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STATE OF GEORGIA

NAME CHANGE

FAMILY PACKET

Control Number - GA-NAME-3

This packet contains the following:

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

I. EXPLANATION OF PETITION FOR CHANGE OF NAME

- A. In Georgia, an action for a court ordered Family Change of Name begins with the filing of a Petition in the Superior 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 Georgia.
- B. You can use this packet if:
- All parties are residents of the county in which you will file the Petition.
 - 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. WHAT FORMS ARE INCLUDED

- A. General Civil Case Filing Information Form (Non-Domestic) - (GA-NC-14000-1). This is the basic cover sheet which provides the court with the information identifying the parties and the type of action being filed.
- B. Petition for Change of Name - (GA-NC-301) - This document states the reasons and other required details for your name change.
- C. Verification - (GA-NC-14000-3A) - This document verifies that the information provided in the Petition for Change of Name is true to the best of your knowledge.
- D. Notice of Publication - (GA-NC-14000-4A) - Notice that your Petition to Change Name has been filed and the matter has been set for hearing. This should be published in the newspaper prior to the hearing.
- A. Final Decree Changing the Name of Adult(s) and Minor Child(ren) -(GA-NC-304) - This is the 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.
- B. Certificate of Change of Name - (GA-NC-305) - This certifies that the name change has been ordered. This is signed by the clerk and can be used as proof of the Judgment.

- C. Consent Form - (GA-NC-306) and (GA-NC-306-A) - This document provides the written consent of any necessary individuals who are not party to the action. Parents should sign a Consent form even if they are Petitioners and have signed the Petition and Verification. Some Georgia courts do not require consent from a Petitioner but may require one. If one or more is unneeded then they can be discarded after the decree is signed.
- H. General Civil Case Final Disposition Form (Non-Domestic) - (GA-NC-14000-11). This is a summary form that will state the court's ruling or disposition of the case.

When only one parent is filing the action and the other parent refuses to consent to the name change but can be located and personally served with the Petition and Notice of Publication, you will need to complete the following forms:

- I. Acknowledgement of Service - (GA-NC-14000-10A) - This form is completed by the non-party parent and acknowledges receipt of a copy of the Petition and waiver of formal service.
- J. Certificate of Service - (GA-NC-14000-8A) - if the non-party parent is unwilling to complete the Acknowledgement of Service and the Petitioner must serve then either by mail or in person, the serving party then completes this form and files it with the court to establish that the non-party parent was in fact sent or given a copy of the Petition.

If the non-party parent(s) can not be located - for example their address is unknown - you will need to complete the following forms in addition to forms A through I:

- E. Affidavit in Support of Name Change Petition - This form is completed in order to provide the court with information regarding the non-party parent. (GA-NC-14000-9A)
- D. Order of Publication - (GA-NC-14000-11A) - court order directing service by publication based on the information in the *Affidavit in Support of Verified Petition to Change the Name of Minor Child(ren)* (GA-NC-14000-9A).
- E. Affidavit of Publication - (GA-NC-14000-12A) - statement under oath by the publisher of the Notice. Note that some publishers will prefer their own form and some will require the form be provided by the party giving notice.
- F. Notice by Publication - (GA-NC-14000-13A) - actual notice language that is published in a local newspaper pursuant to the Order of Publication.

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.

III. PROCEDURE FOR CHANGE OF NAME (FAMILY) FOR THE STATE OF GEORGIA

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 "Action/Cause 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: Fill out the General Civil Case Filing Information Form (Non-Domestic) (GA-NC-14000-1).

Insert the County in the space provided. Do not insert a date filed or docket number. These will be completed when you file the Petition.

You will need to list all the petitioners in the appropriate spaces below the sub-heading "Plaintiff(s)." List the adults first followed by the minors. If additional space is needed, insert the names in a similar arrangement on plain paper and attach to the form.

We have checked "Other General Civil Specify - Name Change." That completes this form.

STEP 1: Fill out the Petition to Change Name (of an Adult):

Print or type your current name next to the word, "Petitioner". You should not fill in the blank next to "Civil Action File No:" because the clerk will assign your case a number when you file the Petition, and the clerk will fill that number in for you. This top part of the form is called the "style" of the case.

STEP 2: Fill out the Verification form to go with the Petition, you will need to have a notary notarize the verification form for you.

STEP 3: Fill out the Notice of Petition to Change Name form.

STEP 4: After the forms have been signed and notarized, make duplicate originals of the forms. One original will be filed and the other file-stamped and kept with a file copy for later use. Your retained original will be needed later when you appear in court to request your name change.

STEP 5: The Notice of Petition to Change Name must be published in that newspaper in the county designated for publication of legal notice once a week for four consecutive weeks. This provides a time period during which interested parties may file objections to the Petition for Change of Name. The time limit for filing objections can vary. See O.C.G.A. §19-12-1. There is a fee for the publication of the Notice that you must pay.

STEP 6: File the forms you just filled out. To begin the process, the Petition, the Verification, and the Notice of Petition to Change Name forms must be filed in the clerk's office in the county of the Petitioner's residence. There is a filing fee to be paid at the time you file.

If there is one or more non-party parents and they are consenting, this is the best time to file the consent forms - (GA-NC-306) and (GA-NC-306-A) - with the clerk. If need be they can be filed prior to the hearing. If there is a non-party and non-

consenting parent involved, see the "Note" following Step 10 below.

STEP 7: Thirty (30) days after the petition is filed, and after the notice has been published once a week for four weeks, you can go to court to ask the court to enter a decree of name change. When you get to court, ask the Clerk what you must do to bring your Petition before the Court. Follow the Clerk's directions.

You must bring with you the following documents:

1. Your copy of the original petition and a copy of all the other forms
2. Proof that the notice was published
3. The Final Decree Changing the Name of an Adult form for the judge to sign. You should first fill it out by printing or typing your name next to "Petitioner"; filling the blank for your current name; and, printing or typing your new name. **DO NOT FILL OUT THE REST. THE JUDGE WILL DO IT FOR YOU.**

When you appear before the Judge, either in chambers or in open court, the judge will have you swear to the truth of what you will say, then tell the judge the following:

- your name
- your county of residence
- that you are asking the judge to grant a name change
- what your birth date is and that you are 18 years old or older
- that you want to change your name from what to what
- the reason you want to change your name
- that you are not changing your name with the intent to defraud any one

Then ask the judge to sign the form decree for you.

STEP 8: File the Final Decree. Take the decree to the clerk's office and ask for a certified copy. This is proof that your name has officially changed.

STEP 9: Certificate of Change of Name. After the entry of the final order of change of name, you may request the clerk of the court granting the same issue to the petitioner a certificate of change of name, under the seal of the court, upon payment to the clerk of the necessary fee. The certificate is then accepted as evidence of the facts contained in the certificate.

STEP 10: Changing your birth certificate. If you were born in Georgia and you wish to have your birth certificate

amended to reflect your name change, you must provide a certified copy of the Decree to the Georgia Department of Vital Records. You may also want to notify your creditors (for example, your landlord, credit card companies, your bank, Social Security, etc.) of your name change so that there will be no confusion at a later time.

NOTE: The Georgia Code is clear in terms of the requirements of consent of and notice to an absent or non-party parent. The written consent of the child's parent or parents if they are living and have not abandoned the child, or the written consent of the child's guardian if both parents are dead or have abandoned the child, must be filed with the petition. *The exception to the written consent requirement is in cases where the non-party/non-consenting parent has not contributed to the support of the child for a continuous period of five years or more immediately preceding the filing of the petition.* In such cases the Affidavit included in the package must be completed and filed with the Petition.

In all cases, including those where the Affidavit above is filed, the parent or parents of the child must be served with a copy of the petition. If the parent or parents reside within this state, service of the petition shall be made in person, except that if the location or address of the parent is unknown, service of the petition on the parent shall be made by publication of the notice in the appropriate legal newspaper in the county in which the minor resides. If the parent or parents reside outside this state, service of the petition on the parent or parents residing outside this state shall be made by certified mail or statutory overnight delivery if the address is known or by publication as if the address is not known.

If you require additional forms for service of notice to the non-party parent please contact Customer Service at:

1-877-389-0141

IF THE NON-PARTY PARENT(S) WILL NOT SIGN A CONSENT FORM BUT CAN BE PERSONALLY SERVED, YOU WILL NEED THE FOLLOWING ADDITIONAL FORMS:

- A. Acknowledgement of Service - This form is completed by the non-party parent and merely acknowledges receipt of a copy of the Petition. (GA-NC-14000-10A)

- B. Certificate of Service - if the non-party parent is unwilling to complete the Acknowledgement of Service and the Petitioner must serve then either by mail or in person, the serving party then completes this form and files it with the court to establish that the non-party parent was in fact sent or given a copy of the Petition. (GA-NC-14000-8A)

IF THE NON-PARTY PARENT(S) CAN NOT BE LOCATED - FOR EXAMPLE THEIR ADDRESS IS UNKNOWN - YOU WILL NEED TO COMPLETE THE FOLLOWING FORMS:

- A. Affidavit in Support of Name Change Petition - This form is completed in order to provide the court with information regarding the non-party parent. (GA-NC-14000-9A)
- B. Order of Publication - GA-NC-14000-11A) - court order directing service by publication based on the information in the Affidavit in Support of Verified Petition to Change the Name of Minor Child(ren) (GA-NC-14000-9A).
- C. Affidavit of Publication - (GA-NC-14000-12A) - statement under oath by the publisher of the Notice
- D. Notice by Publication - (GA-NC-14000-13A) - actual notice language that is published pursuant to the Order of Publication.

NOTIFICATION OF YOUR NAME CHANGE

Now that you have completed the name change process and received your Order, Judgment or Decree of Name Change, it is very important that you immediately notify the necessary government agencies, business entities and individuals of your "new" name.

To assist in this process, we have prepared a comprehensive "name change notification package" for your state. To "Preview" and order this package, please use the following link:

<http://www.uslegalforms.com/ga/GA-9087.htm>

Good Luck with your new name! If we may be of assistance in the future, please contact Customer Service:

1-(877) 389-0141- 8:30-5:00 Central Time Zone

or

<http://www.uslegalforms.com/help/>

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.

LAW SUMMARY

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

<http://www.uslegalforms.com/ga/GA-NAME-3.htm>

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