

INSTRUCTIONS FOR ADULT LEGAL NAME CHANGE

These sample forms have been assembled for your convenience in preparing your own legal name change. This package is only designed to cover a simple, uncontested name change. If you have questions about whether this package is suitable for your situation, you may wish to contact an attorney. Our employees are prohibited by law from advising you regarding your legal situation or whether this package is appropriate for your situation. This includes explaining the procedures or instructions.

North Carolina General Statutes Chapter 101 on name changes provides the following:

- A name change is effective **ONLY** to change the name on the Birth Certificate
- Petition must be filed in county where you live and proof of residence is required (driver's license, utility bill, etc)
- A person can only change his/her name **ONE** time under this chapter

THESE FORMS MUST BE EITHER TYPED OR NEATLY PRINTED IN BLACK INK. PETITION AFFIDAVITS MUST BE NOTARIZED PRIOR TO FILING AT THE CLERK OF COURT.

1. The "NOTICE" must be date-stamped in the Special Proceedings office on the 12th floor of the Wake County Courthouse and then posted on the courthouse bulletin board for at least ten (10) full calendar days. This board is located at the Salisbury Street entrance of the courthouse.
2. There will be a filing fee which must be paid in cash or certified funds. We do not accept personal checks, credit cards, or debit cards. There are ATM machines available on the 1st and 6th floor.
3. Furnish the original or certified copy of your Birth Certificate and a valid Picture Identification. If you have a foreign Birth Certificate that is not written in English, you may also use United States Citizenship papers or a valid Passport in lieu of a Birth Certificate.

Along with your Notarized Petition and two (2) affidavits of character, adults must also submit a list of counties/states lived in for the last 10 years and a criminal history record check from **EVERY** county/state in which you resided. A criminal background search for Wake County can be obtained in Room 118. Please note there is a charge for this search.

5. Once your forms have been reviewed in our office, you will be required to complete the Order and Certificate of Name Change in our office. Please allow extra time to complete this form.
6. If you were born in the State of Florida, please see the Clerk for more detailed information.

***** INSTRUCTIONS FOR MINOR LEGAL NAME CHANGE *****

7. To change the name of a child less than 16 years of age, we do not need "Affidavits of Character," a criminal background check, or the posting of the "Notice." If the child is 16 or 17, we do need the "Affidavits of Character". However, no criminal background check or "Notice" is required. One parent may not change the name of a child without the consent of the other parent, unless no father is listed on the child's Birth Certificate. Therefore, you must furnish a **RECENT** certified copy of the child's Birth Certificate. If the father is not on the Birth Certificate, the child must be 1 year old in order to complete the name change. Any other situation regarding consent of a parent is not considered a simple name change, and you may wish to consult with an attorney for further information.



State of North Carolina
General Court of Justice
CLERK OF SUPERIOR COURT

N. LORRIN FREEMAN, CLERK
EX OFFICIO JUDGE OF PROBATE

WAKE COUNTY
 P.O. Box 351
 Raleigh, NC 27602-0351

J. BRANDY GODWIN
ASSISTANT CLERK

Wake County Clerk of Superior Court
 Special Proceedings Division

Name Changes

Petitioners must submit a criminal history record check as part of their petition for name change.

Criminal History Record Checks for Wake County may be obtained from the Criminal Division of the Clerk's Office in Room 118. Please note a fee applies for this records check.

Please sign and submit the statement below along with the criminal history record check from Wake County. In addition, please submit a criminal records background from any other counties and/or states in which you have lived during the past 10 (ten) years. Please list the addresses on the lines following. You may attach a separate sheet of paper if needed.

 Address

 Address

 Address

 Address

 Address

 Address

Under penalty of perjury, I attest that the attached criminal record history check is a complete and accurate record of all criminal convictions against me.

 Printed Name of Petitioner

 Signature of Petitioner

 Date

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

COUNTY OF WAKE

SUPERIOR COURT DIVISION
Before the Clerk of Superior Court

IN RE: CHANGE OF NAME)

FROM: _____)

(Your current name)

TO: _____)

(The name you want)

**PETITION FOR LEGAL NAME
CHANGE OF AN ADULT**

NOW COMES _____, a resident of Wake County, North Carolina, and respectfully petitions the Court for an Order to be issued changing his/her name and, to that end, does hereby state and show unto the Court:

- That the Petitioner's name as shown on the birth certificate is _____, who was born in the County of _____, State of _____, on the _____ day of _____, _____; that the full name of my mother as listed on my birth certificate is _____, and that the full name of my father as listed on my birth certificate is _____.
- That the Petitioner desires to adopt the name:
_____.
- That the Petitioner desires to change his/her name for the following reason:

_____.
- That the Petitioner's name has never been changed pursuant to N.C. Gen. Stat. §101.
- That the Petitioner has given ten (10) days notice of the filing of this Petition by posting on the courthouse bulletin board, in the County of Wake, State of North Carolina, a notice of his/her intent to file this Petition.

WHEREFORE, the Petitioner respectfully prays that the Court enter an Order changing the Petitioner's name from _____ to _____.

This the _____ day of _____, _____.

Petitioner's Signature

Phone Number

I, _____, Petitioner, being first duly sworn, hereby state that I have read the foregoing Petition and that the facts set forth therein are true to my own knowledge and belief.

This the _____ day of _____, _____.

Petitioner's Signature

Subscribed and sworn before me
this the _____ day of _____, _____.

My Commission Expires: _____

Notary Public

STATE OF NORTH CAROLINA

COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE

SUPERIOR COURT DIVISION

Before the Clerk of Superior Court

IN RE: CHANGE OF NAME)

FROM: _____)

(Your current name)

TO: _____)

(The name you want)

NOTICE

_____, residing at _____,
(Your current name) (Your current physical address)

North Carolina, hereby gives notice of his/her intention to file in the Office of the Clerk of Superior Court of Wake County, North Carolina, ten (10) days after the date of this notice, a Petition that the Court issue

an Order changing his/her name from _____ to
(Your current name)

_____.
(The name you want)

This the _____ day of _____, 20_____.

Petitioner

Address:

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
Before the Clerk of Superior Court

IN RE: CHANGE OF NAME)
FROM: _____)
(Your current name))
TO: _____)
(The name you want))
_____)

AFFIDAVIT OF CHARACTER

The undersigned, being first duly sworn, deposes and says:

1. **I am a resident of Wake County,** North Carolina.
2. I am **not related** to the Petitioner either by blood or marriage.
3. I have known the Petitioner for _____ years. I personally know him/her to be a person of good character and know that he/she has a reputation as a person with good character and good standing in the community.

This the _____ day of _____, _____.

SIGNATURE

(Affiant's name)

(Affiant's address)

(Affiant's City, State, and Zip Code)

Sworn to and subscribed before me this the _____ day of _____, _____.

Notary Public
My Commission Expires: _____.

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

COUNTY OF WAKE

SUPERIOR COURT DIVISION
Before the Clerk of Superior Court

IN RE: CHANGE OF NAME)

FROM: _____)

(*Your current name*))

TO: _____)

(*The name you want*))

_____)

AFFIDAVIT OF CHARACTER

The undersigned, being first duly sworn, deposes and says:

- 4. **I am a resident of Wake County**, North Carolina.
- 5. I am **not related** to the Petitioner either by blood or marriage.
- 6. I have known the Petitioner for _____ years. I personally know him/her to be a person of good character and know that he/she has a reputation as a person with good character and good standing in the community.

This the _____ day of _____, _____.

SIGNATURE

(*Affiant's name*)

(*Affiant's address*)

(*Affiant's City, State, and Zip Code*)

Sworn to and subscribed before me this the

_____ day of _____, _____.

Notary Public

My Commission Expires: _____.