

INSTRUCTIONS FOR COMPLETING THE FORMS FOR AN ADULT NAME CHANGE

READ ALL INSTRUCTIONS PRIOR TO FILLING OUT ANY OF THE FORMS.

These forms can be used only for ADULT name changes!

In order to legally change a name you must file a Verified Petition For Adult Name Change form with the clerk of court's office in the county where you reside provided you have resided there for more than six months. You will also be required to pay the civil case filing fee. You will be referred to as the petitioner in this Adult Name Change proceeding.

You must also submit a completed **Civil Case filing Statement form (UJS-233)** to the clerk of court's office at the time of filing your verified petition. The case name should appear in the "*In the Matter of*" caption. For example, if John Smith is requesting to change his legal name to John Johnson, "John Smith's Petition for Adult Name Change to John Johnson" should be printed in the "*In the Matter of*" caption. Since you are initiating a civil action, you must check the Petitioner participant role box under the Civil case type. Please provide your personal information as requested on the form as well as the name and contact information the attorney representing you in this proceeding (if you have one).

FORM UJS-025: VERIFIED PETITION FOR ADULT NAME CHANGE

- In the caption on the top left, fill in the name of your County where the verified petition is being filed. Next, place your current name on the line below "*In the Matter of the Petition of*" and your proposed name on the line below "*For a Change of Name to.*"
- In statement 1, fill in your current name (first, middle and last).
- In statement 2, fill in your name as it appears on your birth certificate.
- In statement 3, fill in your age and date of birth.
- In statement 4, circle whether, at the time of your birth, you were a male or female.
- In statement 5, fill in the city, county and state where you were born.
- In statement 6, fill in the first, middle and maiden name of your mother, as it appears on your birth certificate.
- In statement 7, fill in the date of birth of your mother as well as the city, county and state where she was born.
- In statement 8, fill in the full name of your father as it appears on your birth certificate. If your father is not listed on your birth certificate, enter "N/A."
- In statement 9, fill in the date of birth of your father as well as the city, county and state where he was born.
- In statement 10, fill in your current street address, city, and county name.
- In statement 11, fill in the name of the county where you have resided for the 6 months before filing this Petition.
- In statement 12, briefly explain the reason you want to change your name. This must be completed or the petition will not be accepted.
- Statement 13 is your promise that you are not requesting the name change for any illegal purpose.
- In statement 14, fill in your current name (first, middle and last) as well as your proposed name (first, middle and last).

- Date the verified petition with the day, month and year.

- On the first line, sign your first, middle and last names.
- On the remaining lines, enter your personal information.

Do not fill out the verification until you are in the presence of a Notary Public or Clerk of Court. Make sure to bring identification to show the Notary Public or Clerk of Court. A Notary Public can usually be found at the bank and sometimes at the courthouse. If you are unable to take it to the clerk of court office yourself, you may sign it before a notary and send it in. Make sure you include a self-addressed, stamped envelope for any file-stamped copies that you desire.

- **WARNING: By signing your name, you are telling the court that you are telling the truth and that you have a good faith reason for your requests. If you are not telling the truth, if you are misleading the court, or if you are serving or filing this document for an improper purpose, the court could find you in contempt or you could be prosecuted for not telling the truth.**

All references to “your birth certificate” are to your CURRENT birth certificate.

FORM UJS-026: NOTICE OF HEARING FOR ADULT NAME CHANGE

SDCL 21-37-4. Notice of the hearing on the change of an adult’s name, stating the time and place and object thereof with the old and proposed names of the petitioner, shall be given by publishing this once each week for four successive weeks in any legal newspaper of the county of petitioner's residence. It is beneficial to know when the newspaper publishes notices as well as the expense thereof when scheduling your hearing so you know you have given yourself time to publish completely before the hearing.

- In the caption on the top left, fill in the name of your county where the verified petition is being filed. Next, place your current name on the line below “*In the Matter of the Petition of*” and your proposed name on the line below “*For a Change of Name to.*”
- In the Notice portion fill in your current name after “*filed by*” and your proposed name after “*name to.*”
- The court clerk will provide you with a date and time, at least five weeks in the future, for a hearing. Fill in the day, month, and year, followed by the time and circle am or pm.
- Next, fill in your current name followed by your proposed name.
- A Judge or clerk of court must sign, not the petitioner.

The completed **Form UJS-025 Verified Petition for Adult Name Change** and the **Form UJS-026 Notice of Hearing for Adult Name Change** must be filed with the clerk of court office. You will be required to pay the civil filing fee at the time of filing. Once the forms have been filed, the court clerk will give you a copy of the filed **Form UJS-026 Notice of Hearing for Change of Name**. You must publish this once each week for four successive weeks in any legal newspaper of the county of petitioner's residence. Once completed, the newspaper will provide you with an **Affidavit of Publication**. You must file this Affidavit with the clerk of court office on or before the day of the scheduled hearing.

FORM UJS-027: ORDER FOR ADULT NAME CHANGE

- In the caption at the top left, fill in the name of your county where the verified petition is being filed. Next, place your current name on the line below “*In the Matter of the Petition of*” and your proposed name on the line below “*For a Change of Name to.*”
- Fill in the day, month, and year of your hearing.
- Fill in your name (first, middle and last) following “*the petitioner.*”

- Fill in the county where you live and the county where you resided for the six months prior to filing the Petition.
- Fill in the name of the legal newspaper in which the **Notice of Hearing** was published.
- Fill in your first, middle and last name as it appears on your birth certificate.
- Fill in your date of birth.
- Fill in the state, county and city where you were born.
- Fill in your mother’s first, middle and maiden name as it appears on your birth certificate.
- Fill in your father’s first, middle and last name as it appears on your birth certificate. If your father is not listed on your birth certificate, enter “N/A.”
- Fill in your name as it appears on your birth certificate; fill in your proposed name after the term “should be changed to.”
- Fill in your name as it appears on your birth certificate; fill in your proposed name after the term “shall be changed to the name of.”
- Fill in your name as it appears on your birth certificate; fill in your proposed name after the term “to the name of.”
- Give the **Order for Adult Name Change** to the Judge when they ask for it.

You need to bring to the hearing a copy of your current birth certificate, along with two copies of the Order for Adult Name Change.

The Judge may sign and date the **Form UJS-027 Order for Adult Name Change**. If signed, the **Form UJS-027 Order for Adult Name Change** will need to be filed as well. The Judge will return the signed order to the clerk of court office for filing. Once the **Form UJS-027 Order for Adult Name Change** is filed, you are eligible to receive a certified copy of the order and you will be legally known by your new name.

OBTAINING A NEW BIRTH CERTIFICATE: If your original birth certificate is from South Dakota, you need to submit a certified copy of the Order for Adult Name Change along with \$8.00 check or money order, payable to the Department of Health, Office of Vital Records, to the following address:

Office of Vital Records
 South Dakota Department of Health
 207 E. Missouri Ave., Suite 1A
 Pierre, SD 57501

This fee and submission will amend the birth certificate, but you will not be provided with an informational or certified copy of the birth certificate. Please contact your Register of Deeds office to obtain a certified copy of the birth certificate for \$15.00.

If you were born in a different state, you need to contact the Vital Records Office of that state to determine the process and applicable fee to amend your birth certificate.

NOTE: South Dakota law allows certain family members to file more than one name change request in one petition. See SDCL §21-37-3.1. You must fill out a separate **Form UJS-025 Verified Petition for Adult Name Change** for each person; however, they may be filed together and addressed at the same hearing.

If you have questions regarding the change of name procedure, you may contact the Legal Form Help Line at 1-855-784-0004. If you have any questions of a legal nature, please contact an attorney of your choosing.