

NAME CHANGES

CHAPTER 750 - NAME CHANGES

608 Section 750.01 - Applicability

Any member of the Tribe who is a resident on any reservation or trust lands of the Tribe may petition the Tribal Court to change his or her name according to the procedures in this chapter.

Section 750.02 - Who may petition

(a) Change of name for an adult. Any adult 18 years of age or older may file a petition to change his or her name.

(b) Change of name for a child 14 years of age or older. Any child 14 years of age or older may file a petition to change his or her name, subject to the notice requirements provided in this chapter.

(c) Change of name for a child under 14 years of age.

(1) When a child is a marital child whose parents are married to each other at the time of the petition, both parents must petition to change the child's name.

(2) When a child's parents are not married to each other at the time of the petition but have a divorce, paternity, or other judgment establishing their joint custody of the child, both parents must petition to change the child's name.

(3) When one parent is deceased, or has had his or her parental rights terminated by court order, and the remaining parent has custody and placement of the child, that parent may petition to change the child's name.

(4) In all cases other than those described in subsections (b) and (c)(1) - (3) of this section, the parent who is the legal custodian of the child, or the guardian of the child, may petition to change the child's name, subject to the notice requirements provided in this chapter.

(d) Filing fee. The clerk of court shall collect from petitioner a fee of \$20 at the time the petition is filed.

Section 750.03 - Contents of the petition.

(1) The petition for change of name of an adult shall be captioned as follows:

ST. CROIX TRIBAL COURT

In the matter of a change of name for

(Current name),

an adult.

PETITION

Case No.

(2) The petition for a change of name for a child 14 years of age or over shall be captioned as follows:

ST. CROIX TRIBAL COURT

In the matter of a change of name for

(Current name),

an child 14 years of age or older.

PETITION

Case No.

(3) The petition for a change of name for a child under 14 years of age shall be captioned as follows:

ST. CROIX TRIBAL COURT

In the matter of a change of name for

(Current name),

a child under 14 years of age,

PETITION

(Name of adult petitioner[s]),
petitioner(s).

Case No.

(4) The petition shall allege the following information:

(a) The full name, place of birth, date of birth, age, current address of the subject of the name change.

(b) That the subject of the name change is a member of the St. Croix Chippewa Indians of Wisconsin and resides on reservation or trust lands thereof.

(c) If the subject of the name change is a child under the age of 14 years, the full name and address of the petitioner, and the relationship of the petitioner to the subject of the name change.

(d) If the subject of the name change is a child under the age of 14 years, the names and addresses of both of the child's parents, whether the parents are married to each other, the custodial and physical placement relationship of each parent to the child if the parents are not married to each other, whether or not the child has a guardian other than either or both of the parents, and whether either parent is deceased or has had his or her parental rights terminated. If any court has entered any order affecting the custody, physical placement, guardianship, or parental rights to the child, a copy of such order shall be attached to the petition.

(e) The reason for the name change.

(f) The proposed name change.

(g) Whether or not the subject of the name change possesses a professional license, other than a teaching license, issued under his or her current name, and whether or not the licensing agency has made any determination that the proposed change of name would allow unfair competition with another practitioner or would mislead the public.

Section 750.04 - Notice of proposed name change

(a) Notice of the proposed name change shall be published by the petitioner once each week for three consecutive weeks in a newspaper of general circulation in the area of petitioner's residence.

(b) Notice of any petition filed under sec. 750.01(b) and (c)(4) shall be served on any living non-petitioning parent or guardian, except that no notice need be served on any parent whose parental rights have been terminated by court order. Service may be by any method permitted under sec. 309(A) of this Code, or by certified mail, return receipt requested.

(c) The notice of the proposed name change shall bear the same caption as the petition, except for the change in document title, and shall state substantially as follows:

(1) The name of the subject of the name change and the name of the petitioner, if different.

(2) The proposed change of name.

(3) The date, time, and place of the hearing on the name change.

(4) Advice that anyone wishing to object to the name change must appear at the date, time, and place given.

(5) The date and signature of the petitioner, or petitioner's attorney or lay spokesman.

Section 750.05 - Hearing on name change.

At the date, time, and place set for hearing, the Court shall determine whether or not the petition shall be granted.

Section 750.06 - Order for name change.

(a) If the court determines that the petition should be granted, the Court shall enter an order so doing.

(b) If the person whose name was changed was born or married in the State of Wisconsin, the clerk of court shall send to the State of Wisconsin registrar of vital statistics an abstract of the order, on forms provided by the registrar. The fee for filing the abstract shall be collected from petitioner by the clerk.

(c) If the person whose name was changed was born or married in a state other than Wisconsin, the clerk of court shall send forms to the appropriate vital statistics agency at the request and expense of the petitioner, upon the petitioner's supplying any required form to the clerk.

(d) The petitioner may obtain as many certified copies of the order as desired, for a fee of \$2.00 each.