

LEGAL NAME CHANGE

Changing your name or your child's name legally and permanently is not just a matter of signing it differently from now on. Nearly all states require that you go through a formal, legal process to effect the change, as defined by each state's laws.

Most states begin by requiring you to file a petition for a change of name in the county courthouse of the state and county in which you are a legal resident. Part of a typical application for this change will be a section asking you to give the reason for the request. Usually a petition can only be denied for "good cause," such as the applicant having a criminal or bankruptcy record. After payment of the processing fee, appearance in court is not normally required, and you will be notified some time later that the change is official. In some states, your proposed name change must be published in the Legal Notices Section of the local newspaper.

Once you officially receive your new name, you must immediately assume it. This entails perhaps the hardest part of the process. You must change all legal documents that reflect your old name, such as your driver's license, voter registration, deeds, credit cards, social security number, etc. For a woman going through a divorce, the easiest way to handle all of this is by requesting that the judge make a return of the maiden name as part of the divorce decree. A woman that is getting married does not have to fill out a legal name change form; however, she must follow the individual processes of having all of her information changed on her driver's license, voter registration, social security card, etc. The woman may call each place to see what requirements they have for the name change.

There is an added step required when you seek to have your child's name changed. In some states, you must always seek the other biological parent's permission, while in other states you need only seek such permission if you were previously married to the other parent. If after a reasonable effort you are unable to locate the other parent, you can normally proceed without the approval. Even when the other parent refuses to give the permission to have the child's name change, it may still be ordered by the court under certain circumstances.

There are a few options available to change your name. You may write to a relative or friend back home and have them go to the courthouse and ask about the required procedures, paperwork and fees. They can mail the papers to you to fill out and return with a check for the fees. Your relative or friend can then file all of this with the court and all you have to do is wait. If you don't have someone who can help you in this way, you can also write directly to the clerk of the county courthouse and ask for assistance. Finally, you can always contact an attorney in your home county and pay him/her to do the work for you.

Name Change Process in Georgia

In Georgia, any person that desires to change his name or the name of his child is called the petitioner and must do the following:

- Present a petition to the superior court of the county of his residence, setting forth the reasons why the change is asked;
- Within seven days of filing the petition, the person must publish a notice of filing in the newspaper of the same county once a week for four weeks. The notice must contain:
 - the name of the petitioner;
 - the name of the person whose name is to be changed if different from that of petitioner;
 - the new name desired;
 - the court in which the petition is pending; the date on which the petition was filed; and
 - the right of any interested or affected party to appear and file objections.
- If the petition seeks to change the name of a child, the written consent of the parents or the child's guardian must be filed with the petition.
 - Exception: Consent of a parent is not required if the parent has not contributed to the support of the child for a continuous period of five years or more immediately preceding the filing of the petition.
- In all cases involving the name change of a child, the parent(s) of the child must be served with a copy of the name change petition.
- If all steps are taking and followed correctly, the Court should make a final decision within thirty days from the filing of the petition. Unless, a minor child is involved and his parents live out of state. Then, the process takes an additional thirty days.

Petition for Change of Name of Adult

State of Georgia
County of _____

Court _____
Docket No. _____

Name of
Petitioner: _____

In re: Change of Name of Adult
From: _____
To: _____

Petitioner makes the following declaration:

1. Birth Date and Place: Petitioner was born on _____, _____ in _____ [city], _____ [county], _____ [state]. A certified copy of petitioner's birth certificate is attached to this petition.

2. Birth Name: Petitioner was named _____ at birth, and as of the date of this petition, the Petitioner has always been known by that name, with the following exceptions, if any:

[list all legal names previously held].

3. Residence: Petitioner resides at _____ [insert residential address] and has lived at this address for _____ [insert length of time in months or years at this address].

4. Petitioner's Parents: The father of the Petitioner is named _____, and he resides at _____ [insert residential address of father]. The mother of the Petitioner is named _____, and she resides at _____ [insert residential address of mother].

5. Reason for Name Change: Petitioner seeks to change his or her name to _____ and offers the following reason(s) for seeking to do so:

_____.

6. Legal and Creditor Status: Petitioner does not have any outstanding judgments, has never been convicted of a crime, and is not involved in any pending legal actions.

7. Additional Declarations: In addition to the foregoing statements, the Petitioner further declares:

[insert additional declarations, if any].

NOW, THEREFORE, the Petitioner requests that the court order the Petitioner's name changed as follows:

From: _____
To: _____

Verification

I, _____ [name of Petitioner], affirm under penalty of perjury that I am the Petitioner in the foregoing Petition to Change Name of Adult and that all statements in this Petition are accurate to the best of my knowledge.

Petitioner's Signature

Date

Petitioner's Address, Line 1

Petitioner's Address, Line 2

Subscribed and sworn to before me on this ____ day of _____, 20____.

Notary