

Adult Name Change Packet

PLEASE READ ALL OF THE INFORMATION CONTAINED IN THIS PACKET BEFORE YOU START FILLING OUT THE FORMS.

THIS PACKET DOES NOT CONSTITUTE LEGAL ADVICE. IF YOU HAVE ANY QUESTIONS ABOUT THIS PROCESS, YOU SHOULD SEEK THE ADVICE OF AN ATTORNEY. THE COURT ASSUMES NO RESPONSIBILITY AND ACCEPTS NO LIABILITY FOR ACTIONS TAKEN BY USERS OF THESE DOCUMENTS, INCLUDING RELIANCE ON THEIR CONTENTS.

We encourage you to contact an attorney to advise you on this matter. If you cannot afford an attorney, the Court will not appoint an attorney for you. You may contact Northwestern Legal Services at (800) 665-6957 or (814) 724-1040 to see if they will provide free legal services to you. They are not obligated to do so.

You will be required to follow the State and Crawford County Rules of Civil Procedure and all applicable laws even if you do not have an attorney.

This packet is intended for adults who are seeking a permanent name change that is not caused by divorce or a spouse's death. You may only file your Petition in the Court of Common Pleas of Crawford County if you reside in Crawford County.

In Pennsylvania, name changes can be granted to adults so long as the name change is not requested in order to avoid outstanding debts, obligations, or certain types of criminal histories. During this process, you will have to undergo both a civil records check and a criminal background check.

If you have a criminal background, you may still be able to request a name change subject to certain requirements and restrictions. You should review the provisions of 54 Pa. C.S.A. §702(c) which is attached as part of this packet to determine whether you may qualify for a name change.

What you will need to fill out this packet:

1. All the places you have lived for the last five years;
2. The reasons why you are changing your name; and
3. If you are requesting that the Court waive the notice requirement, the reasons why you feel giving notice will jeopardize your safety.

54 Pa. C.S.A. § 702 Change By Order Of Court.

- (b) Procedure.--Prior to entry of an order of approval of change of name, all of the following shall apply:
- (1) The court must forward to the Pennsylvania State Police a duplicate copy of the application for change of name and a set of the person's fingerprints. The person applying for the change of name is responsible for costs under this paragraph.
 - (2) The Pennsylvania State Police shall use the fingerprints to determine if the person is subject to 18 Pa.C.S. Ch. 91 (relating to criminal history record information).
 - (3) The Pennsylvania State Police shall:
 - (i) if the person is subject to 18 Pa.C.S. Ch. 91, note the name change on the person's criminal history record information; or
 - (ii) if the person is not subject to 18 Pa.C.S. Ch. 91, destroy the fingerprints.
 - (4) Within 60 days of receipt of the material under paragraph (1), the Pennsylvania State Police shall certify to the court what action has been taken under paragraph (3).
 - (5) The procedure in this subsection shall not apply to proceedings involving:
 - (i) An election to resume a prior surname pursuant to section 704 (relating to divorced person may resume prior name).
 - (ii) Name changes involving minor children in adoption proceedings.
 - (iii) A name change involving a minor child whose name is being changed pursuant to section 703 (relating to effect on children) or because of the change of name of the child's parent.

(c) Convicted felons.--

- (1) The court may order a change of name for a person convicted of a felony, subject to provisions of paragraph (2), if:
 - (i) at least two calendar years have elapsed from the date of completion of a person's sentence and that person is not subject to the probation or parole jurisdiction of any court, county probation agency or the Pennsylvania Board of Probation and Parole; or
 - (ii) the person has been pardoned.
- (2) The court may not order a change of name for a person convicted of murder, voluntary manslaughter, rape, involuntary deviate sexual intercourse, statutory sexual assault, sexual assault, aggravated indecent assault, robbery as defined in 18 Pa.C.S. § 3701(a)(1)(i) (relating to robbery), aggravated assault as defined in 18 Pa.C.S. § 2702(a)(1) or (2) (relating to aggravated assault), arson as defined in 18 Pa.C.S. § 3301(a) (relating to arson and related offenses), kidnapping or robbery of a motor vehicle or criminal attempt, criminal conspiracy or criminal solicitation to commit any of the offenses listed above or an equivalent crime under the laws of this Commonwealth in effect at the time of the commission of that offense or an equivalent crime in another jurisdiction. [*Emphasis added.*]
- (3) The court shall notify the Office of Attorney General, the Pennsylvania State Police and the office of the district attorney of the county in which the person resides when a change of name for a person convicted of a felony has been ordered. The Pennsylvania State Police, upon receipt of this notice, shall include the change of name information in the central repository as provided for in 18 Pa.C.S. Ch. 91.

(June 18, 1998, P.L.638, No.83, eff. 60 days; June 22, 2000, P.L.356, No.43, eff. 60 days; Nov. 30, 2004, P.L.1684, No.214, eff. 60 days)

2004 Amendment. Act 214 amended subsec. (b).

1998 Partial Repeal. Section 13 of Act 127 of 1998 provided that subsection (b) is repealed insofar as it is inconsistent with Act 127. Cross References. Section 702 is referred to in sections 701, 703 of this title; section 5105 of Title 23 (Domestic Relations).

Instructions:

1. When filling out these forms, please write as clearly and neatly as possible.
2. Fill out these forms to the best of your abilities, completing every line that applies. DO NOT LEAVE ANY LINES BLANK. Use "None" or "0" if necessary. Do NOT use "N/A" anywhere on the forms.
3. You are the "Petitioner".
4. Be sure the caption is filled out EXACTLY the same on all forms; you should put your current legal name on the first blank line. The "No." line is for the case number, which will be assigned by the Prothonotary's Office when you file your Petition.
5. Fill out the "Petition for Change of Name" [pages 5-6], the "Certificate of Compliance" [page 7], the "Order" [page 8-9], and "Proposed Decree" [page 11]. Take the original documents and at least one photocopy to the Prothonotary's Office and file them. Keep one copy for your records and mail a copy to anyone that may have an interest in your name change. The Prothonotary's Office will let you know by mail when your hearing is set.
6. After you know the date and time of your hearing, fill out the "Notice of Publication" [page 10] and make a copy of it. You must publish these notices before your hearing in two separate newspapers of general circulation in Crawford County, or in the contiguous counties of Erie, Mercer, Venango or Warren. You should publish in the newspapers that you would normally receive where you reside. In Crawford County one of the newspapers of general circulation can be the Crawford County Legal Journal. The notices are only published for one day. You will be responsible for the cost of publishing the notices. That cost includes the certified statements from the newspaper publishers that you should submit to the Court as stated in instruction #9.

Please note: If you feel that giving published notice will put you in danger, you can ask the Court to waive the Notice requirement on Line 7 in your Petition.

7. You will need to submit to a criminal history background check. Take your state issued identification to the Pennsylvania State Police Barracks or your local City Police Department and ask to be fingerprinted. After being fingerprinted, bring the fingerprint card to the Prothonotary's Office; they will forward your fingerprints and a copy of your Petition to the State Police, who will run a criminal history background check and send the results to the Prothonotary's Office.
8. You will have to present the results of an official search of your public records to the Court. The Prothonotary's Office can perform that search for you for a fee. If you do not have any judgments, decrees of record, or other similar matters that were issued in this County or any other County where you have lived in the past five (5) years, the Prothonotary will prepare and file a "No Lien Certificate" stating that fact. If you do have any judgments, decrees of record, or other similar matters against you, you should seek the advice of an attorney before proceeding further with your name change request.
9. Either before or at the hearing, you will have to show the Court proof that you published the Legal Notices. This proof can be either the certified statements by the publishers or the published pages containing the Legal Notices themselves. You should arrange for the publication of the notices far enough in advance of the hearing so that you will have the required proofs of publication to be filed prior to or at the time of the hearing.

10. At the hearing, any person having lawful objection to the name change may appear and be heard by the Court. If there are no lawful objections to your name change, the Judge may issue an order allowing you to change your name at the end of the hearing.

7. The Petitioner is is not requesting the Court to waive the notice requirement for this Petition. This waiver is requested for the following reasons:

WHEREFORE the Petitioner requests that this Court:

- a. Fix a hearing on this Petition;
- b. Direct that notice be given on this Petition and hearing OR Waive the notice requirement for this Petition and hearing; and
- c. Enter a decree changing the Petitioner's name from _____ to

_____.

Petitioner, Self-Represented

VERIFICATION

I verify that the statements made in this notice are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Petitioner, Self-Represented

COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA

CIVIL ACTION

IN THE MATTER OF THE PETITION :
OF _____ : AD. _____

ORDER

AND NOW, this ____ **day of** _____, **20**____, upon consideration of the "Petition for Change of Name", the Court **ORDERS AND DECREES** as follows:

1. A hearing on the attached petition is scheduled for the ____ day of _____, 20__ at _____ o'clock ____M. in Courtroom No. _____, of the Crawford County Judicial Center, 359 E. Center Street, Meadville, Pennsylvania 16335.

2. Petitioner shall:

- Cause notice to be published in two newspapers of general circulation in Crawford County where the petitioner resides or a county contiguous to Crawford County. One of the publications may be in the Crawford County Legal Journal.
- Not be required to publish notice of the hearing in two newspapers of general circulation because the Court is satisfied based on the contents of the petition that doing so would jeopardize the safety of the petitioner or petitioner's child or ward and therefore the Court has waived that requirement. The Court directs that the file in this matter shall be sealed by the Prothonotary and shall be opened for the Court to conduct the hearing in this matter and thereafter only by Order of Court upon a showing of good cause or at the petitioner's request.

3. The petitioner shall file prior to the hearing or present at the hearing proofs of publication for the published notices unless the Court has waived the requirement that notice be published.

4. Prior to or at the time of the hearing the petitioner shall provide proof that there are no judgments, decrees of record or other similar matters against the petitioner through an official search of the proper offices where the petitioner has resided within five (5) years prior to the filing of the petition. This requirement may also be satisfied by a certificate given by a corporation authorized by law to make the search under this clause in the respective counties in which the search is required.

5. The petitioner shall comply with the requirements of 54 Pa.C.S. §702(b) relating to a determination by the Pennsylvania State Police that the petitioner is not subject to the Criminal History Record Information Act, 18 Pa.C.S §9101 et seq.

BY THE COURT:

J.

Notice of Publication

Public Notice

CHANGE OF NAME NOTICE

In the Court of Common Pleas, Crawford County, Pennsylvania, Civil division:

In Re: In the Matter of the Petition of _____ for Change of Name to _____ A.D. 20__ - _____.

Notice is hereby given that on _____, 20__, the Petition of _____ was filed in the above Court, praying for a Decree to change _____'s name to _____.

The Court has fixed the ___th day of _____, 20__, at ___ A.M./P.M. in the Courtroom _____ of the Crawford County Judicial Center, Meadville, Pennsylvania as the time and place for the hearing of said petition, when and where all persons interested may appear and show cause, if any they have, why the prayer of said Petition should not be granted.

Petitioner's Current Name and Address:

