

STATE OF UTAH

NAME CHANGE

ADULT PACKET

Control Number - UT -NAME-1

This packet contains the following:

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

I. EXPLANATION OF PETITION FOR CHANGE OF NAME

- A. In Utah, an action for a court ordered Change of Name for an Adult 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 an Adult Name Change in the State of Utah.
- B. You can use this packet if:
 - ▶ The person receiving the change of name is at least 18 years of age and a resident of the county in the Petition will be filed for one year.
 - ▶ There is proper and reasonable cause for the requested change of name.
 - ▶ The name change is not for the purpose of avoiding debts or defrauding creditors.
 - ▶ You cannot file while you are involved in any kind of lawsuit, or while you are on probation or parole.
 - ▶ You must not be barred as a sex offender from name changes, under the provisions of Section 77-27-21.5(17), Utah Code.
 - ▶ You cannot file a name change petition to avoid creditors, fines, or sentences in criminal actions.

II. WHAT FORMS ARE INCLUDED

- A. Petition for Change of Name - (UT-NC-100) This document states the reasons and other required details for your name change.
- B. Department of Corrections Certification Regarding Sex Offender Registry - (UT-NC-102) This is the form that is required for filing with the Petition which attests that the Petitioner is not listed as a Sex Offender.
- C. Request for Hearing - (UT-NC-103) requests that the Court set the matter for a hearing. This is used by the Petitioner if the court does not automatically set the name change for a hearing and requires a formal request from the Petitioner.
- D. Notice of Hearing on Petition for Name Change - (UT-NC-104) This is the form used when the Court orders notice of the hearing be served on a specific individual.
- E. Order Changing Name - (UT-NC-106) 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.
- F. Civil Cover Sheet - (UT-NC-105) This document provides the court with necessary information about the nature of your case.

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 UTAH

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: Obtain certification that your name is not listed on Utah's Sex Offender Registry. To do this, fill out your identifying information in the form titled "Department of Corrections Certification Regarding Sex Offender Registry." Then mail that form, along with a stamped, self-addressed envelope, to the Department of Corrections at the address listed on the form. After the form has been completed and returned to you, attach it to your Petition for Name Change.

Step 2: Complete the appropriate forms. Fill in all the blanks on the Petition. Attach to the Petition the completed Certification Regarding Sex Offender Registry form, obtained in Step 1 above. Make copies of all documents to keep for your records.

Sign the Petition in the presence of a notary public or court clerk, who must verify your identity and your signature. It is best to do this before going to court. By signing in front of a notary, you are stating under oath that the document is true.

Step 3: File your case with the court.

Go to the district court in the county in which you have lived for the last year. Obtain the cover sheet from the clerk and complete the Cover Sheet by inserting your name and address as Petitioner on Page 1 and checking the box for "Name Change" in the Probate section on Page 2. The appropriate filing fee is listed on the Cover Sheet next to the Name Change entry. Print neatly and use a black pen.

Locate the counter for the court clerk, and give the Petition, Department of Corrections Certification, and the Cover Sheet to the clerk, along with the required filing fee. If the Petition was not yet signed in the presence of a Notary Public, you must sign it before the clerk at this time.

Step 4: Send any required notice about your name change petition. Although it is unusual for the Judge to order that an adult seeking a name change must send notice to someone else, the form is included in the event it is needed.

Step 5: Attend the hearing, if the judge requires one. Most courts do not require a hearing if no objections have been filed to the name change request. Anyone objecting to a name change must file a Request for a Hearing.

If a hearing is not required, the court will inform you of its decision and you should submit the Order Changing Name.

If there is a hearing, this is what you should do:

Arrive early at court, dressed appropriately.

Check the written calendar of cases to make sure you are in the right courtroom. Usually, a calendar of cases is posted outside the courtroom, and may also be placed on courtroom tables.

If your case is not on the calendar, ask the court clerk about this. Speak to the clerk before or after the court session; never interrupt court proceedings to talk to the clerk.

The court almost always sets more than one hearing at a time. Take a seat in the audience section of the courtroom until your case is called. When the judge enters, everyone stands until the bailiff says they may be seated.

When your case is called, stand up, announce your presence to the judge, and say that you are representing yourself. When the judge indicates, walk to the podium. Occasionally, the judge may ask that the Petitioner be sworn in to testify from the witness stand about the information in your Petition.

Always address the judge as "Your Honor." Be courteous to all court personnel.

Answer any questions from the judge. Tell the judge that you have been a county resident for one year immediately before filing the petition, and the reasons you want to change your name. Also, tell the judge that no one else will be affected by your name change. If someone will be affected, tell what that impact will be. Be prepared to tell the judge about any court cases in which you are involved, and whether you are on probation or parole.

If everything is proper and there is good cause for changing your name, the judge will announce this at the end of the hearing. After the judge makes a decision, the judge will sign the Order you have prepared. The judge will usually sign it at the end of the hearing, if it is correct.

If the judge is not ready to decide your case after the hearing or trial, the judge will take it "under advisement." Later, the judge will send you a written decision. If the written decision grants the name change, then you should file the Order Changing Name with the court, so that the judge can sign it. Read the written decision carefully, though; make sure that the Order reflects what the judge's written decision actually states.

Step 6: Return to the court after the judge has signed the Order Changing Name, and ask the clerk for one or more certified copies of the Order. Keep these copies in a safe place, with other important papers. Then you will have the Order whenever you need it for purposes of changing your name (such as on your driver license, birth certificate, social security records, etc.). The court will charge a fee to copy and certify the Order.

Step 7: If you want to change your birth certificate after obtaining a court order changing your name, you may do so by filing the Order with the state registrar in one of the following ways:

Obtain an amended birth certificate by going to the Vital Records office, paying the fee, and presenting a certified copy of the court's name change order, as well as a valid picture identification.

An amended birth certificate may also be obtained through the mail. That process involves some delay, because a notarized signature must be returned to the office before the amended birth certificate can be issued.

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

You may access a summary for this package by going to the following address:

<http://www.uslegalforms.com/ut/UT-NAME-1.htm>

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