

NAME CHANGES FOR MINORS IN Wisconsin



What are the legal requirements?

Minors aged 14 and older can change their name using the same process as adults use. Information about this process is available on NCTE's ID Document Center (<https://transequality.org/documents/state/wisconsin>) and through the Wisconsin Court System (<https://www.wicourts.gov/services/public/selfhelp/namechange.htm>).

For minors under the age of 14, one or both parents/guardian must complete a petition for a name change and sign it before a notary public. The court can grant the petition "if no sufficient cause is shown to the contrary."

After you've filed your petition, you'll need to publish a notice of the name change petition in a local newspaper. In some cases, a judge might waive the publication requirement. Then you will need to attend a name change hearing.

Where should I file the petition?

You should file the petition in the circuit court for the county where the minor lives.

Some filing procedures may vary from one county to another. For county-specific procedures, contact the clerk of your county's court (<https://www.wicourts.gov/contact/docs/clerks.pdf>) or check the court website (<https://www.wicourts.gov/courts/circuit/ccsites.htm>).

The Wisconsin courts provide instructions on the name change process here: https://www.wicourts.gov/formdisplay/CV-490_instructions.pdf?formNumber=CV-490&formType=Instructions&formatId=2&language=en.

What forms should I use and what are the steps?

All name change forms can be found at https://www.wicourts.gov/forms1/circuit/ccform.jsp?FormName=&FormNumber=&beg_date=&end_date=&StatuteCite=&Category=58.

Requirements may vary by county, but generally you need to complete the following forms and steps:

1. Petition for Name Change (Minor Child under 14) (CV-451), available [here](#).

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- If the person whose name is proposed to be changed is a minor age 14 or over, complete form [CV-450](#). For a confidential name change of a minor age 14 or over, complete form [CV-451](#).
 - Use [CV-455](#) if the person whose name is proposed to be changed is a minor under 14 years of age. A Petition for Name Change must be signed in front of a notary.
2. Notice and Order for Name Change Hearing (CV-460), available [here](#).
 3. Order for Name Change (CV-470), available [here](#) (the clerk might fill this one out for you).
 4. File the Petition for Name Change, Notice and Order for Name Change Hearing, and Order for Name Change forms.
 5. Publish the Notice and Order for Name Change Hearing form in a local newspaper.
 6. Attend the Name Change Hearing.
 7. File the Order for Name Change according to local court procedure and complete any post-decision activities.

You may want to request more than one certified copy of the name change order, since certified copies may be required to update the minor's legal name with other agencies.

Does the process require parental consent?

For minors under the age of 14, a parent or guardian must file the petition on the minor's behalf. If only one parent is filing the petition, they must provide the non-petitioning parent with a copy of the Petition for Name Change and Notice and Order for Name Change Hearing forms.

If only one parent is filing the petition, the sheriff or private process server must attempt to personally serve the non-petitioning parent with copies of the name change petition. If they are able to serve them, give the Clerk of Courts the original proof of service and bring a copy of the proof to the hearing. If they are not able to serve them (for example, the non-filing parent cannot be found), proof of due diligence in attempting service must be filed with the court. The sheriff or process server will send an Affidavit/Certificate of Non-Service to the filing parent ([CV-465](#)), which can be used to demonstrate attempted service on the non-petitioner.

After the non-petitioning parent receives the petition, they should indicate whether they consent or object to the name change on the Response of Non-Petitioning Parent to Name Change of Minor Child Under 14 ([CV-480](#)). If the non-petitioning parent consents to the name change, bring a copy of this form to your hearing.

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If the non-petitioning parent objects to the name change, they must attend the hearing or answer the petition in another way. They also must demonstrate that they have not “abandoned” the child (often, this means that they have to show that they have been in contact with the child within the previous six months) and that they have not failed to assume parental responsibilities. If they meet this standard, the court will not go forward with the name change without their consent.

Does the process require publication?

Yes. You must publish the Notice of Hearing form, printed once a week for three weeks, in a local newspaper prior to the hearing date. The newspaper may charge you publication fees, which you will be responsible for paying. At the end of the three-week period, the newspaper will provide an “Affidavit of Publication,” which you should file with your court clerk.

In some cases, courts have waived the publication requirement. In order to have the requirement waived, you need to demonstrate that the publication of the petition could put the minor in danger.

What will the judge consider?

Judges have a lot of discretion in granting name changes. Some may have lots of questions and want to see lots of evidence regarding the name change of the child, others may grant a name change as long as there are no objections. The judge will generally consider the best interests of the minor child. They typically evaluate the best interest of the child by looking at a variety of factors, which may include the child’s preference (taking into consideration their age and experience), the length of time a child has used that name, the difficulties, harassment, or embarrassment a child may experience from the present or proposed name, and the motives or interests of the parent.

To demonstrate that the name change is in the best interests of the child, along with the name change petition you may want to submit evidence showing the judge why this is in the child’s best interest. Examples of such evidence would be letters from teachers, family, or friends confirming their use of preferred name, letters from providers confirming the child’s gender identity, etc.