

# Texas Adult Name Change Forms

## INSTRUCTIONS

**This Adult Name Change Forms Set Contains** instructions and three forms: a Statement of Inability to Afford Payment of Court Costs, a Petition to Change the Name of an Adult, and a Final Order to Change the Name of an Adult. The chart below describes each form and when to use it.

### Do Not Use This Adult Name Change Form Set if:

- You want to change someone else’s name instead of your own.
- You are younger than 18 years old.
- You have a felony conviction(s) and you have not been pardoned; OR it has not yet been two years since you were discharged or completed probation.
- You are required to register as a sex offender and have not yet turned in a Sex Offender Update form to your local law enforcement authority.
- You have gotten divorced and you already changed your name in the divorce decree. You may use a certified copy of the divorce decree instead of the name change order as proof of name change.
- You are getting divorced or plan to get divorced soon. You can change your name in your divorce decree.
- You are a victim of domestic violence, and you are concerned about disclosing your current address. A name change petition is a public document, and your abuser could find out where you live. Seek advice from a lawyer to do this safely.

### Use This Adult Name Change Form Set if:

- You want to change your own name, not someone else’s name.
- You are at least 18 years old.
- You have no felony convictions.
- You have a felony conviction(s) and you attach proof:
  - o That you have been pardoned; OR
  - o That it has been at least two years since you were discharged or completed probation.
- You are not a sex offender, OR you are required to register as a sex offender and:
  - o You submit a Sex Offender Update Form to your local law enforcement authority notifying them that you are asking the Court to change your name, and
  - o You attach proof that you have done so to your Petition.
- You got divorced but your name wasn’t changed in the divorce decree.

### Contents of Adult Name Change Forms Set:

Name of Form	What It Is and How to Use It
<b>Statement of Inability to Afford Payment of Court Costs</b>	If you are poor, or on government benefits because you are poor, or you cannot pay court fees, you may fill out this form to ask the Court if you can file for a name change without paying the court and filing fees. The Court may ask you to present evidence of your income and expenses at a hearing. The Court may or may not decide to let you file without paying. It is sometimes called a “Pauper’s Oath” or an “Affidavit of Inability to Pay Costs.”
<b>Petition to Change the Name of an Adult</b>	<b>You must swear that the information in this form is true by completing a sworn declaration.</b> It informs (tells) the court that you want to change your name, why you want to change your name, and what you want the Court to change your name to. It also notifies the Court of any criminal history.

<b>Final Order to Change the Name of an Adult</b>	This form changes your name once the Court signs it. Fill it out and bring it with you to court.
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### Need Help?

- It is always best to hire a lawyer. To get a referral to a lawyer or, if you are poor, to a free Legal Aid program, call the State Bar of Texas Lawyer Referral Information Service at 1-800-252-9690.
- If you are a victim of domestic violence, or if at any time you feel unsafe, you can get confidential help from the National Domestic Violence Hotline at 1-800-799-7233 or legal help from the Texas Advocacy Project Family Violence Hotline by calling 1-800-374-4673.
- If you are poor, you may be able to talk to an attorney online by live chat at [www.TexasLawHelp.org](http://www.TexasLawHelp.org).

### How to Use this Set:

#### Step 1: Read These General Instructions

- Do not change the forms to change the name of a child or another adult. This Set is NOT to be used for those situations.
- Use blue ink to complete the forms. Pencil and other color ink will not scan clearly.
- Fill out all the spaces on the forms unless instructed otherwise. The judge and court personnel will not fill them out for you. The judge may require you to correct errors that you may make, or may deny the name change if the information is inaccurate or incomplete.
- Make a copy of each form you complete and keep it for your records.
- Find out whether name changes are filed in the district court or county court in your county by calling the district court clerk's office and asking.

#### Step 2: Collect the Following Items to File with Your Petition

- **Fingerprints:** Get a legible and complete set of your fingerprints made on either a Texas Department of Public Safety or a Federal Bureau of Investigation fingerprint card. Write "**Exhibit A**" at the top.
  - There is a fee for this service. Typically, it's \$10-\$20 but can be more if you also get a criminal background check.
  - You can make an appointment with the Texas Department of Public Safety by calling 1-888-467-2080 to schedule an appointment at a "Print and Go" FAST location, or by visiting [www.identogo.com](http://www.identogo.com) and selecting Option B – Fingerprint Cards. The Texas Department of Public Safety may require you to include a copy of the name change petition when you ask to get your fingerprints taken. If so, file the name change petition and then submit a copy to them.
  - Your local police department may also be able to take your fingerprints.
- **If you have a felony conviction(s):** Get proof that you have been pardoned OR that it has been at least two years since you were discharged or completed probation. Write "**Exhibit B**" at the top.
- **If you are required to register as a sex offender:** Get a copy of the *Sex Offender Update Form* that you submitted to your local law enforcement authority notifying them that you are asking to have your name changed. Write "**Exhibit C**" at the top.

#### Step 3: Fill out the Petition to Change the Name of an Adult and, if you are poor, the Statement of Inability to Afford Payment of Court Costs

- Fill out the Petition to Change the Name of an Adult. You are the Petitioner. You must swear the information in your Petition to Change the Name of an Adult is true by completing a **sworn declaration**.
- Your full Social Security number and driver's license number are required by Texas Family Code Section 45.102 and Texas Rule of Civil Procedure 21c.
- You will need to list the Class A or B misdemeanors or felonies you have been **charged** with. You will also need to list Class A or B misdemeanors or felonies you have been **convicted** of.
- If you are poor, are receiving public assistance, or do not think you have enough money to pay the court costs for your name change, fill out the Statement of Inability to Afford Payment of Court Costs.
- Make one copy of the Petition to Change the Name of an Adult and, if you are using it, the Statement of Inability to Afford Payment of Court Costs.

#### **Step 4: File (turn in) your Petition to Change the Name of an Adult, and if applicable, your Statement of Inability to Afford Payment of Court Costs**

- Take the following documents to the courthouse and file them (turn them in) with the District or County Court Clerk in the county where you live:
  - The original and the copy of your Petition to Change the Name of an Adult;
  - If applicable, your Statement of Inability to Afford Payment of Court Costs. NOTE: If you are using a Statement of Inability to Afford Payment of Court Costs, you must file the Petition to Change the Name of an Adult and the Statement of Inability to Afford Payment of Court Costs at the same time.
  - If you have a felony conviction(s), attach proof that you have been pardoned OR that it has been at least two years since you received a certificate of discharge or completed court ordered community supervision or juvenile probation to your Petition to Change the Name of an Adult.
  - If you are required to register as a sex offender, attach a copy of the *Sex Offender Update Form* that you submitted to your local law enforcement authority notifying them that you are asking to have your name changed to your Petition to Change the Name of an Adult.
- Ask the clerk:
  - If there are local rules that you need to know for your name change case.
  - For a Civil Case Information Sheet. Fill it out and file it with your Petition.
  - To "file-stamp" your copy. The clerk will stamp your papers with the date and time you turned them in. The clerk will keep the original and give you back your file-stamped copy.
- If you are not filing a Statement of Inability to Afford Payment of Court Costs, you will need to pay a filing fee. The fee may be between \$150- \$300, depending on where you live.

#### **Step 5. Complete Final Forms and Prepare for Court.**

- Some courts may require a criminal background check. Check the Court's policy to see if it's needed. If so, you will need to mail your fingerprint card to the Texas Department of Public Safety to get a criminal background check done. They will send the results directly to the court. There is a fee for this service. See the Texas Department of Public Safety website for specific instructions on submitting fingerprint cards for a legal name change.
- Fill out the Final Order to Change the Name of an Adult form.
  - Note: Some courts require you to file the Final Order prior to scheduling the final hearing.
- Prepare for Court.

- You will need to give testimony when talking to the judge. Some judges will ask you questions, others want you to “prove up” your case by reading a “script” of testimony. You can find sample “prove up” testimony for an adult name change online at [www.TexasLawHelp.org](http://www.TexasLawHelp.org).
- Learn tips on what to do when you go to court and when the judge calls your case online at [www.TexasLawHelp.org](http://www.TexasLawHelp.org) and [www.TexasCourtHelp.org](http://www.TexasCourtHelp.org).
- Bring proof of identification the judge may want. Some examples include: passport, state issued identification card, driver’s license, etc.
- Some judges will require you to testify that you are not attempting to change your name in order to evade creditors or criminal prosecution.

### **Step 6. Go to Court to Present Your Adult Name Change Case to the Judge**

- Ask the clerk how to get an uncontested hearing and bring the following to court with you on that day:
  1. A file-stamped copy of your Petition to Change the Name of an Adult and all the exhibits you filed with your Petition;
  2. If you’ve been convicted of a felony, your proof as discussed above; and
  3. If you are required to register as a sex offender, a copy of the *Sex Offender Update Form* that you submitted to your local law enforcement authority.
- When you go to the court, stop by the clerk’s office:
  - Ask if you need the court file, a docket sheet (list of what has been filed), or anything else from their office to bring with you to court.

### **Step 7. Finalize Your Name Change**

- Once the judge has signed your Final Order to Change the Name of an Adult, you may need to take it to the clerk’s office and file it (turn it in). Your name change will not be recorded until you do so.
- Get a certified copy of the Final Order to Change the Name of an Adult from the clerk while you are there. There is a fee to get a certified copy, but you will need one to get official documents changed to your new name, such as Social Security card, driver’s license, and voter registration certificate.
- Check with the clerk to see if you need to do anything else to finalize your name change. Each county is different.

### **Step 8. Change Official Documents to Show Your New Name**

- To change the name on your social security card, you must have a certified copy of the Final Name Change Order and an Application for Social Security Card. For more details go to <https://faq.ssa.gov/en-US/Topic/article/KA-01981> You must change your social security card before you can change your driver’s license.
- To change the name on your driver’s license, you must take a certified copy of the Final Name Change Order to a Texas Department of Public Safety office. See <http://www.txdps.state.tx.us/driverlicense/changes.htm#Name> for more details. There is a fee to have your driver’s license changed.
- To change your name on your voter registration certificate, notify your County Voter Registrar in writing. For more information, visit <http://www.sos.state.tx.us/elections/pamphlets/largepamp.shtml>.

### **Step 9. Change Your Birth Certificate to Show Your New Name (Not Required)**

- After the judge approves your name change, you may want to change your birth certificate to reflect your new name. It is not required.

- If you wish to change your birth certificate, you will need to get an Application for Amended Birth Certificate based on a Court Ordered Name Change form from the Bureau of Vital Statistics. You can find it online at the Bureau of Vital Statistics website at <http://www.dshs.state.tx.us/VS/>. There is a fee to have your birth certificate changed.