

COMMONWEALTH OF PENNSYLVANIA

NAME CHANGE

ADULT PACKET

Control Number - PA-NAME-1

This packet contains the following:

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

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. and we will arrange to send you the forms,

The general procedure discussed below applies to the vast majority of counties in Pennsylvania. But, with sixty-seven (67) counties in Pennsylvania the procedure may vary to some extent in your particular county.

I. EXPLANATION OF PETITION FOR CHANGE OF NAME

- A. In Pennsylvania, an action for a court ordered Change of Name begins with the filing of a Petition in the Court of Common Pleas in the county in which the Petitioner resides. The Petition must contain certain information. The forms in this packet include the necessary information for an Adult Name Change in the State of Pennsylvania.
- B. You can use this packet if:
- ▶ You are at least 18 years of age and reside in 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.
 - ▶ You satisfy the requirements of the Pennsylvania Code regarding judicial change of name.
- C. Age of Majority for purposes of filing a name change action in Pennsylvania.

Section 5101 of the Pennsylvania Code provides:

“Attainment of full age

(a) Age for entering into contracts. — Any individual 18 years of age and older shall have the right to enter into binding and legally enforceable contracts and the defense of minority shall not be available to such individuals.

(b) Age for suing and being sued. — Except where otherwise provided or prescribed by law, an individual 18 years of age and older shall be deemed an adult and may sue and be sued as such.”

II. WHAT FORMS ARE INCLUDED

- A. Civil Cover Sheet - (PA-NC-100) This document provides the court with certain necessary information needed to categorize the action and provide needed statistics to the judicial system.
- B. Verified Petition for Change of Name - (PA-NC-101) This document states the reasons and other required details for your name change.
- C. Verification - (PA-NC-108) This sworn document avers to the truth of the information contained in the Petition.
- D. Order - Setting Hearing and Ordering Notice of Hearing By Publication (PA-NC-107) -This document officially sets the matter for a hearing and orders publication by Petitioner of Notice of the Hearing. Also, this form orders the Petitioner to obtain certifications of pending actions or indebtedness.
- E. Notice of Name Change (PA-NC-102) - Notice to the public and all interested parties that your Petition has been filed and the matter has been set for hearing. This should be published in the appropriate newspaper(s) prior to the hearing.
- F. Proof of Publication (PA-NC-104)- an affidavit to be completed by personnel at the newspaper attesting to the publication of the Notice of Name Change one time at least 30 days prior to the date of the Hearing.

NOTE: As a general rule, the newspapers in Pennsylvania will provide their own form for proving publication of notice of name change. The above form is provided out of an abundance of caution for those cases where the newspaper(s) do not have their own form.
- G. Order - (PA-NC-103) fingerprints and criminal record certification by the state police. This Order requires that the Petitioner provide a copy of the Petition and a set of fingerprints of the person seeking a name change to the state police for a records and identity check.
- H. Certifications of Recorder of Deeds, Prothonotary, and Clerk of Courts - (PA-NC-109, 110, 111) statements as to the presence of any pending actions or indebtedness. See "Name Change Certifications" on page 7 for additional information.
- I. Decree for Change of Name (PA-NC-105) - 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 (ADULT) FOR THE STATE OF PENNSYLVANIA

- 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. You will need an original and 5 copies of each form. You will also need 3 self-addressed stamped envelopes.
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 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. Sign the Petition before a notary. Make 5 copies of the entire set of forms. Note: the number of copies may vary from county to county depending upon the procedure in your county. This number of copies is an approximate number based on information from several courts.
- Step 2: Take the Original with five copies of the forms, three self-addressed envelopes and a filing fee in the amount of \$109.00 to the Prothonotary Office in the county courthouse. The Prothonotary Office will assign your case a “docket” number and collect the fees. It is suggested

that you verify the amount of the filing fee by contacting the Office of the Prothonotary for your county.

Step 3: After the Judge reviews the petition and signs the order, directing you to provide fingerprints and a copy of the petition/order to Court Administration, the petition and order are returned to the Prothonotary Office. The Prothonotary Office will send one copy of the petition/order to you in one of the self-addressed, stamped envelopes.

Step 4: Take the Petition and Order with you to the local barracks of the Pennsylvania State Police and have your fingerprints taken on an official Name Change Fingerprint Card. In some counties the local police department may provide the fingerprinting service. It is suggested you ask the clerk about the agency to use.

Court Administration Office will forward the petition/order and fingerprint card to the Pennsylvania State Police Records Identification Division for review. When the Pennsylvania State Police Records Identification Division's review is completed a report is mailed to the Prothonotary Office.

Step 5: Once the report is received from the State Police, court administration will then schedule a hearing. The hearing will not be scheduled for at least 45 days in order to allow time for publication.

The petition/order scheduling the hearing is returned to you in the second self-addressed, stamped envelope.

Step 6: After you receive the information on your hearing date and time, you must publish notice of the hearing. You must publish the notice in two (2) local newspapers. One of which must be the newspaper designated for publication of official notices. The clerk can provide the name and address of the official notice newspaper.

Written proof of publication will be provided by the newspapers and must be presented at the hearing. Some newspapers have their own proof of publication form and others will require the petitioner provide the form. A Proof of Publication form is included in this package.

Step 7: Prior to your hearing, you must have signed certifications of a name search from the Prothonotary Office, Clerk of Courts Office, and the Recorder of Deeds Office. These

certifications must be done within 48 hours of your scheduled your hearing. ***

Included in this package is the Prothonotary Certification which will be completed after the search is conducted. Prior to your scheduled hearing, in most counties you must provide the Clerk of Courts Office **AT LEAST A 24-HOUR NOTICE** to prepare a certified search of the individual filing for a legal name change. Your request must include your social security number and date of birth. Submit this request by calling the Clerk of Courts for an appointment. The Clerk of Courts fee for preparing and certifying a search is approximately \$20.00, payable by cash or money order. You may pick up your prepared search on the date of the scheduled Name Change hearing.

In the Recorder of Deeds Office you usually do not need an appointment. In most counties the staff will assist in conducting the search but in others you conduct your own search. Since these records are usually computerized, it is basically a matter of searching for your name using the Recorder's computer. The Recorder of Deeds Office will charge a nominal fee of approximately \$1.50, payable by cash only, for signature on the certification.

Step 6: On the day of your hearing, you must have the proof of publication and signed certifications of a name search from the Prothonotary Office, Clerk of Courts' Office and the Recorder of Deeds' Office.

- Step 7: When all the requirements of the statutes have been satisfied and the necessary hearing held, the decree will issue. This will be mailed to you in the third self-addressed, stamped envelope. You are now ready to notify appropriate persons and governmental agencies of the change.

USLF has available a package to assist in giving proper notice. For more information, see PA-9087 at:

<http://www.uslegalforms.com/pa/PA-9087.htm>

NAME CHANGE CERTIFICATIONS***

As a General Rule, the Petitioner will be required to submit name change certifications from the Clerk of Courts, Prothonotary and Recorder of Deeds. In the following counties the required certification of records is different:

(1) Delaware County: Certifications will be required from the Office of Judicial Support (combines offices of the Clerk of Courts and Prothonotary) and Recorder of Deeds.

(2) Erie County: Has an Office of the Clerk of Records with 4 divisions: (Prothonotary (civil); Clerk of Courts (Criminal); Recorder of Deeds; and, Register of Wills and Clerk of the Orphans' Court. Erie County Name Change Petitioner's will still need certifications from the Recorder of Deeds, Clerk of Courts and Prothonotary.

(3) Lackawana County: Has the Office of Judicial Records that combines the duties of the prothonotary and the clerk of courts. Name Change petitioners will need certification of the Office of Judicial Records and the Recorder of Deeds.

(4) Lehigh County: A Name Change Certification must be obtained from the Recorder of Deeds (Government Center Room 350) concerning the existence of any recorded mortgages. You will be required to bring this Certification to your hearing. No other certifications are required.

(5) Northampton County: The Department of Court Services is organized into the following divisions: Clerk of Courts, Criminal Division, Clerk of Courts, Civil Division (Prothonotary), Recorder of Deeds, Register of Wills and Clerk of Courts, Orphans' Court Division.

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

You may access the law summary by going to this URL address:

<http://www.uslegalforms.com/pa/PA-NAME-1.htm>

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