

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

- Auto (22)—Personal Injury/Property Damage/Wrongful Death
- Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

- Asbestos (04)
 - Asbestos Property Damage
 - Asbestos Personal Injury/Wrongful Death
- Product Liability (*not asbestos or toxic/environmental*) (24)
- Medical Malpractice (45)
 - Medical Malpractice—Physicians & Surgeons
 - Other Professional Health Care Malpractice
- Other PI/PD/WD (23)
 - Premises Liability (e.g., slip and fall)
 - Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
 - Intentional Infliction of Emotional Distress
 - Negligent Infliction of Emotional Distress
 - Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

- Business Tort/Unfair Business Practice (07)
- Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)
- Defamation (e.g., slander, libel) (13)
- Fraud (16)
- Intellectual Property (19)
- Professional Negligence (25)
 - Legal Malpractice
 - Other Professional Malpractice (*not medical or legal*)
- Other Non-PI/PD/WD Tort (35)

Employment

- Wrongful Termination (36)
- Other Employment (15)

Contract

- Breach of Contract/Warranty (06)
 - Breach of Rental/Lease Contract (*not unlawful detainer or wrongful eviction*)
- Contract/Warranty Breach—Seller Plaintiff (*not fraud or negligence*)
- Negligent Breach of Contract/Warranty
- Other Breach of Contract/Warranty
- Collections (e.g., money owed, open book accounts) (09)
 - Collection Case—Seller Plaintiff
 - Other Promissory Note/Collections Case
- Insurance Coverage (*not provisionally complex*) (18)
 - Auto Subrogation
 - Other Coverage
- Other Contract (37)
 - Contractual Fraud
 - Other Contract Dispute

Real Property

- Eminent Domain/Inverse Condemnation (14)
- Wrongful Eviction (33)
- Other Real Property (e.g., quiet title) (26)
 - Writ of Possession of Real Property
 - Mortgage Foreclosure
 - Quiet Title
 - Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

Unlawful Detainer

- Commercial (31)
- Residential (32)
- Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

Judicial Review

- Asset Forfeiture (05)
- Petition Re: Arbitration Award (11)
- Writ of Mandate (02)
 - Writ—Administrative Mandamus
 - Writ—Mandamus on Limited Court Case Matter
 - Writ—Other Limited Court Case Review
- Other Judicial Review (39)
 - Review of Health Officer Order
 - Notice of Appeal—Labor Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

- Antitrust/Trade Regulation (03)
- Construction Defect (10)
- Claims Involving Mass Tort (40)
- Securities Litigation (28)
- Environmental/Toxic Tort (30)
- Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

Enforcement of Judgment

- Enforcement of Judgment (20)
 - Abstract of Judgment (Out of County)
 - Confession of Judgment (*non-domestic relations*)
 - Sister State Judgment
 - Administrative Agency Award (*not unpaid taxes*)
 - Petition/Certification of Entry of Judgment on Unpaid Taxes
 - Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

- RICO (27)
- Other Complaint (*not specified above*) (42)
 - Declaratory Relief Only
 - Injunctive Relief Only (*non-harassment*)
 - Mechanics Lien
 - Other Commercial Complaint Case (*non-tort/non-complex*)
 - Other Civil Complaint (*non-tort/non-complex*)

Miscellaneous Civil Petition

- Partnership and Corporate Governance (21)
- Other Petition (*not specified above*) (43)
 - Civil Harassment
 - Workplace Violence
 - Elder/Dependent Adult Abuse
 - Election Contest
 - Petition for Name Change
 - Petition for Relief From Late Claim
 - Other Civil Petition

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): STATE BAR NO: NAME: Jane Marie Doe FIRM NAME: STREET ADDRESS: 111 Hill Street CITY: Tustin STATE: CA ZIP CODE: 12345 TELEPHONE NO.: (323) 555-5555 FAX NO. : E-MAIL ADDRESS: ATTORNEY FOR (Name): Self-Represented	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: 341 The City Drive MAILING ADDRESS: SAME CITY AND ZIP CODE: Orange, 92868 BRANCH NAME: Lamoreaux Justice Center	
PETITION OF (Name of each petitioner): Jane Marie Doe	
PETITION FOR CHANGE OF NAME	CASE NUMBER:

Before you complete this petition, you should read the Instructions for Filing a Petition for Change of Name on the next page. You must answer all questions and check all boxes that apply to you on this petition. You must file this petition in the superior court of the county where the person whose name is to be changed resides.

1. Petitioner (name): Jane Marie Doe resides in this county.
2. Petitioner requests that the court decree the following name changes (list every name that you are seeking to change):

<u>Present name</u>		<u>Proposed name</u>
a. Jane Marie Doe	changed to	Jane Jones
b.	changed to	
c.	changed to	
d.	changed to	

Continued (if you are seeking to change additional names, you must prepare a list and attach it to this petition as Attachment 2.)
3. Petitioner requests that the court issue an order directing all interested persons to appear and show cause why this petition for change of name of the persons identified in item 2 should not be granted.
4. The number of persons under 18 years of age whose names are to be changed is (specify): 0
5. If this petition requests the change of name of any person or persons under 18 years, this request is being made by
 - a. both parents.
 - b. mother only.
 - c. father only.
 - d. near relative (name and relationship):
 - e. guardian (name):
 - f. other (specify):
6. This petition seeks to conform petitioner's name to his or her gender identity.
7. For each person whose name is to be changed, petitioner provides the following information (you must attach a completed copy of the attachment Name and Information About the Person Whose Name Is to Be Changed (form NC-110) for each person identified in item 2):
 - a. The number of attachments included in this petition is (specify number): 1
 - b-f. (Attachment page or pages)

(Instructions on next page)

INSTRUCTIONS FOR FILING A PETITION FOR CHANGE OF NAME

1. **Where to File**

The petition for change of name must be filed in the superior court of the county where the person whose name is to be changed presently lives.

2. **Whose Name May Be Changed**

The petition may be used to change one's own name and, under certain circumstances, the names of others (e.g., children under 18 years of age).

3. **Confidentiality of Certain Names**

In cases in which the petitioner is a participant in the Secretary of State's address confidentiality program (Safe at Home), petitioner's current and proposed names may be kept confidential. (Code Civ. Proc., § 1277(b).) See *Information Sheet for Name Change Proceedings Under Address Confidentiality Program (Safe at Home)* (form NC-400-INFO) for additional instructions.

4. **What Forms Are Required**

Prepare an original and two copies of each of the following documents:

- a. *Petition for Change of Name* (form NC-100)
- b. *Name and Information About the Person Whose Name Is to Be Changed (Attachment to Petition)* (form NC-110) (attach as many copies as necessary)
- c. *Order to Show Cause for Change of Name* (form NC-120)
- d. *Decree Changing Name* (form NC-130 or, for guardians, form NC-130G)

In addition, a guardian must prepare and attach a *Declaration of Guardian (Supplemental Attachment to Petition)* (form NC-110G) for each child whose name is to be changed.

5. **Filing and Filing Fee**

Prepare an original *Civil Case Cover Sheet* (form CM-010). File the original petition and *Civil Case Cover Sheet* with the clerk of the court and obtain two filed-endorsed copies of the petition. A filing fee will be charged unless you qualify for a fee waiver. (If you want to apply for a fee waiver, see *Application for Waiver of Court Fees and Costs* (form FW-001); *Information Sheet on Waiver of Court Fees and Costs* (form FW-001-INFO); and *Order on Application for Waiver of Court Fees and Costs* (form FW-003).

6. **Requesting a Court Hearing Date and Obtaining the Order to Show Cause**

You should request a date for the hearing on the *Order to Show Cause* at least six weeks in the future. Take the completed form to the clerk's office. The clerk will provide the hearing date and location, obtain the judicial officer's signature, file the original, and give you a copy.

7. **Publishing the Order to Show Cause**

In most cases, a copy of the *Order to Show Cause* must be published in a local newspaper of general circulation once a week for at least four consecutive weeks before the date of the hearing. The petitioner selects the newspaper from among those newspapers legally qualified to publish orders and notices. The newspaper used must file a Proof of Publication with the superior court before the hearing. If no newspaper of general circulation is published in the county, the court may order the *Order to Show Cause* to be posted by the clerk. But petitioners **do not have to publish** the order if they are seeking to change a name to conform to a change of gender identity or are participants in (1) the State Witness Program or (2) the address confidentiality program and the petition alleges that they are (a) petitioning to avoid domestic violence, or (b) petitioning to avoid stalking, or (c) a victim of sexual assault or petitioning on behalf of one.

8. **Name Change for Children**

- a. If a petitioning parent is requesting the name change for a child under 18 years of age, and one of the parents, if living, does not join in consenting to the name change, the petitioning parent must have a copy of the *Order to Show Cause* or notice of the time and place of the hearing served on the nonconsenting parent. Service must be made at least 30 days prior to the hearing under Code of Civil Procedure sections 413.10, 414.10, 415.10, or 415.40.
- b. If the nonconsenting parent resides in California, the order or notice must be personally served on the nonconsenting parent. The petitioning parent cannot personally serve this document.
- c. If the nonconsenting parent resides outside California, he or she may be served by sending a copy of the order or notice by first-class mail, postage prepaid, return receipt requested.
- d. If a petition to change the name of a child has been filed by a guardian, the guardian must (1) provide notice of the hearing to any living parent of the child by personal service at least 30 days before the hearing, or (2) if either or both parents are deceased or cannot be located, serve notice of the hearing on the child's grandparents, if living, not less than 30 days before the hearing under Code of Civil Procedure sections 413.10, 414.10, 415.10, or 415.40.

If you have served a parent or grandparents, file a copy of the completed *Proof of Service of Order to Show Cause* (form NC-121) with the court before the hearing.

9. **Court Hearing**

If no written objection is filed at least two court days before the hearing, the court may grant the petition without a hearing. Check with the court to find out if a hearing will be held. If there is a hearing, bring copies of all documents to the hearing. If the judge grants the petition, the judge will sign the original decree.

10. **If you want to amend a birth certificate to show the name change, you should contact the following office:**

California Department of Public Health, Vital Records- MS 5103, P.O. Box 997410, Sacramento, CA 95899-7410

Phone: 916-445-2684; Website: www.cdph.ca.gov

Local courts may supplement these instructions. Check with the court to determine whether supplemental information is available. For instance, the court may provide you with additional written information identifying the department that handles name change petitions, the times when petitions are heard, and the newspapers that may be used to publish the *Order to Show Cause*.

PETITION OF <i>(Name of petitioner or petitioners):</i> Jane Marie Doe	CASE NUMBER:
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FOR CHANGE OF NAME

**NAME AND INFORMATION ABOUT THE PERSON
WHOSE NAME IS TO BE CHANGED**
Attachment to *Petition* (form NC-100 or form NC-200)

Attachment 1 of 1

(You must use a separate attachment for each person whose name is to be changed. If petitioner is a guardian of a minor, a supplemental attachment, Declaration of Guardian (form NC-110G), must also be completed and attached for each minor whose name is to be changed.)

7. (Continued) Petitioner applies for a decree to change the name of the following person:

- b. Self Other
- (1) Present name *(specify)*: Jane Marie Doe
 - (2) Proposed name *(specify)*: Jane Jones
 - (3) Born on *(date of birth)*: January 1, 1980
and presently under 18 years of age over 18 years of age
 - (4) Born at *(place of birth)*: Hollywood, California
 - (5) Sex *(as stated on original birth certificate)*: Male Female
 - (6) Current residence address *(street, city, county, and zip code)*:
111 Hill Street, Tustin, County of Orange, 12345

c. Reason for name change *(explain)*:
My proposed name is my birth name and it better fits my present identity.

- d. Relationship of the petitioner to the person whose name will be changed:
- (1) self
 - (2) parent
 - (3) guardian
 - (4) near relative *(indicate relationship)*:
 - (5) Other *(specify)*:

- e. If the person whose name will be changed is under 18 years of age, provide the names and addresses, if known, of the following persons:
- (1) Father *(name)*: _____ *(address)*: _____
 - (2) Mother *(name)*: _____ *(address)*: _____
 - (3) *(Only if neither parent is living)* Near relatives *(names, relationships, and addresses)*:

f. If the person whose name will be changed is 18 years of age or older, that person must sign the following declaration:

DECLARATION	
I declare under penalty of perjury under the laws of the State of California that <input checked="" type="checkbox"/> I am not <input type="checkbox"/> I am under the jurisdiction of the California Department of Corrections (in state prison or on parole) and <input checked="" type="checkbox"/> I am not <input type="checkbox"/> I am required to register as a sex offender under Penal Code section 290.	
Date: Jane Marie Doe <small>(TYPE OR PRINT NAME OF PERSON WHOSE NAME IS TO BE CHANGED)</small>	 <small>(SIGNATURE OF PERSON WHOSE NAME IS TO BE CHANGED)</small>

(If petitioner is represented by an attorney, the attorney's signature follows):

Date: _____ <small>(TYPE OR PRINT NAME)</small>	 <small>(SIGNATURE OF ATTORNEY)</small>
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(Each petitioner must sign this petition in the space provided below or, if additional pages are attached, at the end of the last attachment.) I declare under penalty of perjury under the laws of the State of California that the information in the foregoing petition is true and correct.

Date: Jane Marie Doe <small>(TYPE OR PRINT NAME)</small>	 <small>(SIGNATURE OF PETITIONER)</small>
Date: _____ <small>(TYPE OR PRINT NAME)</small>	 <small>(SIGNATURE OF PETITIONER)</small>

ADD ADDITIONAL SIGNATURE LINES FOR ADDITIONAL PETITIONERS SIGNATURE OF PETITIONERS FOLLOWS LAST ATTACHMENT

PETITIONER OR ATTORNEY (Name, State Bar number, and address): Jane Marie Doe 111 Hill Street Tustin, California 12345 TELEPHONE NO. (323) 555-5555 FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Self-Represented	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: 341 The City Drive MAILING ADDRESS: SAME CITY AND ZIP CODE: Orange 92868 BRANCH NAME: Lamoreaux Justice Center	E
PETITION OF (Name of each petitioner): Jane Marie Doe	
DECREE CHANGING NAME	FOR CHANGE OF NAME CASE NUMBER:

1. The petition was duly considered:
- a. at the hearing on (date): _____ in Courtroom: _____ of the above-entitled court.
 - b. without hearing.

THE COURT FINDS

2. a. All notices required by law have been given.
- b. Each person whose name is to be changed identified in item 3 below
- (1) is not is under the jurisdiction of the Department of Corrections, and
 - (2) is not is required to register as a sex offender under section 290 of the Penal Code.
- These determinations were made by using CLETS/CJIS based on information provided to the clerk of the court by a local law enforcement agency.
- c. No objections to the proposed change of name were made.
 - d. Objections to the proposed change of name were made by (name): _____
 - e. it appears to the satisfaction of the court that all the allegations in the petition are true and sufficient and that the petition should be granted.
 - f. Other findings (if any): _____

THE COURT ORDERS

3. The name of
- | | | <u>Present name</u> | | <u>New name</u> |
|----|--|---------------------|---------------|-----------------|
| a. | | Jane Marie Doe | is changed to | Jane Jones |
| b. | | _____ | is changed to | _____ |
| c. | | _____ | is changed to | _____ |
| d. | | _____ | is changed to | _____ |
| e. | | _____ | is changed to | _____ |

Additional name changes are listed on Attachment 3.

Date: _____

 JUDGE OF THE SUPERIOR COURT
 SIGNATURE OF JUDGE FOLLOWS LAST ATTACHMENT

These are sample documents for the State of California. Actual content differs by state and may vary based on your answers to the LegalZoom questionnaire.

Your answers to the LegalZoom questionnaire have not been applied to these sample documents so they are not fit for use.

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SAMPLE