

# INSTRUCTIONS FOR NOTICE TO THE PUBLIC FORMS FOR MINOR CHILD NAME CHANGE IN WYOMING

## **Before You Get Started**

These instructions will explain three forms that are about telling people in general (even people you don't know) about the name change you're asking for. This is called "giving notice to the public," and it's required in most name change cases.

You might find it helpful to look at Section 20 of the Petition you filled out (and the gray box that's above Section 20). Seeing which box you checked in Section 20 will help you figure out which forms you need to read about below.

If you filed a Motion for Grant of Confidentiality, you will need to wait until the Court issues an Order to find out whether confidentiality has been granted. If the child has been granted confidentiality in this case, you do not need to use any of the forms explained in these instructions.

If you are the child's parent or legal guardian and **all** of the parents and legal guardians signed the Petition that you filed, you are not required to give notice to the public. You do not need to use any of the forms explained in these instructions.

If you are going to do Notice by Publication or if you want to ask the Court for permission to skip publication, these instructions can help.

At the end of these instructions, there is a list of resources that you can use if you have questions about the name change process and publishing notice to the public.

## **The Three Notice by Publication Forms**

### Notice by Publication:

The Notice by Publication has to be printed in a local newspaper. Anyone who reads the paper will be able to see the child's current name and the new name you're asking for. This is one way that Wyoming laws try to prevent name changes from happening for bad reasons (for example, to cheat a creditor or to hide a child from family members who have visitation rights).

Motion and Affidavit for Waiver of Notice by Publication:

If you think you have an important reason to not publish information about this case in the newspaper, you can file this form to tell the Court about your situation.

Order on Motion for Waiver of Notice by Publication:

This is how the Court will tell you whether you do or do not have permission to skip the step of giving notice by publication.

**Notice by Publication**

There are a couple important things to know about giving Notice by Publication:

- It takes time. The notice must be published once a week for four weeks and, after that, you must wait 30 days to see if anyone responds.
- You will pay the newspaper to publish the Notice.

**Process for Notice by Publication:**

- Fill out the Notice by Publication. Do not sign or date it. The Clerk will do that.
- File the Notice with the Clerk of District Court. The Clerk will make copies of the signed Notice. (There will probably be a fee for the copies.)
- The Clerk will give you a filed Notice by Publication. You must make arrangements with a local newspaper to publish the Notice. Publishing notices is a regular part of what newspapers do so they will already have a process in place. Follow their instructions to provide them with the filed Notice by Publication and to pay their fees.
  - The newspaper you use must publish at least once per week, and they must publish in the county where you filed the Petition. If there is no newspaper published in that county, you must use a newspaper that is published in Wyoming and that is usually sold and read in that county. Your Notice must be published once per week for four consecutive weeks (four weeks in a row).
- After the Notice is published the last time (Week 4), the newspaper will send you an Affidavit of Publisher. This is the newspaper's own form. It will probably have a copy of the Notice attached to it. The Affidavit of Publisher documents the newspaper's role in publishing the Notice, and it shows which dates the Notice was published in the newspaper.

- File the Affidavit of Publisher with the Clerk of Court.
- If there is a legal guardian or a parent who did not sign a Consent, you will need to serve copies of the Notice by Publication and the Affidavit of Publisher to that parent or legal guardian. Fill out and file a Certificate of Service if you do this.
- Wait until 30 days have passed since the last publication. After 30 days have passed, you can move on to the Final Steps. Read the Overview of the Process to learn more.

If you are going to complete Notice by Publication, you don't need the other two forms explained in these instructions.

### **Motion and Affidavit for Waiver of Notice by Publication**

If you want to ask the Court to let you skip giving notice to the public, you can file this form. You are asking the Court to waive this requirement.

Fill out the top of the form with the same information you wrote at the top of the Petition. (If you don't have the case number yet, remember to write that in after the Clerk gives the case a number.)

Read Sections 1 and 2 carefully. Make sure you understand the statements. Do not change what is written in those sections.

Read the gray box and Section 3 carefully.

In Sections 4 through 6, check the boxes that apply to this case. If there are blank lines, fill them in. Make sure you give enough details for the Judge to understand the situation.

After you fill out the Motion and Affidavit, you need to get it notarized. Do not sign this form until you are in front of the Clerk of Court or a Notary. The Clerk or Notary must witness you signing the form.

By signing the form, you are telling the Court that everything on the form is true. If the information is not true, you might be criminally charged with perjury. Perjury is a felony punishable by imprisonment or a fine or both.

Review your answers carefully before you sign the Affidavit.

On the line labelled DATED, write the date you are signing the form. Sign your name on the signature line. Print your name neatly. Write in your email address.

The Clerk or Notary will fill out the last part of the signature section.

You will fill out a Certificate of Service if you serve the Motion and Affidavit to someone. Fill in the accurate information for where and how the document was served. Read the Important Things You Need to Know section below to learn more about serving documents for this case.

### **Order on Motion for Waiver of Notice by Publication**

Fill out the top of the form with the same information you wrote at the top of the Motion and Affidavit. (If you don't have the case number yet, remember to write that in after the Clerk gives the case a number.)

Do not write anything else on this form. When you file the Motion and Affidavit, you will also give the Clerk this Order. Giving the Clerk a blank Order makes it easier for the Court to let you know whether you can or cannot skip the public notice step.

### **Important Things You Need to Know**

#### What is a Notary and where can I find one?

A Notary Public (usually just called "a notary") is a person who has a license to witness people signing legal papers and to confirm that the signatures are authentic (which means the signatures are real and were done on purpose). **A notary will probably require you to show your driver's license or some kind of photo ID to prove that you are really you.**

Some notaries charge for their services, but it is usually easy to find a notary who will witness your signature and sign your paper for free. If you have an account at a local bank, you can probably get free notary services at that bank. Most libraries also offer free notary services.

#### Do I have to serve these forms to other people?

Maybe.

This will depend on your situation. Generally, every parent and legal guardian needs to be given copies of all the documents in the case. If the child has legal guardians or parents who did not sign a Consent of Parent form, you will probably need to give (serve) copies of all the documents to them.

#### Who can help me with these forms?

It is important for you to know that Court Clerks are not allowed to help you fill out these forms.

Here are some free resources that can help people with limited income and limited assets:

- Legal Aid of Wyoming Hotline. This Hotline gives you an opportunity to talk with a lawyer. 1-877-432-9955.
- Wyoming Free Legal Answers. This website gives you a chance to privately ask questions about your situation and then receive answers from a lawyer.  
<https://wyoming.freelegalanswers.org/>
- Volunteer Reference Attorney Program. This program lets you have a short informational meeting with a lawyer. You can learn about the locations and dates by checking the calendar on the Wyoming Judicial Branch website at  
<https://www.wyocourts.gov/find-legal-services/>

If you do not qualify for the free services above, you can contact the Wyoming State Bar at 307-432-2107 for referral to Wyoming lawyers. (Those lawyers charge for their services.)

Where can I read the Wyoming laws about name change cases?

These laws are found in Wyoming Statutes Title 1, Chapter 25.

You can read them online by visiting the Wyoming Legislative Service Office website (<https://wyoleg.gov/>) or you can look at statute books at your local library.