

Instructions for Publishing Notice for Name Change of a Minor

Minn. Stat. §259.10 states that no minor child's name may be changed without **both parents** having notice of the pending of the application of change of name. The applicant must show proof that the non-applicant parent(s) have been notified of the Application for Name Change of a Minor.

If the non-applicant parent cannot be served the Notice of Hearing, you must publish a Notice of Hearing in the legal newspaper of the county of the non-applicant parent's last known address. To obtain the Notice of Hearing, complete the steps listed below.

1. Complete and file with the court an **Affidavit in Support of Order for Publication**. The affidavit must specify the efforts made to locate the non-applicant parent.
2. The court will review the Affidavit for Publication and if satisfied that personal service cannot be made, an **Order** will be prepared directing that notice be accomplished by publication.
3. After receipt of a signed Order directing notice by publication, the court will complete a **Notice of Hearing by Publication**. The Notice will include a court date for the hearing. The court may set a hearing date **no earlier** than the time necessary to allow the notice to be published once a week for three consecutive weeks and after 10 days have elapsed from the last day of published service.
4. You are responsible for providing the legal newspaper of the non-applicant parent's last known county of residence the **Notice of Hearing by Publication**. You must:
 - Deliver the Notice of Hearing by Publication to the legal newspaper.
 - Inform the newspaper that the Notice must be published once a week for three consecutive weeks.
 - Instruct the newspaper to send the bill to you *unless* you have an Order to proceed "in forma pauperis". If so, the bill must be sent directly to the court.
 - Instruct the newspaper to mail the **Affidavit of Publication** to the court prior to the hearing date indicated on the Notice.

Helpful materials may be found at your public county law library. For a directory, see <http://mn.gov/law-library/research-links/county-law-libraries.jsp> . For more information, contact your court administrator or call the Minnesota State Law Library at 651-296-2775.