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**STATE OF SOUTH CAROLINA**

**NAME CHANGE**

**ADULT PACKET**

**Control Number - SC -NAME-1**

This packet contains the following:

1. Instructions;
2. Forms; and
3. Access to South Carolina Law Summary.

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

- A. In South Carolina, an action for a court ordered Change of Name begins with the filing of a Petition in the Family Court of the appropriate Circuit. The Petition must contain certain information. The forms in this packet include the necessary information for an Adult Name Change in the State of South Carolina.
- B. You can use this packet if:
  - ▶ You are at least 18 years of age and 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. Family Court Coversheet Name Change - This document states the reasons and other required details for your name change.
- B. Petition for Change of Name and Amendment of Birth Certificate - This document states the reasons and other required details for your name change.
- C. Affidavit Regarding Duty to Pay Child Support or Alimony.
- D. Order and Certificate of Name Change and Amendment of Birth Record - 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

## **III. PROCEDURE FOR CHANGE OF NAME (ADULT) FOR THE STATE OF SOUTH CAROLINA**

- 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 the link posted on the last page of this form package.
- B. Pre-Filing Procedure: There are three (3) forms of record and background checks that must be completed prior to filing the Name Change Petition
1. Fingerprint and Background Check preformed by the State Law Enforcement Division.  
  
Contact the State Law Enforcement Division at (803) 896-7043 and request a name change packet. The packet includes material for fingerprinting, which must be done by a local law enforcement agency. Once the packet has been returned, SLED will process it and mail it the following business day.
  2. A screening statement from the Department of Social Services that indicates whether the person is listed on the department’s Central Registry of Child Abuse and Neglect. If the person is listed on the registry and the court grants the petition for a name change, the clerk of court must notify the division of the change so that the division can accurately reflect the change in the Central Registry of Child Abuse and Neglect.  
  
Contact the Department of Social Services at (803) 898- 7508. There is no charge for this service. Allow three weeks, if possible, or at least 10 working days.
  3. An affidavit signed by the petitioner which states whether the petitioner is under a court order to pay child support or alimony; and

4. A screening statement from the South Carolina Law Enforcement Division that indicates whether the person is listed on the division's sex offender registry. If the person is listed on the registry and the court grants the petition for a name change, the clerk of court must notify the division of the change so that the division can accurately reflect the change in the sex offender registry.

This screening statement can be obtained through the SLED Web site at [www.SLED.state.sc.us](http://www.SLED.state.sc.us). There is no charge for this search. On the SLED site, go to <http://www.sled.state.sc.us/default.htm> Print the requestor form and request a report in hardcopy by address and name.

C. Filing Procedure

- Step 1: Complete all the forms using complete names - middle names instead of middle initials.
- Step 2: File the Petition, Affidavit, Order and the required background reports in the Family Court in the Circuit in which you reside and pay the appropriate. You must also file with the Petition a copy of your long-form birth certificate. The long form birth certificate is the full and complete birth record and not the summary form used in some states.
- Step 3: After filing the Clerk will forward the forms to the Family Law Court. You will be notified by certified mail if a hearing is necessary.
- Step 4: If a hearing is necessary, appear as directed by the Clerk. 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 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 you experience any 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/products.php/SC-NAME-1.htm>

## **DISCLAIMER**

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