

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

Index No.: _____

In the Matter of the Application of

PETITIONING PARENT, as Parent

For Leave to Change the Name of

CHILD'S DEAD NAME to CHILD'S NEW NAME

PETITION FOR CHILD'S NAME
CHANGE

PETITIONING PARENT, by this petition alleges:

1. I am over the age of eighteen and I make this petition in support of my request for an order changing the name of the child CHILD'S DEAD NAME to CHILD'S NEW NAME .

2. My present address is Current Address.

3. I am the parent of the child.

CHILD'S DEAD NAME'S NAME CHANGE

4. The child's present name is CHILD'S DEAD NAME.

5. I would like the child's new name to be CHILD'S NEW NAME in place of the child's present name.

6. The child is ___ years old. The child was born on CHILD'S birthday. Since the child is 16 years old, the child's signed consent to this name change petition is submitted with this request.

7. The child was born in _____.

8. The child's birth certificate number is Birth Certificate Number

9. The child lives at Current Address with me.

10. The child has never been convicted of a crime.

11. The child has never declared bankruptcy.

12. There are no judgments or liens against the child.

13. The child is not a party to any actions or proceedings.

14. The child does not have support obligations to a child or children

15. The child is not responsible for spousal support.

16. I have not made a previous application to change the child's name in this or any other court.

17. I want to change the child's name for the following reason(s): The name change is to reflect First (DEAD) name's true gender, to which he has already transitioned.

18. Because of First (DEAD) name's young age and because of the potential danger of physical harm to the child we also ask that, pursuant to Civil Rights Law §64(a), the publication requirement of Civil Rights Law §§ 63 and 64 be waived, and that the record of the name change be sealed. The Court, in *In Re EP.L.*, 26 Misc 3d 336 (NY Sup Ct - Westchester [2009]), waived publication requirements for a transgender individual without a particularized history of violence or crime against him, finding that "there exist numerous documented instances of those targeted for violence based upon their sexual orientation or gender identity," *id.*, 339; *accord*, in the Matter of Jane Doe, (NY Sup Ct – Westchester, #50547/2016). Should the Court deny this request I ask, for the same reasons, that I be permitted to omit my child's address from the notice of publication.

19. An affidavit consenting to the change signed by the child's father, Robert Paul Johnson, is attached.

WHEREFORE, your Petitioner respectfully requests that an Order be granted permitting the change of name of CHILD'S DEAD NAME, a child, to CHILD'S NEW NAME .

Date

PETITIONING PARENT

VERIFICATION

State of New York, County of Westchester ss.:

PETITIONING PARENT, being duly sworn, deposes and says:

I am the petitioner named above, I have read the petition and know the truth of the contents except for those matters alleged to be on information and belief, and as to those matters, I believe them to be true.

PETITIONING PARENT

Sworn to before me this _____

Signature of Notary Public

EXHIBIT 1

CERTIFIED COPY OF BIRTH CERTIFICATE (IF FROM OUTSIDE NY)
ORIGINAL BIRTH CERTIFICATE OR CERTIFIED COPY (IF FROM NY)

FEE: \$65 IF NYC CIVIL COURT
\$210 IF SUPREME (outside NYC)

INSIDE NYC - CIVIL COURT MAY REQUIRE IN PERSON APPEARANCE (pre COVID rule)
Outside NYC: File via NYSEF, personal appearance usually NOT required
nb: very rarely you run into a Judge who is a problem and refuses to seal/waive publication,
particularly of an adult name change

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For Leave to Change the Name of

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CHILD'S CONSENT TO NAME
CHANGE

State of New York, County of Westchester ss.:

CHILD'S DEAD NAME, being duly sworn, says:

1. I am ___ years old and reside at Current Address.
2. I am the child herein.
3. I have read the within Petition dated _____, requesting a change of name from

CHILD'S DEAD NAME to CHILD'S NEW NAME .

4. I consent to such change.

Date

CHILD'S DEAD NAME

Sworn to before me this

_____.

Notary Public

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PETITIONING PARENT, as Parent

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CHILD'S DEAD NAME to CHILD'S NEW NAME

PARENT'S CONSENT TO
NAME CHANGE

State of New York, County of Westchester ss.:

OTHER PARENT, being duly sworn, says:

1. I am over the age of eighteen and reside at CURRENT ADDRESS.
2. I am the parent of the child CHILD'S DEAD NAME.
3. I have read the within Petition dated _____ requesting a change of name from CHILD'S DEAD NAME to CHILD'S NEW NAME .
4. I consent to such change.

Date

Sworn to before me this

DATE

Notary Public

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PETITIONING PARENT, as Parent

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ORDER GRANTING LEAVE TO
CHANGE NAME

Upon reading and filing the petition of PETITIONING PARENT, verified on August 7, 2020, asking for a change of name of the child CHILD'S DEAD NAME to CHILD'S NEW NAME, and the consent of the child CHILD'S DEAD NAME, sworn to on DATE, and consent of the father/mother, OTHER PARENT, and being satisfied that the petition is true and that there is no reasonable objection to the change of name proposed, and it appearing that the interests of the child will be substantially promoted by the change, it is:

ORDERED that CHILD'S DEAD NAME, born on CHILD'S birthday at _____ whose Birth Certificate Number is Birth Certificate Number, is authorized to assume the name CHILD'S NEW NAME in place of the present name, and it is:

ORDERED that this Order shall be entered and the papers on which it was granted be filed in the office of the County Clerk of WESTCHESTER County, and it is:

ORDERED that pursuant to Civil Rights Law Sections 63 and 64, publication of this Order is waived; and it is,

ORDERED that this record be sealed and that the Index Number be registered as "In the Matter of Jane Doe."

ENTER:
