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**STATE OF NEW MEXICO**

**NAME CHANGE**

**FAMILY PACKET**

**Control Number - NM-NAME-3**

This packet contains the following:

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

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

- A. In New Mexico, 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 New Mexico.
- B. You can use this packet if:
  - ▶ You have been a resident of the county in which you will file.
  - ▶ 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 - (NM-NC-300) This document states the reasons and other required details for your name change.
- B. Request for Hearing - (NM-NC-301) This document requests the Court to set a hearing on this matter.
- C. Notice of Change of Name - (NM-NC-302) Notice that you intend to seek a name change for publication purposes.
- D. Proof of Publication - (NM-NC-303) This proof is filed with the court after the Notice has been published.
- E. Order of Name Change - (NM-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.

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

- 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 "Case No." will be assigned by the court clerk.
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.
- Step 2: File the Petition in the District Court in the county in which you reside and pay the appropriate fee.
- Step 3: After filing the Clerk will advise you how a hearing will be set. Generally, either the Clerk will assign a hearing date or the hearing date will be assigned by the Judge's staff after the Clerk assigns the case to a specific judge. Follow the directions of the Clerk.
- Step 4: Notice of the Name Change Request must be published in a newspaper published in the county at least once a week for two consecutive weeks. There will be a fee charged by the newspaper to be paid by the Petitioner. See the attached Notice of Name Change.

When publication is complete, the newspaper will provide a "PROOF OF PUBLICATION" which you should file with the

Clerk of the. The Clerk will not charge you any filing fee for this document.

Although there is a Proof of Publication included in this package, local newspapers generally have their own form that they prefer to use. But, if you are asked to provide this form, use the attached Proof of Publication.

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: After the "Order of Name Change" has been signed by the Judge, you can obtain a certified copy of the Order from the Clerk. It is suggested that you get more than one certified copy as most state and federal agencies will require an "original" certified copy before changing their records to reflect your new name.

Step 7: Record the Order in the office of the County Clerk.

You are now ready to notify appropriate persons and governmental agencies of the change.

## **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/nm/NM-NAME-3.htm>**

## **DISCLAIMER**

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