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STATE OF WEST VIRGINIA

NAME CHANGE

FAMILY PACKET

Control Number - WV-NAME-3

This packet contains the following:

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

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

- A. In West Virginia, an action for a court ordered Change of Name begins with the filing of a Petition in the Circuit 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 West Virginia.
- B. You can use this packet if:
- ▶ You 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. Petition - (WV-NC-300) This document states the reasons and other required details for your name change.
- B. Order - (WV-NC-301) 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.
- C. Notice of Hearing - (WV-NC-302) Notice that your Petition has been filed and the matter has been set for hearing. This should be published in the newspaper prior to the hearing.
- D. Affidavit - (WV-NC-303) This form provides proof of the publication of the Notice of Petition.

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 WEST VIRGINIA**

- 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 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: Before filing any formal documents call the clerk of the court and obtain a hearing date. Ask for a date and time for a hearing on a Petition for Name Change. This is the date and time that is inserted into the Notice of Hearing. The Notice must be published one a week for one week. After the notice is published, cut out the notice and attach it to the Affidavit.
- Step 3: File the Petition and Affidavit in the Circuit Court in the county in which you have been a resident and pay the appropriate fee.
- Step 4: Appear on the day of the hearing and present the Order to Change Name to the Court. At a 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 7: Following the hearing, if the Name Change is granted, you must file a certified copy of the Order in the office of the Clerk of the County Commission in the county in which you reside.

Step 8: Obtain a certified copy of the Order from the Clerk after it has been signed by the Judge. Notify the Department of Motor Vehicles in writing of the change of name within 20 days of the filing of the Order. 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/wv/WV-NAME-3.htm>

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