INSTRUCTIONS FOR CHANGE OF NAME OF A MINOR

An application may only be filed if the minor has been a resident of Hamilton County for at least **60 days** prior to the filing of said application.

You must present a certified copy of the minor's birth certificate at the time of the Application to Change Name is filed

Fill in **all** blanks except Case No. and hearing dates.

A fee is required at the time of filing. **Current Court Costs are posted at:** **https://www.probatect.org/about/general-resources**.

We accept cash, cashier's checks or all major credit/debit cards as payment for the fee. No personal checks or money orders will be accepted.

IMPORTANT INFORMATION ABOUT PUBLICATION: Beginning August 17, 2021, Ohio Law no longer requires that applications to Change Name be set for formal hearing. However, a hearing may still be required in the Court's discretion. If a hearing is requested by the Court, the application will be set for hearing at a future date and publication of notice may be required in a newspaper of general circulation in the County at least thirty (30) days before the hearing on the application. Otherwise, the application will be considered by the Magistrate who reviews the documents.
If publication is required, you will use the **NOTICE OF HEARING ON CHANGE OF NAME** for this purpose. If you use the Cincinnati Court Index Press the **NOTICE OF HEARING ON CHANGE OF NAME** will be left with the cashier and the Cincinnati Court Index Press will pick up the notice. The Cincinnati Court Index Press will be paid directly by the Court from the initial filing fees for this case. After publication is completed, the Cincinnati Court Index Press will send the Court a Proof of Publication and an Entry Approving Publication. If you choose another newspaper for publication, it is your responsibility to send the newspaper the **NOTICE OF HEARING ON CHANGE OF NAME,** pay the publication cost and bring the Proof of Publication and the Entry Approving Publication with you to your hearing.

If the publication is not completed at least thirty (30) days prior to the hearing, the name change cannot be granted and re-publication will be required at additional cost and delay to you.

The forms may be obtained from the Information Desk on the 9th floor of the Probate Court, 230 East 9th Street, Cincinnati, Ohio or by downloading the forms from our Web site, http://www.probatect.org.

STEP 1: COMPLETE THE FOLLOWING FORMS
Self-Representation Form (270.01) - Sign and Complete information if you **do not** have legal representation
Application for Change of Name of Minor (Form 21.20) - Be sure to state the minor's full legal name (first, middle and last) and full name requested after the change of name (first, middle and last). - You must include your reasons for seeking a change of name. - A copy of the minor's birth certificate, which was certified and shown to the Court, is attached.

Affidavit in Support of Application (Form 121.60)
- Be sure to have it notarized or sign it in front of a clerk at the Court.

Consent to Change of Name (Form 21.40)
- As long as both parents sign the Consent to the name change, there is no requirement for a hearing.
- One of these forms must be completed by **each** parent and filed with the Court.

Entry Dispensing with hearing (Form 121.12)
- Complete this form if both parents have signed the Consent to the Name Change and no hearing is required.

Judgement Entry Without Hearing Required (Form 121.30)
- Fill in everything above the signature line for the Probate Judge.
- It is strongly recommended that this form be typewritten.
- This Entry is proof that you have legally changed your name and it is important that it be legible.

IF ONE OF THE PARENTS IS UNABLE OR UNWILLING TO SIGN THE CONSENT OR A HEARING IS REQUIRED, COMPLETE THE FOLLOWING EXTRA FORMS

Entry Setting Hearing and Ordering Notice (Form 21.11)
- Fill in the caption only.
- The hearing date will be assigned by the Magistrate

Notice of Hearing on Change of Name (Form 21.50)
- Complete all the information requested, except the hearing date which will be filled in by the Magistrate.
- Complete the name and last known address of the necessary person whose address is unknown.
- If publishing in the Cincinnati Court Index Press, the Cashier will keep the notice. If not, the notice will be given back to you. You will be responsible for delivering the Notice form to the newspaper that you have selected to complete the publication.

Notice to Parent (Form 21.21)
- This form must be completed if a parent has failed to complete and sign the Consent to Change of Name.
- The Applicant must forward this Notice to the non-consenting parent by certified mail, return receipt not later than seven days before the hearing.
- The return receipt (green card) showing delivery must be attached to a copy of the notice and presented to the Court at the hearing. An Affidavit in Proof of Service will also be required.
- If the certified mail comes back to you "Unclaimed", you must mail a copy of the Notice to Parent form to the parent by ordinary mail. Make a note of what date you mailed the Notice by ordinary mail, you will need this date for the hearing.

Affidavit for Unknown Address of a Parent (Form 116.40)
- This form must be completed if the address of one of the parents is unknown and service of the hearing date cannot be provided.

STEP 2: APPROVAL OF FORMS AND SETTING OF HEARING DATE

When all forms have been completed, present them to the Information Desk on the 9th Floor of Probate Court for a Magistrate to review (and setting of a hearing date if required).

STEP 3: FILING OF FORMS

All forms must be filed with the Cashier who will assign a case number. If publication is required, the cashier will retain the Application for Change of Name of Minor, Judgment Entry Setting Hearing and Ordering

Notice, and the Consent to Change of Name, if applicable. The Cashier will also retain the Notice of Hearing on Change of Name if you will be using the Cincinnati Court Index Press. At this time, the Cashier will require the payment of the filing fee.

STEP 4: THE HEARING – WHAT TO BRING WITH YOU AND WHAT TO EXPECT

Consent to Change of Name (if not previously filed) (Form 21.40)

Notice to Parent (if sent to parent) (Form 21.21)

- Return copy with certified mail green card attached, along with Affidavit in Proof of Service (H.C. Form 200.10)
- The Affidavit can be obtained at the Information Desk prior to your hearing.

Judgment Entry – Change of Name of Minor (Form 21.30)

- Fill in everything above the signature line for the Probate Judge.
- It is strongly recommended that this form be typewritten.
- This Entry is proof that you have legally changed your name and it is important that it be legible.

At the date and time of the hearing, you should report to the 9th floor of the Probate Court to the Information Desk. **The minor child must be present.** Give the Magistrate the Judgment Entry – Change of Name of Minor. You should also present the Consent to Change of Name and/or Notice to Parent. The Magistrate will ask you questions regarding the application and will decide whether to grant the name change. Assuming the application is granted, you must then file the Judgment Entry – Change of Name of Minor, and the Consent and/or Notice of Parent with the Cashier.

If you require certified copies of the JUDGMENT ENTRY – CHANGE OF NAME OF MINOR for Social Security, school, or other purposes, the cashier will make the copies of the entry and certify the copies at a nominal cost. You must send a certified copy of the JUDGMENT ENTRY- CHANGE OF NAME OF MINOR to the Bureau of Vital Statistics of the State that maintains the birth record.

For births that occurred in **Ohio**, the certified copy of the Judgment Entry, along with the fee (contact Vital Statistics for the current cost), should be mailed to:

Bureau of Vital Statistics
246 North High Street
P.O. Box 15098
Columbus, Ohio 43215-0098
(614) 466-2531

Local Departments:

Born within City of Cincinnati limits
Cincinnati Department of Health
Division of Vital Statistics
1525 E. Elm Street
Cincinnati, Ohio 45202
(513) 352-3120

Born outside city limits but in Hamilton County
Hamilton County Department of Health
Division of Vital Statistics
1701 Patricia McCollum Way
Cincinnati, Ohio 45237
(513) 946-7800

Born within City of St. Bernard limits
St. Bernard City Hall
110 Washington Street
St. Bernard, Ohio 45217
(513) 242-7772

Born within City of Reading limits
City of Reading Health Department
1000 Market Street
Reading, Ohio 45215
(513) 733-3725

Born within City of Norwood limits
Norwood Health Center
2059 Sherman Avenue
Norwood, Ohio 45212
(513) 458-4600

OBTAINING THE AMENDED BIRTH RECORD

FOR NAME CHANGES OR CONFORMED NAMES: You will need to send a certified copy of the entry approving the name change to Bureau of Vital Statistics (ODH/VS) for processing. Please DO NOT send applications for amended certificates with money/payment with your court paperwork. Please allow time to process the corrections to make the request.
Below are the three ways that a certificate can be purchased. Please do not place an order for a certificate if you have not allowed at least 30 days for processing. You can confirm if the change has been completed by calling the Vital Statistics **Customer Service** line at 614-466-2531 prior to placing your order.

Local Health Department
A birth certificate can be purchased from any local health department for persons born in Ohio. It is not restricted to where the birth occurred. Below is the information for the local health department(s) in your county. Please contact the office directly to verify how an order can be placed, the cost and whether the office is available for same day service. Certificates will be available for issuance after allowing 30 days for processing.

Hamilton County General Health Dist 1701 Patricia McCollum Way Cincinnati, Ohio 45237 **Phone:** (513) 946-7800	Cincinnati Health Dept., Office of Vital Records 1525 Elm St., 4th Floor Cincinnati, OH 452020 **Phone:** (513) 352-3120	Norwood City Health Department 2059 Sherman Ave Norwood, OH 45212 **Phone:** (513) 458-4600

Online
Ordering a birth record through the ODH/VS online portal is the fastest way to obtain a certificate. Most orders are filled within five business days and go out first class mail. Each certificate is $21.50 and can be ordered using credit card.
Please go to the following website to place your order after allowing 30 days for processing.

https://odhgateway.odh.ohio.gov/OrderBirthCertificates/

Via Mail – USPS
Customers can also apply for a new certificate via mail. These requests go directly to the ODH/VS office and take approximately two to three weeks to fulfill. Applications should not be sent until four weeks after the paperwork was mailed by the court. A check or money order can be made payable to "Treasurer, State of Ohio" for $21.50 for each birth certificate requested. Applications can be found online at https://odh.ohio.gov/wps/portal/gov/odh/know-our-programs/vital-statistics/How-to-Order-Certificates and can be mailed to the address below with the appropriate payment for copies.

Ohio Department of Health
Bureau of Vital Statistics
P.O. Box 15098
Columbus, Ohio 43215-0098

Ralph Winkler
JUDGE, PROBATE COURT
HAMILTON COUNTY, OH

A CITIZEN'S GUIDE TO COMMUNICATING WITH THE JUDGE AND MAGISTRATES

Why can't I communicate directly with the judge or magistrate on my case?

If the matters are contested, judges and magistrates are not allowed to communicate with individual parties. This is what the law calls an *ex-parte* communication (this is when a judge or magistrate only communicates with an individual party, on their own, without the knowledge of all parties to a case). In order to keep the court process as fair, equal and as transparent as possible, *ex-parte* communication is strictly forbidden. It is unfair for the court to share information without all of the parties present.

You cannot email the judge or magistrate, as the email is considered an *ex-parte* communication. In addition, emails are not pleadings (motions.) You cannot write a personal letter to the judge or magistrate as this may be considered an *ex-parte* communication.

How can I speak to the judge or magistrate on my case?

Typically, to speak to the judge or magistrate on your case, you must file a written motion with the court explaining what you want the court to do and all motions become part of the public record. You also have to send a copy of whatever you file to the other parties, or their attorney if they are represented by an attorney (this is called "service"). A motion is not considered an *ex-parte* communication because all parties are officially notified. You may be required to pay a filing fee when you file your written motion. Please note, there is no fee if you wish to speak to the magistrate in an uncontested matter, on their assigned walk-in days.

I've heard there's always a magistrate on duty to hear arguments immediately – what does that mean?

There is a magistrate on duty every business day. The on-duty magistrate may answer generic procedural questions. The on-duty magistrate may also discuss matters in an uncontested case. For all other matters, the on-duty magistrate is prohibited from speaking with you. To address the court for these matters, you must file a written motion. The on-duty magistrate will set the matter for hearing before the magistrate assigned on your case or the judge.

What if I need to tell the judge or magistrate something I don't want the other party to know about?

Unfortunately, you cannot withhold information from another party to your case. In order to keep the case fair to everyone involved, as soon as you tell the judge or magistrate something, you must also tell the other parties. All sides must have an opportunity to respond to the information that you have shared with the court.

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

IN THE MATTER OF: _____

CASE NO. _____

SELF-REPRESENTATION ACKNOWLEDGMENT

I acknowledge that I have read, understand and agree with all of the following statements:

1. The Court has recommended that I hire an attorney to represent me in this case. However, I have chosen to proceed with this case without the assistance of an attorney.

2. The Court and its Deputy Clerks are prohibited by law from providing legal advice. I will follow the instructions provided in the form packets and on the Court's website, www.probatect.org.

3. I am responsible for understanding and correctly applying any statutes, case law, rules, regulations, policies, and procedures that relate to this case, including, but not limited to, the Ohio Revised Code, Rules of Superintendence for the Courts of Ohio, Hamilton County Probate Court Local Rules of Practice, and the Ohio Rules of Civil Procedure.

4. The same standards that apply to attorneys and persons represented by attorneys in similar probate hearings will apply to myself.

5. If I do not fulfill my responsibilities in this case as required by law, I may be subject to sanctions or penalties as provided by law, which may include removal as fiduciary or being required to be represented by an attorney.

6. I may be personally liable to any person or entity that suffers damages as a result of anything I do or fail to do in this case that does not comply with the legal requirements.

_____
Fiduciary/Applicant/Guardian

_____
Typed Printed Name

_____
Address

_____
City/State/Zip

_____
Telephone Number (include area code)

_____
Email

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

IN RE: CHANGE OF NAME OF _____
(Present First Name) (Present Middle Name) (Present Last Name)

TO _____
(Requested First Name) (Requested Middle Name) (Requested Last Name)

CASE NO. _____

APPLICATION FOR CHANGE OF NAME OF MINOR

[R.C. 2717.01]

Applicant is the ☐ Parent ☐ Legal Guardian ☐ Legal Custodian ☐ Guardian ad Litem of the minor. The minor has been a bona fide resident of this county for at least 60 days immediately prior to the filing of this Application. Applicant requests a change of name of the minor from:

_____
First Middle Last

To _____
First Middle Last

The reason for requesting this name change is: _____

_____

_____

_____

A certified copy of the minor's birth certificate is attached.

The name and address of parent 1 of the minor is:

_____
Name

_____
Address

_____
City, State, Zip Code

☐ The waiver of Notice of Hearing and Consent of Parent 1 accompanies this Application.

☐ Applicant states that the address of Parent 1 is unknown. Applicant has exercised all due diligence and made every reasonable effort to find the current address but cannot locate this individual.

The name and address of ☐ Parent 2 or ☐ the alleged father of the minor is:

_____
Name

_____
Address

_____
City, State, Zip Code

☐ The Waiver of Notice of Hearing and Consent of Parent 2 or the alleged father accompanies this Application.

☐ Applicant states that the address of Parent 2 or the alleged father is unknown. Applicant has exercised all due diligence and made every reasonable effort to find the current address but cannot locate this individual.

☐ There is no person alleged to be the father/Parent 2 of the minor.

An affidavit in support of this Application is attached.

The Applicant will serve Notice of Hearing on any nonconsenting parent or alleged father as the Court requires pursuant to R.C. 2717.14.

_____
Attorney for Applicant

_____
Typed or Printed Name

_____
Address

_____
City State Zip

_____
Telephone Number (include area code)

_____
Email Address

Attorney Registration No._____

_____
Applicant's Signature

_____
Typed or Printed Name

_____
Address

_____
City State Zip

_____
Telephone Number (include area code)

_____
Email Address

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

IN RE: CHANGE OF NAME OF _____
(Present First Name) (Present Middle Name) (Present Last Name)

TO _____
(Requested First Name) (Requested Middle Name) (Requested Last Name)

CASE NO. _____

AFFIDAVIT IN SUPPORT OF APPLICATION FOR CHANGE OF NAME OF MINOR

[R.C. 2717.06]

State of Ohio }
} SS
County of Hamilton }

The undersigned, in support of the Applicant's Application for Change of Name of Minor, deposes, says, and verifies the following:

Check all that apply:

1. ☐ Applicant is the ☐ Parent ☐ Legal Guardian ☐ Legal Custodian ☐ Guardian ad Litem of the minor.
2. ☐ The minor has been a bona fide resident of Hamilton County, Ohio for at least sixty (60) days immediately prior the filing of the Application;
3. ☐ The application is not made for the purpose of evading any creditors or other obligations;
4. ☐ The minor has not been adjudicated a delinquent child for identity fraud;
5. ☐ The minor does not have a duty to comply with R.C. 2950.04 or R.C 2950.041 because the minor was NOT adjudicated a delinquent child for having committed sexually oriented offense or a child-victim-oriented offense;

Any other information relevant to the Application _____

_____

All documentary evidence submitted with the Application is true, accurate, and complete.

_____
Applicant

Sworn to before me and subscribed in my presence the _____ day of _____, _____.

_____
Notary Public / Deputy Clerk

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

IN RE: CHANGE OF NAME OF _____
(Present First Name) (Present Middle Name) (Present Last Name)

TO _____
(Requested First Name) (Requested Middle Name) (Requested Last Name)

CASE NO. _____

CONSENT TO CHANGE OF NAME
[R.C 2717.14]

The undersigned,_____
[check one of the following 2 capacities by which your consent is given]

☐ Parent

☐ Alleged Father

hereby waives notice of the hearing on the Application for Change of Name and consents to the change of name of _____

to _____

as proposed in the Application.

_____

Sworn to before me and signed in my presence this _____ day of _____, _____.

_____
Deputy Clerk/Notary Public

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

IN RE: CHANGE OF NAME OF _____
(Present First Name) (Present Middle Name) (Present Last Name)

TO _____
(Requested First Name) (Requested Middle Name) (Requested Last Name)

CASE NO. _____

CONSENT TO CHANGE OF NAME
[R.C 2717.14]

The undersigned,_____
[check one of the following 2 capacities by which your consent is given]

☐ Parent

☐ Alleged Father

hereby waives notice of the hearing on the Application for Change of Name and consents to the change of name of _____

to _____

as proposed in the Application.

_____

Sworn to before me and signed in my presence this _____ day of _____, _____.

_____
Deputy Clerk/Notary Public

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

IN RE: CHANGE OF NAME OF _____
(Present First Name) (Present Middle Name) (Present Last Name)

TO_____
(Requested First Name) (Requested Middle Name) (Requested Last Name)

CASE NO. _____

ENTRY DISPENSING WITH HEARING ON APPLICATION TO CHANGE OR CONFORM NAME

The Court orders a hearing be dispensed with in this matter.

_____
Ralph Winkler, Probate Judge

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

IN RE: CHANGE OF NAME OF_____
(Present First Name) (Present Middle Name) (Present Last Name)

TO_____
(Requested First Name) (Requested Middle Name) (Requested Last Name)

CASE NO._____

JUDGMENT ENTRY SETTING HEARING AND ORDERING NOTICE

[R.C. 2717.08 and 2717.14]

The Court sets the Application for Change of Name in this case for hearing on _____, 20____, at _____ ____. M.

The Court orders the Applicant to serve a Notice of Hearing in the following manner on all necessary parties who have not waived notice:

☐ By Certified Mail, return receipt requested

☐ By personal service

☐ By publication once in a newspaper of general circulation in this county at 30 days before the hearing

☐ Other: _____

_____

_____

Applicant shall file proof of service with the Court before the hearing.

_____
Ralph Winkler, Probate Judge

By:_____
Deputy Clerk

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

IN RE: CHANGE OF NAME OF _____
(Present First Name) (Present Middle Name) (Present Last Name)

TO _____
(Requested First Name) (Requested Middle Name) (Requested Last Name)

CASE NO. _____

NOTICE TO PARENT

To: _____

You, as the living parent of _____, a minor, are hereby notified that on the _____ day of _____, _____, an application was filed on behalf of said minor, to ☐ change ☐ conform the minor's name from _____ to _____.

The matter has been set for hearing on the _____ day of _____, _____ at _____ o'clock ___.M. in Room _____, in the Hamilton County Probate Court, in the William Howard Taft Center, 230 East Ninth Street, Cincinnati, Ohio 45202-2145, before Magistrate _____.

_____
Applicant

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

IN THE MATTER OF _____, MINOR

CASE NO. _____

AFFIDAVIT FOR UNKNOWN ADDRESS OF A PARENT

STATE OF OHIO, COUNTY OF HAMILTON, SS.

The undersigned, being first duly cautioned and sworn, deposes and says that the address of _____ is unknown and cannot be ascertained with reasonable diligence and that _____ is free from disability other than minority.
(PARENT'S NAME) (MINOR'S NAME)

Affiant has attempted to locate _____
(PARENT'S NAME)

[check whichever apply]:

☐ Mailed correspondence to the last known address that was returned undeliverable.

☐ Personally went to the last known address and verified that he/she no longer lived at said address.

☐ Contacted relative(s).

☐ Contacted friend(s).

☐ Contacted current employer or last employer.

☐ Searched Social Media

☐ Contacted CSEA (Child Support Enforcement Agency)

☐ Other _____

_____
Affiant

Sworn to before me and in my presence this _____ day of _____, _____.

_____
Deputy Clerk/Notary Public

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

IN RE: CHANGE OF NAME OF_____
(Present First Name) (Present Middle Name) (Present Last Name)

TO_____
(Requested First Name) (Requested Middle Name) (Requested Last Name)

CASE NO._____

NOTICE OF HEARING ON CHANGE OF NAME

[R.C. 2717.08 and 2717.14]

Applicant gives notice that the Applicant has filed an Application for Change of Name in this Court, requesting the change of name of _____
(First) (Middle) (Last)

to _____
(First) (Middle) (Last)

A hearing on the Application will be held on _____, 20_____, at_____ o'clock _____. M. in the Probate Court of Hamilton County, located at 230 E. Ninth Street, Room_____, Cincinnati, Ohio.

_____
Applicant's Signature

_____
Typed or Printed Name

_____
Address

_____
City State Zip

_____
Email Address

Note to Publisher: The above legal notice including the caption is to be published once in its entirety. Costs are to be paid by applicant and an Affidavit of Publication is to be furnished to applicant.

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

IN RE: CHANGE OF NAME OF _____
(Present First Name) (Present Middle Name) (Present Last Name)

TO _____
(Requested First Name) (Requested Middle Name) (Requested Last Name)

CASE NO. _____

JUDGMENT ENTRY - CHANGING NAME OF MINOR
[R.C. 2717.09]

On _____, an Application for Change of Name of Minor was heard by this Court. The Court finds that all parties entitled to notice, i.e., legal parents, parent, father, or alleged father, either have waived notice of hearing and consented to the Application or were properly served and failed to object to the Application. The Court finds that Applicant has provided sufficient proof that the facts in the Application show reasonable and proper cause for changing the minor's name as requested.

The Court finds the minor's complete name at birth was

_____

The minor's date of birth was _____ and the place of birth was

_____
City County State

Therefore, it is **ORDERED** the name of _____
First Middle Last

be changed to _____
First Middle Last

_____ _____
Date Ralph Winkler, Probate Judge

CERTIFICATION OF JUDGMENT ENTRY

The above Judgment Entry - Change of Name of Minor is a true copy of the original kept by me as custodian of the records of this Court.

Ralph Winkler, Probate Judge

(Seal)

By: _____
Deputy Clerk

_____
Date