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STATE OF COLORADO

NAME CHANGE

FAMILY PACKET

Control Number - CO -NAME-3

This packet contains the following:

1. Instructions;
2. Forms List; and
3. Access to Colorado Law Summary.

INTRODUCTION: Since Colorado does not have “family” name change forms, we have included the forms for adult and minor name changes in this package. You will need to file a separate set of forms for each member of the family.

The forms should be filed in separate packages and filed at the same time. In some counties the court will require a separate filing fee for each individual. In other counties the court will only require one filing fee.

NAME CHANGE FOR AN ADULT

I. EXPLANATION OF PETITION FOR CHANGE OF NAME

- A. In Colorado, an action for a court ordered Change of Name begins with the filing of a Petition in the County Court. The Petition must contain certain information. The forms in this packet include the necessary information for a Family Name Change in the State of Colorado.
- B. You can use this packet if:
 - ▶ You are a resident of the county in which you will file.
 - ▶ You have proper and reasonable cause for the requested change of name.
 - ▶ You are not changing your name to avoid debts or defraud creditors.

II. PROCEDURE FOR CHANGE OF NAME (ADULT) FOR THE STATE OF COLORADO

- A. Preliminary Note:
 - 1. The attached forms may be completed by:
 - a. Printing the forms and completing by hand. Use black ink and print neatly.
 - b. Printing the forms and completing using a typewriter.
 - c. By completing the forms on your computer using a word processing program and then printing the forms.
 - 2. Use complete names and not initials. Check your spelling carefully, a misspelled word can delay your name change.
 - 3. Print three (3) complete sets of forms.

4. All forms with a heading – the name of the court, the Petitioner’s name, the case number, and the name of the document – require that the heading be completed. You will need to add the name of the court and the full name of the Petitioner. The “Case No.” will be assigned by the court clerk at the time of filing.
5. Forms that require your signature and include a notary block **MUST** be signed in the presence of the notary or court clerk who will complete the acknowledgement. Use your complete name – first name, middle name, last name.
6. When a form is filed with the court, request the clerk “file-stamp” one copy of the form for your file.
7. A Law Summary is available and can be printed for your State. To do so, go to where you located this package and select the Law Summary link under the form title and print. Review the Law Summary before beginning the process of completing the forms.

B. Procedure

- Step 1: Complete all the forms using complete names – middle names instead of middle initials.
- Step 2: File the forms in the County or District Court in the county in which you are a resident and pay the appropriate fee.

In some counties, the case will be assigned to a Magistrate so you will want to complete the Consent to Assignment to Magistrate and have it available when you file the Petition.

- Step 3: Appear for your hearing as directed by the Clerk. At the hearing, any persons objecting to the requested Name Change will be heard by the Court; and the Court may examine, upon oath, the Petitioner(s) or other persons concerning the Petition.
- Step 4: On your hearing date, the clerk will complete the Public Notice for you to take to a newspaper to be published in the County. The Notice must be published three (3) times in the Public Notice Section of the newspaper within 20 days after the Order is signed. Get a Proof of Publication from the newspaper after the Order has been published. Then file the Proof of Publication with the Court.

Upon filing the Proof of Publication you may obtain certified copies of the signed Order. There will be a charge for the certified copies.

INFORMATION FOR CHANGE OF NAME (ADULT)

IMPORTANT NOTICE READ THIS ENTIRE INFORMATION SHEET.

Please type or print each form in black ink. You must sign and date the petition in the presence of the clerk of court or a notary public.

To file for a change of name:

- You must be a resident of the county in which you are filing the petition.
- You must be eighteen (18) years of age or older.
- You must pay a filing fee.
- The following forms are necessary:
 - Form JDF 433: Petition for Change of Name
 - Form JDF 434: Order for Change of Name
 - Form JDF 427: Public Notice
- After the order is entered, the change of name must be published, except for provisions stated in §§13-15-102(2)(a) to (2)(c), C.R.S. See the clerk of court for further instructions and additional costs.

Contact the clerk of court where you plan to file the change of name for further instructions specific to that court.

INFORMATION FOR CHANGE OF NAME OF A MINOR CHILD

IMPORTANT NOTICE COURT PERSONNEL CANNOT GIVE LEGAL ADVICE. READ THIS ENTIRE INFORMATION SHEET.

Please type or print each form in black ink. The forms must be signed and dated in the presence of the clerk of court or a notary public. Return the forms to the office of the clerk of court where you intend to file.

To file for a change of name of a minor child:

- The minor child must be a resident of the county in which you are filing the petition.
- You must pay a filing fee.
- The following forms may be needed in your case:
 - Form JDF 421: Petition for Change of Name of a Minor Child
 - Form JDF 423: Consent of Non-Custodial Parent, **OR**
 - a) You provide a death certificate of the non-custodial parent, OR
 - b) Proof of notice by certified mail with return receipt filed with the court at least ten (10) days prior to the hearing. (At least ten (10) days prior to the hearing, the non-custodial parent must be advised of the date, time and location of the hearing and the right to appear.) (Form JDF 422: Notice to Non-Custodial Parent.)
 - c) If the location of the non-custodial parent is unknown, you may ask the court to order publication of the notice in a newspaper. (Form JDF 424: Request to Publish Notice and Order, and Form JDF 425: Notice to Non-Custodial Parent by Publication.)
- Form JDF 426: Order for Change of Name of a Minor Child. After the order is entered, the change of name must be published, except for provisions stated in §§13-15-102(2)(a) to (2)(c), C.R.S.
- Form JDF 427: Public Notice. See the clerk of court for further instructions and additional costs.

Contact the clerk of court where you plan to file the change of name for further instructions specific to that court.

NAME CHANGE FOR AN MINOR

I. EXPLANATION OF PETITION FOR CHANGE OF NAME

- A. In Colorado, an action for a court ordered Change of Name begins with the filing of a Petition in the County Court. The Petition must contain certain information. The forms in this packet include the necessary information for a Minor Name Change in the State of Colorado.
- B. You can use this packet if:
- The minor child (under the age of 18) must be a resident of the county in which you are filing the Petition, **OR**
 - If the minor child is under the age of 19 years and is the subject of an action concerning child support, allocation of parental responsibilities, or parenting time, the Petition for Name Change must be filed in the District Court that has jurisdiction.
 - The Parent/Petitioner must be 18 years of age or older.
 - The minor child, if 14 years of age or older, must not have been adjudicated as a juvenile delinquent for an offense that would constitute a felony if committed by an adult in this state or any other state or under federal law.
- C. Filing Fees

The filing fee is \$49.00 if you file your Petition in County Court. **If the minor child named in the Petition is the subject of a child support, allocation of parental responsibilities or parenting time action, you must file the Petition with the District Court that has jurisdiction in the matter and pay a filing fee of \$139.00.**

II. WHAT FORMS ARE INCLUDED

- A. Petition for Change of Name of a Minor Child (CO-NC-200) - This document states the reasons and other required details for your name change.
- B. Notice to Non-Custodial Parent (CO-NC-201) - This document provides the written notice to non-custodial parent of the request for name change.
- C. Consent of Non-Custodial Parent (CO-NC-202) - This document provides the written consent of the non-custodial parent to the request for name change.

- D. Request to Publish Notice and Order (CO-NC-203) - This document provides the request to publish notice to non-custodial parent of the request for name change.
- E. Notice to Non-Custodial Parent by Publication (CO-NC-204) - This document provides the written notice by publication to non-custodial parent of the request for name change.
- F. Order for Publication for Change of Name (CO-NC-205) - This document provides the request to publish public notice of the request for name change.
- G. Public Notice (CO-NC-206) - Notice that the Final Decree of Name Change has been entered. This should be published in the newspaper following entry of the Final Decree of Name Change.
- H. Final Decree for Change of Name of Minor Child (CO-NC-208) - This final statement of the legalities and terms of your name change. Once this form is signed by the Judge and filed with the court, the name change is effective.
- A. Consent to Assignment of Magistrate (CO-NC-104) - This document provides the written consent for the assignment of your case to a Magistrate Judge.

If you did not order a completion package and need access to the download page again for any of the above forms, please check your email for a link to that will redisplay the page for you.

Note: This package contains forms for use throughout your State. However, some Counties, or Judges may require a different form, or modification to these forms. If this happens, please consult with your local Court Clerk. If you are required to use additional forms, please advise us by sending an e-mail to orders@uslegalforms.com.

III. PROCEDURE FOR CHANGE OF NAME (MINOR) FOR THE STATE OF COLORADO

- A. Preliminary Note:
 - 2. The attached forms may be completed by:
 - d. Printing the forms and completing by hand. Use black ink and print neatly.
 - e. Printing the forms and completing using a typewriter.
 - f. By completing the forms on your computer using a word processing program and then printing the forms.

2. Use complete names and not initials. Check your spelling carefully, a misspelled word can delay your name change.
 3. Print three (3) complete sets of forms.
 5. All forms with a heading – the name of the court, the Petitioner’s name, the case number, and the name of the document – require that the heading be completed. You will need to add the name of the court and the full name of the Petitioner. The “Case No.” will be assigned by the court clerk at the time of filing.
 5. Forms that require your signature and include a notary block **MUST** be signed in the presence of the notary or court clerk who will complete the acknowledgement. Use your complete name – first name, middle name, last name.
 6. When a form is filed with the court, request the clerk “file-stamp” one copy of the form for your file.
 7. A Law Summary is available and can be printed for your State. To do so, go to where you located this package and select the Law Summary link under the form title and print. Review the Law Summary before beginning the process of completing the forms.
- B. For minors 14 years of age and older, you must submit a criminal history check from the Colorado Bureau of Investigation and the Federal Bureau of Investigation. Follow these steps:
- Contact your local law enforcement office to be fingerprinted. The Court may provide you with two fingerprint cards, or, in the event that your local court does not provide them, your local sheriff’s department should. You will see a box labeled “Reason Fingerprinted” on the card in the upper left hand corner. Complete that box with the following: **“§13-15-101 Legal Name Change.”** It is important that the CBI and FBI know that the criminal history check is for a legal name change. Please write your name, home address, and date of birth clearly on the fingerprint card. If the agency completing the fingerprints uses an electronic print system, please do not write on the cards as the agency will automatically input the information.
 - You are responsible for mailing or hand-delivering the completed fingerprint cards to CBI and FBI. It can take 12-15 weeks to receive your criminal history check back from the FBI, whereas CBI must complete your record check within 72 business hours by law. **The criminal history results must be conducted within 90-days prior to the filing of the Petition.** For this

reason, it is best to mail your FBI fingerprint card, wait 8-10 weeks, and then mail or hand-deliver your CBI fingerprint card. You will be provided with a full report from both agencies. For additional information on FBI requests, please review their website at the following link: <http://www.fbi.gov/hq/cjisd/fprequest.htm>

- Mail the completed fingerprint card to the FBI at, Criminal Justice Information Services (CJIS) Division – Record Request, 1000 Custer Hollow Road, Clarksburg, WV 26306 along with a certified check or money order in the amount of \$18.00. **Do not fold the fingerprint card.**
- Mail or hand-deliver your completed CBI fingerprint card to the CBI at 690 Kipling, Denver, Colorado 80215 along with a money order in the amount of \$16.50. **Do not fold the fingerprint card.** If you hand-deliver the fingerprint card, you can also pay by cash.
- If the minor child has an adjudication that would constitute a felony in Colorado or any other state, and you know that it is inaccurate, it is your responsibility to obtain the disposition information from the Court where such action occurred as identified in the CBI and FBI reports.
- The Parent/Petitioner is also responsible for providing certified copies of any criminal dispositions of the minor child that are not reflected in the Colorado Bureau of Investigations or Federal Bureau of Investigation records and any other dispositions which are unknown, by contacting the agency where such actions occurred.

C. Procedure

Step 1: Complete all the forms using complete names – middle names instead of middle initials.

Petition for Change of Name of Minor Child:

- a. Fill in all the blanks on the Petition.
- b. If the child is under 19 and is the subject of a child support, allocation of parental responsibilities, or parenting time action, please check the appropriate box and identify the case number, type of case, and name of court.
- c. Insert the minor child’s full legal name and proposed name change as identified in the caption on page 3.

- d. Attach the criminal history check to the Petition and identify as Exhibit A.
- e. **Make sure that the fingerprint-based criminal history record check is conducted within 90 days prior to the filing of the Petition.**
- f. Attach any other criminal disposition documentation and identify as Exhibit B.
- g. This Petition must be signed by the Parent/Petitioner in the presence of a Court Clerk or Notary Public.

Consent and Notice Forms: (If the non-custodial parent is deceased, then the Parent/Petitioner should provide a death certificate).

- a. **Consent of Non-Custodial Parent (JDF 423):** The non-custodial parent may complete this form and consent to the change of name of the minor child. This form must be signed by the non-custodial parent in the presence of a Court Clerk or Notary Public; OR
- b. **Notice to Non-Custodial Parent (JDF 422):** Proof of notice of hearing sent by certified mail with the attached return receipt signed by the addressee only (non-custodial parent) must be filed with the Court at least ten days prior to the hearing. The non-custodial parent must be advised of the date, time and location of the hearing and the right to appear; OR
- c. **Request to Publish Notice and Order (JDF 424) and Notice to Non-Custodial Parent by Publication (JDF 425):** If the location of the non-custodial parent is unknown, you may ask the Court to order publication of the notice in a newspaper. Publication is to be made once weekly for five successive weeks from the date of the Order; OR

Order for Publication for Change of Name: Complete all portions of the form. The Judge or Magistrate will sign the Order for Publication at the time of the hearing.

Public Notice: Complete all portions of the form. This is the form that you will submit to the local newspaper to publish notice of the requested name change

Final Decree for Change of Name (JDF 448): Complete caption only. The Judge or Magistrate will sign the Decree. This form will be returned to you only upon proof of publication.

Step 2: A Petition for a change of name must be filed in the County Court where the minor resides, unless the child is the subject of a child support or allocation of parental responsibilities (decision-making and parenting time) action. If this situation applies to you, the Petition must be filed in District Court where the child support or allocation of parental responsibilities (decision-making and parenting time) action exists.

Provide the Court with the documents completed as described in Step 1 above and pay the appropriate filing fee.

If the Petition has not been signed in the presence of a Notary Public, you will sign the Petition before the Clerk at this time.

Keep a copy of each form for your own records.

The Court may require a self-addressed stamped envelope.

In some counties, the case will be assigned to a Magistrate so you will want to complete the Consent to Assignment to Magistrate and have it available when you file the Petition.

Step 3: Appear for your hearing as directed by the Clerk. At the hearing, any persons objecting to the requested Name Change will be heard by the Court; and the Court may examine, upon oath, the Petitioner(s) or other persons concerning the Petition.

Step 4: On your hearing date, the clerk will complete the Public Notice for you to take to a newspaper to be published in the County. The Notice must be published three (3) times in the Public Notice Section of the newspaper within 21 days after the Order is signed. Get a Proof of Publication from the

newspaper after the Order has been published. Then file the Proof of Publication with the Court. Upon filing the Proof of Publication you may obtain certified copies of the signed Order. There will be a charge for the certified copies.

Note: If publication is not required pursuant to §13-15-102, C.R.S. (Petitioner is a victim of crime including an act of domestic violence; the victim of child abuse; or the victim of domestic abuse), you will receive your Decree once ordered by the Court.

NOTE ABOUT COMPLETING THE FORMS

The forms in this packet contain “form fields” created using Microsoft Word. “Form fields” facilitate completion of the forms using your computer. They do not limit your ability to print the form “in blank” and complete with a typewriter or by hand.

If you do not see the gray shaded form fields, go to the View menu, click on Toolbars, and then select Forms. This will open the forms toolbar. Look for the button on the forms toolbar that resembles a shaded letter “a”. Click in this button and the form fields will be visible.

The forms are locked which means that the content of the forms cannot be changed. You can only fill in the information in the fields.

If you need to make any changes in the body of the form, it is necessary for you “unlock” or “unprotect” the form. **IF YOU INTEND TO MAKE CHANGES TO THE CONTENT, DO SO BEFORE YOU BEGIN TO FILL IN THE FIELDS. IF YOU UNLOCK THE DOCUMENT AFTER YOU HAVE BEGUN TO COMPLETE THE FIELDS, WHEN YOU RELOCK, ALL INFORMATION YOU ENTERED WILL BE LOST.** To unlock click on “Tools” in the Menu bar and then selecting “unprotect document”. You may then be prompted to enter a password. If so, the password is “uslf”. That is uslf **in lower case letters without the quotation marks**. After you make the changes relock the document before you begin to complete the fields.

After any required changes and re-protecting the document, click on the first form field and enter the required information. You will be able to navigate through the document from form field to form field using your tab key. Tab to a form field and insert your data. If problems, please let us know.

FORMS EXPLANATION PAGE

All forms included in this package, or needed, are identified below.

For each adult:

- B. Petition for Change of Name (Adult) (CO-NC-100-01-05) - This document states the reasons and other required details for your name change.
- C. Decree of Name Change (Adult) (CO-NC-103-01-05) - This final statement of the legalities and terms of your name change. Once this form is signed by the Judge and filed with the court, the name change is effective.
- D. Public Notice (CO-NC-102-01-05) - Notice that the Order of Name Change has been entered. This should be published in the newspaper following entry of the Order of Name Change.
- E. Order for Publication (CO-NC-101-01-05) - This document orders that information about the name change be published in a local newspaper.
- F. Consent to Assignment of Magistrate (CO-NC-104) - This document provides the written consent for the assignment of your case to a Magistrate Judge.

For each minor:

- I. Petition for Change of Name of a Minor Child (CO-NC-200) - This document states the reasons and other required details for your name change.
- J. Notice to Non-Custodial Parent (CO-NC-201) - This document provides the written notice to non-custodial parent of the request for name change.
- K. Consent of Non-Custodial Parent (CO-NC-202) - This document provides the written consent of the non-custodial parent to the request for name change.
- L. Request to Publish Notice and Order (CO-NC-203) - This document provides the request to publish notice to non-custodial parent of the request for name change.
- M. Notice to Non-Custodial Parent by Publication (CO-NC-204) - This document provides the written notice by publication to non-custodial parent of the request for name change.

- N. Order for Publication for Change of Name (CO-NC-205) - This document provides the request to publish public notice of the request for name change.
- O. Public Notice of Petition for Change of Name (CO-NC-206) - Notice that the Final Decree of Name Change has been entered. This should be published in the newspaper following entry of the Final Decree of Name Change.
- P. Final Decree for Change of Name of Minor Child (CO-NC-208) - This final statement of the legalities and terms of your name change. Once this form is signed by the Judge and filed with the court, the name change is effective.
- Q. Consent to Assignment of Magistrate (CO-NC-104) - This document provides the written consent for the assignment of your case to a Magistrate Judge.

If you did not order a completion package and need access to the download page again for any of the above forms, please check your email for a link to that will redisplay the page for you.

LAW SUMMARY

The law summary for this package may be located and printed from the following address:

<http://www.uslegalforms.com/co/CO-NAME-3.htm>

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