asking that your child's name be changed. Be prepared to quickly tell the judge why you think changing your child's name is in your child's best interest.
5. The judge will listen to what you say and review your forms. If everything is in order and the judge agrees that changing your child's name would be in your child's best interest, the judge will sign your Order Changing the Name of a Child.

Step 5: File the signed Order with the clerk.

After the judge signs your Order Changing the Name of a Child, go back to the clerk's office.

1. File (turn in) the signed Order Changing the Name of a Child. Your case is not final until you do so.
2. File the completed **Information on Suit Affecting the Family Relationship** form.
3. Get several—at least five—certified copies of the Order from the clerk. You must pay a small fee for each certified copy.

You will need certified copies of the Order to change the child's name on the child's social security card, birth certificate, passport, school records, etc.

Each agency will want a certified copy of the Order to keep. You will also want a certified copy of the Order for your records.

□ Step 6: After your case is finished.

You are responsible for notifying the appropriate agencies of your child's new name.

1. To change your child's social security card, contact your local **Social Security Administration** (SSA) office.
2. To change your child's Texas birth certificate, contact the Texas Department of State Health Services–Vital Statistics Unit. Read the Bureau's **Requirements for Requesting/Changing Vital Records page**, which explains birth certificate amendments and includes paperwork for requesting corrections and amendments.

If your child was born in another state, contact the vital statistics office in that state.

3. Contact the **U.S. State Department** to change the name on the child's passport.
4. To change your child's school records, take a certified copy of the Order to your child's school.

Forms Required

Forms for child name change filed by both parents.

Petition to Change the Name of a Child [Filed by Both Parents]

Fee Waiver (Bilingual) - Statement of Inability to Afford Payment of Court Costs or an Appeal Bond

Civil Case Information Sheet

Information on Suit Affecting the Family Relationship (Excluding Adoptions)

Child's Consent to Name Change

Order to Change the Name of a Child [Filed by Both Parents]

Order to Change the Name of Multiple Children [Filed by Both Parents] - Set A

Source URL: <https://texaslawhelp.org/checklist/instructions-and-forms-for-child-name-change-both-parents-agree-to-file-together>

Cause Number: _____

In the Matter of the Name Change of:
(Print the current name of each child - first, middle, last.)

1 _____
2 _____
3 _____
4 _____
5 _____

In the _____

- District Court
- County Court at Law

_____ County, Texas

A Child or Children

Petition to Change the Name of a Child or Children

1. Discovery Level

The discovery level in this case, if needed, is Level 2.

2. Petitioner and Co-Petitioner (The Parents)

The Petitioner and Co-Petitioner are the parents of the child or children listed in section 3.

The **Petitioner** is: _____
First Middle Last

The Petitioner is the: mother father

The last three numbers of Petitioner's driver's license number are: _____.

Petitioner's driver's license was issued in (state) _____.

Or Petitioner does not have a driver's license.

The last three numbers of Petitioner's social security number are: _____.

Or Petitioner does not have a social security number.

The **Co-Petitioner** is: _____
First Middle Last

The Co-Petitioner is the: mother father

The last three numbers of Co-Petitioner's driver's license number are: _____.

Co-Petitioner's driver's license was issued in (state) _____.

Or Co-Petitioner does not have a driver's license.

The last three numbers of Co-Petitioner's social security number are: _____.

Or Co-Petitioner does not have a social security number.

3. Children

Petitioner and Co-Petitioner ask the Court to change the name of the child or children listed below:

Current Name of Child #1: _____

Current Name of Child #2: _____

Current Name of Child #3: _____

Current Name of Child #4: _____

Current Name of Child #5: _____

4. Information and Name Change Request for Child #1

- a. Child's Current name: _____
First Middle Last
- b. Home Address: _____ County: _____
- c. Social Security #: _____ - _____ - _____ or The child does not have a Social Security #.
- d. Birth date: _____
Month / Day / Year
- e. Place of birth: _____
City State Country
- f. Consent by Child (*Check one.*)
 - Child is younger than 10 years old. Consent is not required.
 - Child is 10 years old or older and has consented in writing to this name change.
- g. Sex Offender Registration (*Check one.*)
 - The child **is not** required to register as a sex offender.
 - The child **is** required to register as a sex offender. Proof that the child has notified local law enforcement of the proposed name change is attached to this Petition.
- h. Are there any court orders about the child already in place? (*Check one.*)
 - There are no court orders regarding the child.
 - A court made orders involving the child in the following case:
Case/Cause Number _____ in _____
County State
Case type: _____
Print the case type (custody, support, divorce, paternity, etc.)
- i. Petitioner and Co-Petitioner ask the Court to change the child's name to:

First Middle Last
- j. Petitioner and Co-Petitioner want to change the child's name because:

- k. Petitioner and Co-Petitioner believe the requested name change is in the child's best interest.

5. Information and Name Change Request(s) for Additional Children

(Check the box below if you are asking the Court to change the name of more than one child. For each additional child, fill out and attach an "Additional Child Exhibit" to this Petition.)

- For each additional child, Petitioner and Co-Petitioner have completed and attached an **Additional Child Exhibit** that states the child's information and name change request.

6. Request for Judgment

Petitioner and Co-Petitioner ask the Court to order the name change of the child of children as requested above and as requested in any *Additional Child Exhibits* attached to this petition. Petitioner and Co-Petitioner ask for general relief.

Respectfully submitted,

▶ /s/ _____
Petitioner's Signature

▶ /s/ _____
Co-Petitioner's Signature

Note: Each parent must also sign a declaration under penalty of perjury below.

7. Petitioner's Declaration Under Penalty of Perjury

My name is: _____ . My date of birth is _____ .

My address is: _____ .

My email address is _____ . My phone number is: _____ .

I declare **under penalty of perjury** that all information in this *Petition to Change the Name of a Child or Children* and all information in any attached *Additional Child Information Exhibit* is true and correct.

Completed and formally signed on _____ in _____ County, _____ .

▶ /s/ _____
Petitioner's Signature

8. Co-Petitioner's Declaration Under Penalty of Perjury

My name is: _____ . My date of birth is _____ .

My address is: _____ .

My email address is _____ . My phone number is: _____ .

I declare **under penalty of perjury** that all information in this *Petition to Change the Name of a Child or Children* and all information in any attached *Additional Child Information Exhibit* is true and correct.

Completed and formally signed on _____ in _____ County, _____ .

▶ /s/ _____
Co-Petitioner's Signature

Cause Number: _____

In the Matter of the Name Change of:

In the _____

District Court County Court at Law

Print the child's current name - first, middle, last.

_____ County, Texas

A Child

Child's Consent to Name Change (For Child Age 10 or Older)

Print your answers

1. My name is _____
first middle last

2. My age is _____

3. The name change is for me.

4. I want my name changed to

_____ *First middle last*

Child **prints** his/her current name here: _____

 _____
Child **signs** here

_____ Date the child signed

Cause Number: _____

In the Matter of the Name Change of:

(Print the current name of each child - first, middle, last.)

1 _____
2 _____
3 _____
4 _____
5 _____

In the _____

District Court

County Court at Law

_____ County, Texas

A Child or Children

Order Changing the Names of Multiple Children

A hearing took place on _____
Date

1. Appearances

Petitioner

The Petitioner's name is: _____
First Middle Last

The Petitioner is the children's: Mother Father

The Petitioner was present, representing him/herself, and has agreed to the terms of this Order.

Co-Petitioner

The Co-Petitioner's name is: _____
First Middle Last

The Co-Petitioner is the children's: Mother Father

(Check one.)

The Co-Petitioner was **present** and has signed below agreeing to this Order.

The Co-Petitioner was **not present** but has signed below agreeing to this Order.

2. Jurisdiction

The Court received evidence and finds that it has jurisdiction over this case and the parties, that the notice requirements have been met, and that the Petition meets all legal requirements.

3. Record

A court reporter:

(Check one.)

recorded today's hearing.

did not record today's hearing because the parties and judge agreed not to make a record.

4. Findings

The Court makes the following findings about **Child #1**.

- a. Child's Current name: _____
First Middle Last
- b. Home Address: _____ County: _____
- c. Social Security #: _____ - _____ - _____ **or** The child does not have a Social Security #.
- d. Birth date: _____ *Month / Day / Year* e. Place of birth: _____
City State Country
- f. Consent by Child (*Check one.*)
 The child is younger than 10 years old. Consent is not required.
 The child is 10 years old or older and has consented in writing to this name change.
- g. Sex Offender Registration (*Check one.*)
 The child **is not** required to register as a sex offender.
 The child **is** required to register as a sex offender. Petitioners attached proof to the Petition that the child has notified local law enforcement of the proposed name change. The requested name change is in the best interest of the public.
- h. Court of Continuing Exclusive Jurisdiction (*Check one.*)
 There are no court orders regarding the child.
 A court made orders involving the child in the following case:

_____ *Case Number* _____ *County* _____ *State* _____ *Case type (custody, support, divorce etc.)*
- i. The requested name change is in the best interest of the child.

The Court makes the following findings about **Child #2**.

- a. Child's Current name: _____
First Middle Last
- b. Home Address: _____ County: _____
- c. Social Security #: _____ - _____ - _____ **or** The child does not have a Social Security #.
- d. Birth date: _____ *Month / Day / Year* e. Place of birth: _____
City State Country
- f. Consent by Child (*Check one.*)
 The child is younger than 10 years old. Consent is not required.
 The child is 10 years old or older and has consented in writing to this name change.
- g. Sex Offender Registration (*Check one.*)
 The child **is not** required to register as a sex offender.
 The child **is** required to register as a sex offender. Petitioners attached proof to the Petition that the child has notified local law enforcement of the proposed name change. The requested name change is in the best interest of the public.
- h. Court of Continuing Exclusive Jurisdiction (*Check one.*)
 There are no court orders regarding the child.
 A court made orders involving the child in the following case:

i. The requested name change is in the best interest of the child.

The Court makes the following findings about **Child #3**.

a. Child's Current name: _____
First Middle Last

b. Home Address: _____ County: _____

c. Social Security #: _____ - _____ - _____ or The child does not have a Social Security #.

d. Birth date: _____ e. Place of birth: _____
Month / Day / Year City State Country

f. Consent by Child (Check one.)

- The child is younger than 10 years old. Consent is not required.
- The child is 10 years old or older and has consented in writing to this name change.

g. Sex Offender Registration (Check one.)

- The child **is not** required to register as a sex offender.
- The child **is** required to register as a sex offender. Petitioners attached proof to the Petition that the child has notified local law enforcement of the proposed name change. The requested name change is in the best interest of the public.

h. Court of Continuing Exclusive Jurisdiction (Check one.)

- There are no court orders regarding the child.
- A court made orders involving the child in the following case:

i. The requested name change is in the best interest of the child.

The Court makes the following findings about **Child #4**.

a. Child's Current name: _____
First Middle Last

b. Home Address: _____ County: _____

c. Social Security #: _____ - _____ - _____ or The child does not have a Social Security #.

d. Birth date: _____ e. Place of birth: _____
Month / Day / Year City State Country

f. Consent by Child (Check one.)

- The child is younger than 10 years old. Consent is not required.
- The child is 10 years old or older and has consented in writing to this name change.

g. Sex Offender Registration (Check one.)

- The child **is not** required to register as a sex offender.
- The child **is** required to register as a sex offender. Petitioners attached proof to the Petition that the child has notified local law enforcement of the proposed name change. The requested name change is in the best interest of the public.

h. Court of Continuing Exclusive Jurisdiction (Check one.)

- There are no court orders regarding the child.

