

**Title 10 – Family Code**

**Chapter 4. Change of Name**

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**Sec. 401. Petition for change of name of natural person.**

All applications for change of names must be made by petition signed by the person and, if the person is under 18 years of age, by one of the person’s parents, if living, or if both are dead, then by the person’s guardian, and if there is no guardian, then by some near relative or friend. The petition must specify the place of birth and residence of the person, the person’s present name, the name proposed, and the reason for the change of name and must, if neither parent of the person is living, name, as far as known to the petitioner, the near relatives of the person and their place of residence.

**Sec. 402. Order setting hearing date - notice - safety.**

(a) When a petition setting out the matters contained in Sec. 401 is filed, the Court or judge may appoint a time for hearing the petition. Except as provided in subsections (b) and (c) notice of the time and place of hearing the petition must be published for 4 weeks successive in any local newspaper of general circulation on the Reservation.

(b) Publication is not required for a change of name of a minor under Sec. 401 if both parents and all legal guardians consent in writing.

(c) The Court may allow a petition to proceed on a sealed-record basis when probable cause is shown that the safety of the petitioner is at risk and the judge is satisfied that the petitioner is not attempting to avoid debt or to hide a criminal record. The request to proceed on a sealed-record basis must be set forth in the petition. All papers and records pertaining to the sealed-record petition

must be kept as a permanent record of the Court and withheld from inspection unless the judge denies the request to proceed on a sealed-record basis. A person, other than the petitioner, may not have access to the records except for good cause shown and on the order of the judge.

**Sec. 403. Filing objections to change.**

At any time before such hearing, objections may be filed by any person who can, in such objections, show to the Court or judge good reasons against such change of name.

**Sec. 404. Conduct of hearing.**

On the day set for the hearing on the petition or at any time to which the hearing is continued or postponed, due proof of the publication being made, such application must be heard. On the hearing the judge may examine on oath any of the petitioners, those who object or other persons concerned with the application.

**Sec. 405. Court order.**

The judge may make an order changing the name or dismissing the applications, as to the judge may seem right and proper.

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