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STATE OF MINNESOTA

NAME CHANGE

ADULT PACKET

Control Number - MN -NAME-1

This packet contains the following:

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

I. EXPLANATION OF PETITION FOR CHANGE OF NAME

- A. In Minnesota, an action for a court ordered Change of Name for an adult begins with the filing of an Application 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 Minnesota.
- B. You can use this packet if:
1. You have lived in the State of Minnesota for six months;
 2. You file the Application for Name Change in the county in which you presently reside;
 3. You are at least eighteen years of age;
 4. You are not filing in bad faith or with the intent to defraud or mislead anyone by the change of name; and
 5. You pay the civil filing fee and certified copy fee.

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.

II. WHAT FORMS ARE INCLUDED

- A. Application for Change of Name - Adult - (MN-NC-102) This document states the reasons and other required details for your name change.
- B. Criminal History Check Release - (MN-NC-103) - a criminal history background check is required and this form provides the necessary information and permission for the court to have the state authorities and the FBI conduct a fingerprint based records search.
- C. Felon Name Change Notice - (MN-NC-104) only used if the petitioner has a felony record. This forms provides the required notice to the prosecuting authorities and the state records agency.
- D. Inmate Affidavit for Name Change - (MN-NC-105) This form is used by a person incarcerated and seeking a name change.
- C. Order Granting Name Change - (MN-NC-107) 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.

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III. PROCEDURE FOR CHANGE OF NAME (ADULT) FOR THE STATE OF MINNESOTA

A. Preliminary Note:

1. The attached forms may be completed by:
 - ▶ Printing the forms and completing by hand. Use black ink and print neatly.
 - ▶ Printing the forms and completing using a typewriter.
 - ▶ By completing the forms on your computer using a word processing program and then printing the forms.
2. Complete the application and criminal history forms. The forms should be typed or legibly written using black ink. Be sure the "changed to" name(s) appear exactly as you want the names to be after the judge signs the final order. Do not use any initials. If a name is a single letter and it is a standalone name and not an initial, it should not be followed by a period.
 - a. Note: Be sure to include in the case caption the name(s) of each person seeking to have his or her name changed.
3. If you are married, you must indicate the name and date of birth of your spouse even if the spouse is not having his/her name changed.
4. Indicate any minor children and their dates of birth, (if there are any children), even if the children are not having their names changed.
5. List all legal descriptions of property if you, a spouse, or minor children have a claim, interest or lien on any property. You must show who has interest and the nature of the interest in the property. You may need to attach a separate piece of paper to the application with this information on it. Be sure and provide enough detail to identify the property, the interest held in the property and by whom that interest is held.
6. The application must be made under oath and it requires you to sign in two places on the application form. Sign your name(s) in front of a notary public or a deputy court administrator.
 - If a spouse is included in the application, both the applicant and the spouse must sign the application.
 - If any minors (under 18 years old) are included on the application, the minor does not need to sign the application.

7. After you have completed the forms, bring or mail the completed, notarized application to the district court in your county, along with the applicable filing fee. Contact information and filing fee information can be found on the court website at www.mncourts.gov under District Courts. The filing fee is non-refundable.
8. 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. Hearing:

1. Upon filing, the Court Administrator's office will provide you with a hearing date and time.
2. All minors seeking to have their name changed must be present at the court hearing.
3. Two witnesses that know you must appear with you in court and testify as to your identity.
4. If your application is approved at the time of the hearing, the judge will sign the Order Granting Name Change.
5. After the Order is signed, you can obtain certified copies of the Order from the Court Administrator's office for a fee of \$10 each. **Certified copies of this order will be needed to change your personal records** (see the document entitled **Notice to Persons Who Have Had Their Name Changed** for more information).

C. Corrections on Birth Certificates:

If the information on a birth certificate is wrong because a mistake was made when the birth certificate was created, DO NOT file an Application for Name Change to have the birth record changed. Mistakes can be corrected through your local County Vital Statistics office or the Minnesota Department of Health. Procedures to amend the birth record can be found on the Minnesota Department of Health web site at:

www.health.state.mn.us/divs/chs/osr/amend.html

or by calling the Minnesota Department of Health at 612-676-5120. Please refer to Minnesota State Agency Rules 4601.1000 and 4601.1100 for further information.

D. Exceptional Circumstances Requiring the Court to Order a Change on a Birth Certificate:

If you think there are exceptional circumstances that make changing the birth certificate necessary, you may specifically ask the judge on your Application for Name Change to order the birth certificate changed. You may use the "Other" category on the Application to explain these exceptional circumstances. You should consult an attorney for further information on when changing a birth certificate is appropriate and what information you should include in your Application for Name Change. If a judge determines a change on the birth record is warranted the judge will include that provision in the final name change order that would direct the Department of Health to amend a birth certificate.

E. Criminal History Check:

Minn. Stat. § 259.11 requires the Court to determine whether any person seeking to have their name changed has a criminal history in Minnesota or any other state. The court may conduct a search of national records through the Federal Bureau of Investigation by submitting a set of fingerprints and the required fee to the Bureau of Criminal Apprehension. To comply, you must complete a Criminal History Check Release form for each party age 10 and over covered by the application. A criminal history check will be made on all persons age 10 and over listed on the application. If the applicant has a criminal history, both the person whose name is changed and the Court shall report the change within 10 days of receiving a copy of the order by mailing a copy of the order granting the name change to:

**Attention: CRIS Section
Bureau of Criminal Apprehension
1430 Maryland Avenue East
St. Paul, MN 55106**

Note: Any information placed in name change file will be accessible to the public, unless the court determines that the name change is made in connection with participation in a victim or witness protection program.

F. Application for Change of Name by a Person Convicted of a Felony:

An applicant with a felony conviction under Minnesota law or the law of another state or federal jurisdiction shall serve notice regarding their application for name change on the prosecuting authority that obtained the conviction. If the conviction is from another state or federal jurisdiction, notice must also be served on the Minnesota

Attorney General at 102 State Capitol Building, St. Paul, MN 55155. The method of service is complicated. To determine the proper method of service, consult an attorney. Local practices may vary. Proof of service shall be filed with the court as part of the name change request. The prosecuting authority has 30 days to object to the name change application.

G. Request for Name Change by an Inmate:

An inmate confined in a correctional facility may request a name change only once, unless the failure to allow the name change would infringe on a constitutional right of an inmate. Inmates must fill out an additional affidavit entitled **Inmate Affidavit for Name Change**.

H. It is the responsibility of the Applicant to notify the relevant government agencies of the name change. A certified copy of the Order is required to change your driver's license, social security records, birth certificate, etc. (birth certificates are changed at the Office of Vital Statistics, 717 Delaware Street SE, Minneapolis, MN)

It is your responsibility to notify all interested people, businesses, employers, schools, etc. of your new name. It is up to those you notify of your name change to inform you whether they require a certified copy or a plain copy of the Order Granting Name Change. Many agencies will accept a photocopy of the Order if you have a certified copy of the Order with the raised seal that they may examine. An extensive list will be given to you in Court as to whom you may need to notify.

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 select “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 is located at the following address:

<http://www.uslegalforms.com/mn/MN-NAME-1.htm>

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