

Cherokee Nation Code Annotated

Title 10: Children

Chapter 3: Paternity

§ 115. Changing child's name to paternal surname

Cite as: 10 CNCA § 115

A. At any time after a determination of paternity, the mother, father, custodian or guardian of the child may file a motion requesting the Court to order that the surname of the child be changed to the surname of its father. The Court shall thereafter set a hearing on said motion. Notice of the filing of the motion and the date of the hearing shall be served by process on all parties.

B. If, after said hearing, the Judge finds that it is in the best interest of the child to bear the paternal surname, the Court shall enter an order to that effect which shall include findings of fact as to each issue raised by the parties.

C. The practice, pleading, and proceedings as set forth in this section shall conform to the applicable rules prescribed by the Judicial Branch of Cherokee Nation.

Historical Data

LA 11-05, eff. March 21, 2005.