

STATE OF IDAHO

NAME CHANGE

ADULT PACKET

Control Number - ID-NAME-1

This packet contains the following:

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

I. EXPLANATION OF PETITION FOR CHANGE OF NAME

- A. In Idaho, an action for a court ordered Change of Name begins with the filing of a Petition in the District court. The Petition must contain certain information. The forms in this packet include the necessary information for an Adult Name Change in the State of Idaho.
- B. You can use this packet if:
 - ▶ You are at least 18 years of age and have been a resident of the county in which you will file for the required amount of time as reflected in the law summary.
 - ▶ 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. Petition for Change of Name - (ID-NC-101) This document states the reasons and other required details for your name change.
- B. Order of Name Change - (ID-NC-103) 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.
- C. Notice of Hearing - (ID-NC-102) Notice that your Petition for Change of Name has been filed and the matter has been set for hearing. This should be published in a newspaper prior to the hearing.
- D. Letter requesting publication of the Notice of Hearing.- (ID-NC-104)

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 (ADULT) FOR THE STATE OF IDAHO

- 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 the end of 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 the forms listed above by typing or neatly and legibly printing in black ink. Fill in your full current name, address, and telephone number on the lines provided at the left-hand corner of page 1 of each form. Fill in the judicial district and your county in the heading in capital letters (for example, “IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT IN AND FOR THE COUNTY OF LATAH”). Fill in your full legal name on the line after “In RE” in the caption, and your date of birth. Fill out the remainder of each individual form, providing the information requested. If a section of a form does not apply to you, write “none” or “N/A”. To complete the Petition, you must fill in the name of a newspaper of general circulation in the county where you live. This is the newspaper you will use to publish the notice of hearing. It must be a newspaper that publishes legal notices at least once a week. The Petition must be signed in front of a Notary Public

Step 2: Make a copy your Petition and two copies of your Notice of Hearing. Place the copies underneath each completed form.

Go to the window in the Clerk's Office in the county where you live. Give the Clerk the following:

- (1) \$88 filing fee;
- (2) the original plus one copy of the Petition for Name Change; and
- (3) The original plus two copies of the Notice of Hearing (Name Change)

Ask the Court Clerk to set your hearing at least six weeks later. The Court Clerk will issue the Notice of Hearing when your filing fee is paid or when a judge approves your fee waiver. Some Court Clerks keep the original Notice of Hearing and give you only the two copies (one for you and one for the newspaper). Other Court Clerks will give you back the original and the copies. The original will have to be in the court file for your hearing. Be sure to keep it safe.

Step 3: Sign the Letter for Publication and send it, along with a copy of the Notice of Hearing, to the newspaper you selected. The Notice needs to be published once a week for (4) four successive weeks or if no newspaper is printed in the county a copy of such notice of hearing must be posted at three (3) of the most public places in the county for a like period. The newspaper will send you the Affidavit of Publication. Take (or mail) the Affidavit of publication to the Court Clerk at the Courthouse for filing. If you were given the original Notice of Hearing, return it to the Court Clerk with the Affidavit of Publication.

Step 4: Idaho Code §7-804 requires the Petitioner appear at the hearing. If you have not filed your Affidavit of Publication, do so before the hearing. Bring the original Order, plus as many copies of the Order as you will need to have certified (for social security, driver's licensing, payroll, etc.). 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. The judge may require that you be examined under oath at the hearing, or the judge may sign the Order without testimony if no one appears at the hearing to object.

Step 5: After the judge signs the Order, you can obtain certified copies from the Court Clerk's office. A certified copy will cost you \$.50 a page plus \$1.00 for the seal, since you provided the copies. If you forgot copies, the charge will be \$1.00 a page plus \$1.00 for the seal. You are now ready to notify appropriate persons and governmental agencies of the change.

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/id/ID-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 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.

Instructions for Name Change of an Adult

1. Application for change of names must be heard and determined by the district courts.
2. All applications for change of names must be made to the district court of the county where the person whose name is proposed to be changed resides, by petition, signed by such person; and if such person is under the age of eighteen (18) years, by one (1) of the parents, if living; or if both be dead, then by the guardian; and if there be no guardian, then by some near relative or friend. The petition must specify the place of birth and residence of such person, his or her present name, the name proposed, and reason for such change of name, and must, if the father of such person be not living, name, as far as known to the petitioner, the near relatives of such person, and their place of residence.
3. A notice of hearing of such petition signed by the clerk and issued under the seal of the court, must be published for four (4) successive weeks in some newspaper printed in the county, if a newspaper be printed therein, but if no newspaper be printed in the county a copy of such notice of hearing must be posted at three [(3)] of the most public places in the county for a like period, and proofs must be made of such publication or posting before the petition can be considered.
4. Such application for Hearing and Order must be heard at such time during term as the court may appoint, and objections may be filed by any person who can, in such objections, show to the court good reason against such change of name. On the hearing the court may examine, upon oath, any of the petitioners, remonstrants or other persons touching the application, and may make an order changing the name or dismissing the application, as to the court may seem right and proper.

PLEASE NOTE:

RESTRICTIONS ON NAME CHANGES FOR CONVICTED SEXUAL OFFENDERS -- NOTIFICATION OF NAME CHANGES OF CONVICTED SEXUAL OFFENDERS.

5. No person shall apply for a change of name with the intent or purpose of avoiding registration as a convicted sexual offender pursuant to chapter 83, title 18, Idaho Code. No name change shall be granted to any person if the name change would have the effect of relieving the person of the duty to register as a convicted sexual offender under chapter 83, title 18, Idaho Code, or under the provisions of similar laws enacted by another state.
6. The court granting a name change to any individual required to register as a convicted sexual offender pursuant to the provisions of chapter 83, title 18, Idaho Code, shall provide notice of the name change to the Idaho state police, central sexual offender registry. This notice shall include the offender's name prior to change, new name, social security number, date of birth and last known address.

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

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or

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

LAW SUMMARY

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

<http://www.uslegalforms.com/id/ID-NAME-1.htm>

DISCLAIMER

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