

INSTRUCTIONS FOR LEGAL NAME CHANGE

PLEASE READ CAREFULLY – PLEASE READ CAREFULLY – PLEASE READ CAREFULLY

These sample forms have been assembled for your convenience in preparing your own legal name change. This package is **ONLY** designed to cover a simple, uncontested name change. If you have questions about whether this package is suitable for your situation, **YOU SHOULD CONTACT AN ATTORNEY**. Our employees are **PROHIBITED BY LAW** from advising you regarding your legal situation or whether this package is appropriate for your situation.

THESE FORMS MUST BE EITHER TYPED OR NEATLY PRINTED IN BLACK INK

1. The **NOTICE must** be posted on the courthouse bulletin board (located at the Salisbury Street entrance of the courthouse) for at least ten (10) calendar days. If the 10th day falls on a Saturday, Sunday, or legal holiday, you must allow the **NOTICE** to remain posted until 5:00 p.m. the following business day. **In order to avoid having to post the NOTICE again, always keep a copy of your NOTICE in case the one you post is lost or taken off the bulletin board.**
2. After your **NOTICE** has been posted for at least ten (10) calendar days, remove your **NOTICE** from the bulletin board and bring it to the Special Proceedings Division in the Clerk's Office, along with the **PETITION** and the two (2) **AFFIDAVITS OF CHARACTER**. There will be a \$42.00 filing fee at this time (which includes a \$2.00 fee for copies). You **MUST** submit to us a certified copy of your **BIRTH CERTIFICATE** and also a valid **PICTURE IDENTIFICATION** for our records. We will also need to verify your Social Security Number .
3. The **PETITION** and **AFFIDAVITS OF CHARACTER must** be signed in front of a Notary Public or they will not be accepted for filing. The **AFFIDAVITS OF CHARACTER must** be signed by non-related persons, over the age of 18, who reside in the county where you file the petition.
4. Once your documents have been reviewed in our office you will be required to complete the **ORDER AND CERTIFICATE OF NAME CHANGE** in triplicate. Please allow extra time to complete these forms.

CHANGING THE NAME OF A MINOR

5. To change the name of a **child under 16 years of age**, we do **NOT** need Affidavits of Character or the posting of the **NOTICE**; however, **both parents** must join in the Petition as Petitioners. **ONE PARENT MAY NOT CHANGE THE NAME OF A CHILD WITHOUT THE CONSENT OF THE OTHER PARENT, UNLESS NO FATHER IS LISTED ON THE CHILD'S BIRTH CERTIFICATE AND YOU SUBMIT AN AFFIDAVIT FORM FROM THE DEPARTMENT OF HUMAN RESOURCES THAT NO ACKNOWLEDGEMENT OF PATERNITY HAS BEEN RECEIVED. OTHERWISE, IF YOU CANNOT OBTAIN THE OTHER PARENT'S CONSENT, YOU WILL NEED AN ATTORNEY.**

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
Before the Clerk of Superior Court

COUNTY OF _____

IN RE: CHANGE OF NAME)
)
FROM: _____)
 (Minor's current name))
TO: _____)
 (Name Minor's name should be changed to))

PETITION FOR LEGAL NAME CHANGE
OF A MINOR

NOW COME the undersigned, _____ and _____, and respectfully petitions the Court for an Order to be issued changing the name of the above-named Minor and, to that end, do hereby state and show unto the Court:

- 1. That the Petitioners are residents of the _____ County, North Carolina; and are the natural parents of _____, the above-named Minor.
- 2. That the name of said Minor as shown on his/her birth certificate is _____.
- 3. That _____ was born on _____ in _____ County, State of _____, and the names of his/her parents as shown on his/her birth certificate are:

FATHER: _____

MOTHER: _____

- 4. That your Petitioners desire to change their child's name for the following reason:

- 5. That the name of the above-named Minor has not previously been changed by law.
- 6. That _____ is/is not (cross out one) a Minor **under 16 years of age** and is/is not (cross out one) therefore required to provide proof of good character as provided by N.C. Gen. Stat. §101-4.

WHEREFORE, your Petitioners respectfully pray the Court enter an Order changing the name of from _____ to _____.

This the _____ day of _____, _____.

Subscribed and sworn before me
this the _____ day of _____, _____

Mother's Signature

Notary Public

Father's Signature

My Commission Expires: _____