

**STATE OF MARYLAND**

**NAME CHANGE**

**FAMILY PACKET**

**Control Number - MD-00002**

This packet contains the following:

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

## **I. EXPLANATION OF PETITION FOR CHANGE OF NAME**

- A. In Maryland, an action for a court ordered Change of Name begins with the filing of a Petition in the Circuit court. To change your name you must file a Petition for Change of Name. A Notice of the request must be published in a newspaper of general circulation in the county in which you reside unless the Court grants a waiver of publication. The Clerk of the court will arrange for publication after you have filed. After the Notice has been published, other persons are given the opportunity to object. If someone objects, that person must file an objection and send a copy of the objection to you. You will have 15 days to respond to the objection by filing a written response with the Court. If you want the court to hold a hearing on the objection, you must file a Request for Hearing or Proceeding with your response.
- B. The forms in this packet include the necessary information for a Family Name Change in the State of Maryland.
- C. You can use this packet if:
- ▶ You 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 may not use these forms to change a name in connection with an adoption or a divorce.
  - ▶ You may not use these forms to change a name in connection with an adoption or a divorce.
  - ▶ You are not changing your name to avoid debts or defraud creditors.

## **II. WHAT FORMS ARE INCLUDED**

- A. Civil Domestic Case Information Report - (MD-NC-101) a case tracking form required by most Maryland courts.
- B. Petition for Change of Name - (MD-NC-301) This document states the reasons and other required details for your name change.
- C. Affidavit of Petitioners in Support of Name Change - (MD-NC-302) This document provides additional information regarding the Petition for Change of Name.
- D. Notice of Filing - (MD-NC-303) Notice that your Petition for Change of Name has been filed and the matter has been set for hearing. This should be published in the newspaper prior to the hearing.
- E. Motion to Post in Lieu of Publication - (MD-NC-304) this is a motion to permit notice of the name change action by posting in the courthouse

instead of the local legal newspaper. It is a way of saving time and money but it is not always permitted by the court.

- F. Order re Motion to Post in Lieu of Publication - (MD-NC-305) This document allows for Notice of a name change to be posted rather than being published in a newspaper.
- G. Motion for Order of Notice by Publication - (MD-NC-306) if you prefer notice by publication, this is the proper motion to file.
- H. Order re Motion for Notice by Publication - (MD-NC-307) the Court's response to the Motion for Order of Notice by Publication.
- I. Order of Name Change - (MD-NC-300) 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.
- J. Motion for Alternate Service - (MD-NC-310) This is a form for when the court papers have already been filed, but the other side is yet to have been served.

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 message to [orders@uslegalforms.com](mailto:orders@uslegalforms.com).

### **III. PROCEDURE FOR CHANGE OF NAME (FAMILY) FOR THE STATE OF MARYLAND**

#### 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 one (1) complete sets of forms and then make two (2) copies after they have been signed where required by the

Petitioners. Usually one set of originals is filed with the clerk and a full set is “file stamped” by the clerk for your file. The third set is optional but an extra form may be helpful in some circumstances.

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, and 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 all forms.**

Fill out all forms and sign where appropriate.

**STEP 2 - Attachment of Birth Certificate**

Attach to the documents to be filed with the court, a copy of the birth certificate of all petitioners or some other document reflecting the Petitioner’s *current name* (the one you want to change *from*).

**STEP 3 - Filing of Documents**

File the above documents with the Clerk of the court at the circuit court for the county in which you reside. Pay the filing fee. The Clerk of the court will usually send the Notice for Publication to the newspaper for publication. Occasionally, the task of taking the Notice to the newspaper falls to the Petitioner. Follow the guidance of the clerk.

We have also included forms for an alternative form of public notice – by posting at the courthouse. There is no fee and this is usually a must faster way to satisfy the publication requirement. The clerk will give you directions for posting if the motion is filed and the order is signed by the Judge. Some

courts permit posting and some favor publication - there is no hard and fast rule.

**STEP 4 - Pay for the Publication of the Notice - if needed.**

The newspaper will send you an invoice to have the Notice published. You are required to pay this invoice. Publication can be expensive. After the Notice has been published you and the Clerk will be sent a confirmation from the newspaper.

**STEP 5 - Consideration of Petition and Issuance of Order**

After the Clerk receives the confirmation from the newspaper, they will send your Petition to a judge. The judge will review all of the information.

If someone has contested the name change or if the judge has any questions about your petition, then a hearing may be scheduled. (Remember to respond to any objection within 15 days after you receive it and include a Request for Hearing or Proceeding if you want the court to hold a hearing on the objection).

If no one has contested the change, and everything has been done properly, then the judge may sign the Order for Name Change. You will receive a certified copy of the Order in the mail, and, for a small fee, you may obtain additional certified copies of the Order from the Clerk. You will need to use a certified copy of the Order for Name Change to change your name at the Motor Vehicle Administration (you may need other identification for this), the Bureau of Vital Statistics, Social Security Administration, creditors, etc.

## **NOTES ON COMPLETING THESE FORMS**

The form(s) 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.

It is also helpful to be able to see the location of the 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.

In order to use the form fields properly, it is necessary to “lock or protect” the document. If you wish to make any changes in the body of the form, it is necessary for you “unlock” or “unprotect” the form.

This is done by clicking 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**.

It is very important to understand that, once the document is unprotected, any data entered in the form fields will be lost when the document is again protected. If changes are necessary, unlock the document, using the password “uslf” if necessary, and make any changes that you feel are required. Then protect the document once again.

**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. Inserting data will result in the default line disappearing. You will have sufficient space to enter any required information.**

## **LAW SUMMARY**

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

<http://www.uslegalforms.com/md/MD-00002.htm>

## **DISCLAIMER**

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