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STATE OF MONTANA

NAME CHANGE

FAMILY PACKET

Control Number - MT-NAME-3

This packet contains the following:

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

I. EXPLANATION OF PETITION FOR CHANGE OF NAME

- A. In Montana, 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 a Family Name Change in the State of Montana.
- B. 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 are not changing your name to avoid debts or defraud creditors.

II. WHAT FORMS ARE INCLUDED

- A. Petition for Change of Name - (MT-NC-300) This Petition is filed in the county in which the Petitioner resides. It asks the court to grant your name change along with any other relief requested.
- B. Proof of Publication - (MT-NC-303) This Proof is filed with the Court after the Notice has been published.
- C. Minutes of Meeting - (MT-NC-304) This is presented to the Court for signature after a hearing has been had on the matter and proof of publication has been submitted.
- D. Notice of Hearing - (MT-NC-302) This document provides interested parties with information about the scheduled hearing regarding the requested name change.
- E. Order - (MT-NC-306) This Order is presented after all requirements are met. This document grants the name change.
- F. Request for Order - (MT-NC-301) This is submitted to the Court requesting an Order to publish the Notice.
- G. Order for Publication - (MT-NC-305) This form is issued by the Court ordering the publication of the Notice of Name Change.

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 (FAMILY) FOR THE STATE OF MONTANA

- 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: Complete all the forms using complete names - middle names instead of middle initials.
- Step 2: File the Petition in the District Court in the county in which you have been a resident and pay the appropriate fee.
- Step 3: Have all living parents complete the Written Consent. If all living parents do not provide their consent, publication of notice must be provided.
- Step 4: After filing the Clerk will advise you how a hearing will be set. Notice of the time and place of hearing the petition must be published for four (4) successive weeks in some

newspaper published in the county, if a newspaper is printed in the county. If a newspaper is not printed in the county, a copy of the notice must be posted in at least three public places in the county for 4 successive weeks. Follow the directions of the Clerk.

Step 5: Appear as directed by the Clerk and present the Order to Change Name to the Court. 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 6: Obtain a certified copy of the Order from the Clerk after it has been signed by the Judge. You are now ready to notify appropriate persons and governmental agencies of the change.

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 file for this package can be located at the following address:

<http://www.uslegalforms.com/mt/MT-NAME-3.htm>

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