

12 STEPS TO CHANGE AN ADULT'S NAME

Step 1: Read the name change law in sections 45.101 to 45.106 of the Texas Family Code.

You can find this in the Law Library (Courthouse, fourth floor) and on the Internet at <http://www.capitol.state.tx.us/statutes/fatoc.html>

Step 2: Get the correct forms. The two forms you need are:

- (a) *Original Petition for Change of Name of Adult, and*
- (b) *Order Granting Change of Name of Adult*

Both forms are available in the Law Library (room 419 of the Courthouse). You can print or download both forms from the web site www.TravisCountyLawLibrary.org.

Step 3: Fill out both forms, EXCEPT FOR THE SIGNATURES.

- Complete the *Order* so that it will be ready for the judge's signature. Until the judge signs the *Order*, your name is as it appears now on your birth certificate (plus your married surname, if applicable).
- After you fill out the *Petition* (except for the signature), move on to step 4.

Step 4: Sign the *Petition* in front a Notary (DON'T SIGN THE ORDER) and have your fingerprints taken at the Sheriff's Office.

Once you have signed the *Petition* in front of a Notary, it becomes what is known as a "Verified *Petition*." A "Verified *Petition*" is the same as a "notarized *Petition*." A Notary is stationed at the Information Booth on the first floor of the Courthouse and charges \$3 per page. Have your fingerprints taken by the Sheriff's Office on the fingerprint card provided by the Law Library. The Sheriff's Office charges \$10 for fingerprints and is located on the first floor of the Criminal Justice Center (behind the Civil Courthouse). The fingerprint lab is open Tuesdays and Thursdays from 8:30 a.m. to noon and from 1 p.m. to 4 p.m. Staple the completed fingerprint card to the back of your notarized *Petition*.

Step 5: File the signed and notarized *Petition and the fingerprint card* with the District Clerk's Office (room 308 of the Courthouse) and pay the filing fee (around \$200).

Step 6: The District Clerk's Office will assign a cause number and establish a file.

Step 7: Attend Uncontested Docket, held Monday through Friday at 8:30 to 9:20 a.m. and 1:30 to 2:20 p.m. You may attend the same day as you file the notarized *Petition* or wait until another day. If you wait to attend Uncontested Docket, you must get your file from the District Clerk's Office (room 308 of the Courthouse) before going to Uncontested Docket. Your *Petition* may remain on file up to 18 months.

Step 8: At Uncontested Docket, give your file to the clerk, including the proposed *Order*. The *Order* should be filled out EXCEPT FOR THE JUDGE'S SIGNATURE.

Step 9: At Uncontested Docket, wait for your cause number to be called. When called, approach the judge's bench. If you are sworn in, the judge may ask you questions. Be prepared to answer the judge's questions truthfully and briefly. Address the judge as "Your honor." You may also tell the judge that the *Petition* is "verified" so that you may not have to give testimony.

Step 10: The judge will or will not sign the *Order*. If the judge does not sign the *Order*, your name will not change. If the judge does sign the *Order*, move on to Step 11.

Step 11: File the signed *Order* and RETURN YOUR FILE at the District Clerk's Office (room 308). Request your *Change of Name Certificate* (\$10).

Step 12: The District Clerk's Office stamps the *Order* signed by the judge. Your name has now been changed. You may also request a certified copy of the signed and stamped *Order*. Pay the fee for the certified copy. Certified copies are sometimes needed to prove that the Court approved your name change.

FREQUENTLY ASKED QUESTIONS

Do I have to have an attorney to get my name changed?

Though it is always best to get the help of an attorney in any legal matter, many adults change their names without an attorney.

Are there any legal requirements for changing my name?

You must be at least 18 years old and live in Travis County. Your name will not be legally changed until a judge signs your *Order for Change of Name of Adult*.

How much does it cost to change my name?

The District Clerk's Office charges a filing fee of about \$200. The Notary on the first floor of the Courthouse charges \$3 a page. After your name is changed, there will be a \$10 fee for the *Change of Name Certificate* and an additional charge for a certified copy of the *Order*.

The last name on my birth certificate is misspelled; do I need to go through the change of name process to correct the spelling?

Yes.

I recently got a divorce; will my name automatically change back to my maiden name?

Your name will revert to your maiden name only if it was specified in your divorce decree. If not, you will need a court order to change your last name back to your maiden name.

Will my child's name automatically change when I change my name?

No. Changing a child's name is a different process and requires different forms.

Do I have to go to court to get my name changed?

Yes, changing your name usually requires a court order. The court is called "Uncontested Docket." To learn where Uncontested Docket will be held, check the sign on the first floor of the Courthouse or ask at the Information Booth (Courthouse, first floor).

EXCEPTION: If you just got married, you can use your marriage license to change your surname to your spouse's surname, if you wish.

I was convicted of a crime; can I still change my name?

There are special requirements if you were convicted of a felony. You can read the requirements in the Texas Family Code (section 45.103) in the Courthouse Law Library (room 419) or on the Internet at www.capitol.state.tx.us/statutes/fatoc.html. As of Sept. 1, 2003, convicted sex offenders have additional requirements, also in Texas Family Code section 45.103.*

I have been convicted of a felony; how do I find out my SID (State Identification) or FBI number?

Contact the Texas Department of Criminal Justice to learn your SID or FBI number at 512-406-5202 or 1-800-535-0283.

What about misdemeanor offenses?

All offenses **charged** above a Class C misdemeanor **must be listed in the *Petition***, along with the case number and court of each offense. Travis County misdemeanor records are available in the courthouse, room 220. Travis County felony records are available in the Criminal Justice Center, room 1.400.

After I change my name, will the information on my birth certificate/driver's license/social security card change?

You are responsible for notifying the appropriate agencies of your new name. You may be required to show them your *Change of Name Certificate* issued by the District Clerk's Office. Agencies to notify include the Social Security Administration (social security cards) Bureau of Vital Statistics (birth certificates), Department of Public Safety (driver's license), the Tax Office (vehicle and voter registration), and the County Clerk's Office (property titles).

Do I have to submit a set of my fingerprints with my petition?

Yes, beginning Sept. 1, 2003, you are required to submit a set of your fingerprints on a fingerprint card with your petition. You can have your fingerprints taken at the Sheriff's Office in the Blackwell-Thurman Criminal Justice Center, 509 W. 11th Street on the first floor. The charge for fingerprinting is \$10.00. The fingerprint lab is open Tues. and Thurs. from 8:30 – Noon and 1 pm-4 pm.

*** Name Change, Petitioner is Registered Sex Offender**

When a Registered Sex Offender files a petition to have a name change, he/she must file with the petition a **proof of notification to the local law enforcement office** where the offender is registered. The petitioner fills out and files a **Sex Offender Update form** and attaches a copy of it to the petition. To obtain the Sex Offender Update form, a person registered in Austin goes to the crime lab at Austin Police Dept. Headquarters, 715 E. 8th Street. Those registered in Travis County go to the crime lab in the Blackwell Thurman Criminal Justice Center, 501 W. 11th, room 2.75.