

STATE OF NORTH DAKOTA

NAME CHANGE

FAMILY PACKET

Control Number - ND-NAME-3

This packet contains the following:

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

I. EXPLANATION OF PETITION FOR CHANGE OF NAME

- A. In North Dakota, 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 North Dakota.
- B. You can use this packet if:
 - ▶ You have been a resident of the county in which you will file for at least six months prior to filing the Petition for Name Change.
 - ▶ 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 Name Change - (ND-NC-300) This document states the reasons and other required details for your name change.
- B. Notice of Name Change - (ND-NC-301) Notice that you intend to seek a name change for publication purposes.
- C. Affidavit of Publication - (ND-NC-302) This form provides proof of publication.
- D. Affidavit Regarding Publication and Objection - (ND-NC-303) This form provides publication of the Notice of Filing.
- E. Order of Name Change - (ND-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.

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 NORTH DAKOTA

- 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 “Civil 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 the forms using complete names – middle names instead of middle initials. Make copies of all the forms and take them with you when filing your action.
- Step 2: File the Petition, with a certified copy of your birth certificate attached, in the District Court in the county in which you have been a resident for a period of at least six months and pay the appropriate fee.
- Step 3: After filing, the Petitioner must publish in a local newspaper public notice of the requested name change at least once 30 days prior to the taking action on the Petition. See attached Notice of Name Change and Affidavit of Publication. Follow the directions of the Clerk regarding the proper newspaper in which to publish the Notice.

When publication is complete, two affidavits must be completed. An agent of the newspaper must execute the Affidavit of Publication and physically attach a copy of the notice to the Affidavit. The Petitioner must then file it with the Clerk of the Court.

Note that some newspapers have their own form for the Affidavit of Publication and they may prefer to use it instead of the attached Affidavit of Publication.

Thirty days after the Notice of Name Change is published, the Petitioner must execute and file the Affidavit Regarding Publication and Objection.

Step 4: If all the documents have been filed correctly and there have been no objections from the public, the court make act on the Petition, without a hearing, at any time after 30 days from the date of publication of the Notice of Name Change.

If the Court orders a hearing, 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 5: 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 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/nd/ND-NAME-3.htm>

DISCLAIMER

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