

# ADULT NAME CHANGE

## Instructions and Forms

### Who can use these forms?

1. Any adult who wants to change their name for a lawful purpose can use these forms. (Examples of good reasons are given in the instructions) these should not be used to change a child's name.
2. Unlawful reasons to change your name:
  - a. Hide from your creditors,
  - b. Because you have criminal convictions, or
  - c. Because you are trying to defraud someone and is a misdemeanor.
3. If you are a Registered Sex Offender you may not use these forms to change your name.
4. You can change your name to protect yourself from someone who has severely abused you. However, it is strongly suggested that you see a lawyer to do a "Sealed Name Change." If you change your name, but the records are not sealed, the court action changing your name is public and could be seen by your abuser. To get a "Sealed Name Change" you will have to persuade a judge that it is appropriate in your case to do so. Sealing the court records from the public view must be done correctly to work. This would be best done by a Lawyer who knows the appropriate forms to use and can explain the facts to the judge that would justify Sealing the Name Change in the Court files. Legal Aid Services of Oklahoma has attorneys that can do this. Many Domestic Violence Shelters may also be able to help you find an attorney to be able to do a "Sealed Name Change".
5. **DO NOT TRY TO USE THESE FORMS TO CHANGE A CHILD'S NAME. THESE FORMS ARE NOT DESIGNED TO CHANGE A CHILD'S NAME AND DO NOT MEET THE LEGAL REQUIREMENTS TO CHANGE A CHILD'S NAME. YOU SHOULD CONSULT AN ATTORNEY TO CHANGE A CHILD'S NAME.**

# GETTING STARTED

1. First, get a copy of your birth certificate from the state where you were born.
2. You will need 3 forms to change your name: the **PETITION**, **NOTICE** and **ORDER**.
3. Fill in the blanks in the forms with your information.
4. It is strongly suggested that you do not pick a name like a cartoon character name or any name that a judge might think is silly or improper.

## Information needed to fill out the forms:

1. What county have you lived in for the last 30 days?

\_\_\_\_\_

2. Your full legal name spelled out as it is right now on your birth certificate. For married women, the name as spelled on your marriage license:

\_\_\_\_\_

3. The name you *want to have*, spelled out exactly as you want:

\_\_\_\_\_

NOTE: Do not put in nick names and do not use initials unless you want the initial to be part of your legal name. If you put in a nick name like this “William (Billy) John Smith”, that is your name with the “(Billy)” in it!

4. Birth Certificate ID number (and/or letters)

\_\_\_\_\_

5. Why do you want a name change?

\_\_\_\_\_  
\_\_\_\_\_

## EXAMPLES:

- “To make my name the same as my step-father.”
- “I want to go back to my maiden name.”
- “So that my name is spelled the way I want it to be spelled.”
- “I have always spelled my name JOHN, but it is spelled JON on my birth certificate.”
- “So that my last name is the same as my father.”
- “I am named after my grandfather, he did something bad, and I do not want to be named after him.”
  - o There are other good reasons to change your name. You will be asked to write this reason into the forms.

You now have all the information that you will need to put into the forms!

**DISTRICT COURT OF \_\_\_\_\_ COUNTY  
STATE OF OKLAHOMA**

**In Re: The Name of:** \_\_\_\_\_ )  
 )  
 )  
 )

**PETITION FOR NAME CHANGE UNDER 12 O.S. § 1631**

**COMES NOW** the Petitioner and asks this Court to change his/her legal name from \_\_\_\_\_ to \_\_\_\_\_.

In support thereof, petitioner would say to this court:

1. The Petitioner was born in \_\_\_\_\_, \_\_\_\_\_ on \_\_\_\_\_, \_\_\_\_\_ and has resided in the State of Oklahoma in \_\_\_\_\_ County for 30 days prior to the filing of this petition.
2. The name change requested is because \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. The name change is not for any illegal or fraudulent purpose or to hinder or delay creditors.
4. The birth certificate number issued by the above State is \_\_\_\_\_.

**WHEREFORE,** Petitioner prays that above change of name be granted.

Signature \_\_\_\_\_

Printed \_\_\_\_\_

Street \_\_\_\_\_

City, St., Zip \_\_\_\_\_ OK \_\_\_\_\_

Phone (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

**VERIFICATION**

I, the undersigned individual, of legal age, being first sworn, do state that I am familiar with the foregoing Petition for change of Name, and so freely state under penalty of perjury that it is true and correct to the best of my knowledge and belief.

Signature \_\_\_\_\_

Printed \_\_\_\_\_

Signed and sworn before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_

**DISTRICT COURT OF \_\_\_\_\_ COUNTY  
STATE OF OKLAHOMA**

**In Re: The Name of:** \_\_\_\_\_ )  
 )  
 )  
 )

**NOTICE OF HEARING ON PETITION TO CHANGE NAME**

TO: All interested parties.

Take notice that \_\_\_\_\_ has petitioned to change his/her name to \_\_\_\_\_.

A Hearing on said petition is set for \_\_\_\_\_ o'clock \_\_\_\_\_. m. on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before Judge \_\_\_\_\_ at \_\_\_\_\_ o'clock in courtroom \_\_\_\_\_ at the \_\_\_\_\_ County Courthouse. Should you know of some reason why this change of name should not be allowed you must file a written protest in the above styled and numbered cause prior to the above date with the Clerk of this Court. Should you fail to do so, the petition for change of name may be granted as prayed.

**COURT CLERK**

\_\_\_\_\_  
**By: DEPUTY**

APPROVED:

Signature \_\_\_\_\_

Printed \_\_\_\_\_

Street \_\_\_\_\_

City, St., Zip \_\_\_\_\_ OK \_\_\_\_\_

Phone (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

{Notice to Publisher, Publish once at least 10 days prior to the date set for the hearing }

**DISTRICT COURT OF \_\_\_\_\_ COUNTY  
STATE OF OKLAHOMA**

**In Re: The Name of:** \_\_\_\_\_ )  
\_\_\_\_\_ )  
\_\_\_\_\_ )

**ORDER FOR NAME CHANGE UNDER 12 O.S. § 1631**

**NOW** on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the above-styled cause comes on for hearing, the petitioner, \_\_\_\_\_ is present in person.

The Court being fully apprised, **FINDS:**

1. The petitioner has resided in the State of Oklahoma and in \_\_\_\_\_ County for 30 days prior to the filing of this petition.
2. The change of name from \_\_\_\_\_ to \_\_\_\_\_ is not for any illegal or fraudulent purpose or to avoid or hinder creditors.
3. The birthplace, birth certificate number and date of birth of Petitioner are:  
Place \_\_\_\_\_, \_\_\_\_\_;  
Certificate Number \_\_\_\_\_;  
Date of Birth \_\_\_\_\_, \_\_\_\_\_.

**IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED** that the name of \_\_\_\_\_, is hereby changed to that of \_\_\_\_\_ . That the Oklahoma Department of Health Division of Vital Records is hereby ordered to make such change upon the official Birth Certificate of the Petitioner.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
**JUDGE OF THE DISTRICT COURT**

APPROVED:

Signature \_\_\_\_\_

Printed \_\_\_\_\_

Street \_\_\_\_\_

City, St., Zip \_\_\_\_\_ OK \_\_\_\_\_

Phone (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

# USING THE FORMS YOU HAVE CREATED

You now have three forms:

- the **PETITION**,
- the **NOTICE OF HEARING**, and
- the **ORDER**.

*You need to make at least 2 copies of each form and more of the ORDER if you need them.*

*\* Call the County Court Clerk before you go and ask about filing fees and publication costs.*

## **Steps:**

Go to the Courthouse in the County where you live.

1. Take your copies of the **PETITION**, **NOTICE OF HEARING**, and **ORDER**. (The County written on the forms and the County where you live must match.)
2. Ask which clerk you need to speak with to file the petition. Usually the “Civil Desk/Clerk”.
3. Pay your filing fee. If there is a separate cashiers window, first go to the Cashiers desk to pay your filing fees. Often, you pay a publication fee to the Court Clerk. The Clerk should be able to tell you the fee for 1 publication for a name change.
  - a. They may tell you that you will have to take the notice to a “Legal Publication Newspaper”. Ask to use the same paper as lawyers.
4. After the **PETITION** is filed, ask the Clerk what Judge is assigned to your case and the date of the hearing.
  - a. The Clerk may have you go to the assigned Judge and get the hearing yourself.
  - b. Sometimes the Clerk may get the hearing date for you and fill in the blanks on the **NOTICE OF HEARING**.
5. The **NOTICE OF HEARING** will be signed after the hearing date is filled in.
  - a. Ask for at least 15 days between the date the **PETITION** was filed, and the date of the hearing. You need to publish **NOTICE OF HEARING** in the newspaper at least 10 days before the hearing. If your notice is published in a paper that is not published daily, but is published weekly, you should extend this time to 21 days,



to make sure that the notice is published in time. Ask the Clerk how to get the NOTICE OF HEARING to the newspaper. They may have a basket in the clerk's office or you may have to deliver the NOTICE to the newspaper yourself.

- b. If your NOTICE is not published correctly or at least 10 days before the hearing, you will have to ask the Judge to set a new hearing date. This will require a new NOTICE published in the newspaper and another publication fee.

### **Tips and Advice:**

- At the Court Clerk's Office, make sure the Clerk stamps the File number on the ORDER and all the copies of the ORDER that you have brought.
- Come to the Court on the date of the hearing dressed properly. Do not wear shorts, tee shirts or dirty work clothes. Wear something appropriate for going to a bank for a loan or church.
- Have all your papers with you! If you forget it, you will have to come back on another day, if the Judge allows.
- The Judge will ask you questions about where you live and the reason for the name change. When asked why you want the name change, repeat the reason briefly without going into much detail. If the Judge wants more detail, they will ask for it.
- The Judge will ask if you are a registered sex offender, changing your name for any illegal or fraudulent purpose, to delay or hinder creditors. *Lying about this is perjury!* If you are changing your name for any of these reasons you will be denied the name change.
  - IMPORTANT, changing your name for an illegal, fraudulent purpose, or to delay or hinder creditors is a misdemeanor. (See the Oklahoma statutes Sec. 1636.)
- You may wish to make more copies of the **ORDER** to take to Court with you. After you name change is approved by the judge, you may have to send certified copies to some agencies. The Social Security Administration will want a certified copy to change your name on for your social security number (the number will not change). The Department of public safety will want to see a certified copy to change you driver's license. Some businesses will want a certified copy to change your name on credit cards, loans, and other things like that.

**If Approved:**

- Take the signed ORDER back to the Court Clerk's office where you filed the Petition. Be sure to take several copies of the ORDER with you and hand them to the clerk. Tell the clerk that you would like the copies certified.
- *The Clerk will keep the original ORDER signed by the Judge.*
- Your name is legally changed when the Judge signs the ORDER, but no one will know unless you file the ORDER with the Clerk.
- Keep one copy of the ORDER in with your important papers in a safe place. You will have to present a copy to get your driver's license and Social Security cards changed. Once those documents are changed, you should be able to use them to change most other documents.

**Congratulations you have changed your name!**