

# **Change of Name**

**Use this packet ONLY if:**

- ✓ You are over eighteen, and live in Boston, Winthrop, Revere or Chelsea  
**AND**
- ✓ You want to legally change *your own name* ,  
**OR**
- ✓ You and your spouse *both* want a change of name  
(Including names of children of your marriage, if you wish\*)

**DO NOT use this packet:**

- ✗ To change the name of a child in a paternity or adoption matter  
**OR**
- ✗ If a divorce is pending, and you plan to change your name as part of the divorce

**\*If a child's name is to be changed, also get packet AF1, Affidavit of Care and Custody**

Produced by the Suffolk Probate & Family Court Community Outreach Program—Richard Iannella, Register

**READ THIS:**

Information provided in this packet IS NOT LEGAL ADVICE, It is information. This information is not a substitute for a competent lawyer.

When you sign a legal document or file any papers in court, it can seriously affect you in the future. You should always try to get legal advice before filing documents.

Bar Association lawyer referral services are listed in our brochure "Legal Resources in and around Suffolk County." Also listed are free legal service providers. You may be eligible for help.

## STEPS TO LEGALLY CHANGE YOUR NAME:

1. Complete the **Change of Name** form, CJP-27) and a separate form CP-2 for each person over fourteen changing their name. (This is for a Criminal Record check required by law) See the examples attached to this packet.
2. File the forms, in person or by mail, at the Registry of Probate, 3<sup>rd</sup> Floor, Edward Brooke Courthouse, 24 New Chardon Street, Boston, 02114. You will have to pay a \$165 filing fee. You must also file a certified copy of your birth certificate or your original naturalization papers. Birth certificates are not returned, but, if you file naturalization papers, they will be returned after being reviewed and recorded. If you previously changed your name legally from what is on your birth certificate, you must file a certified copy of the court judgment or record. Birth certificate or naturalization papers must be filed for every person requesting a name change.
3. If you want a certificate to use as proof of your name change, fill out an order form and pay \$20 additional for each certificate ordered. It is best to do this at the same time you file the name change petition. A detachable order form is on the back of these instructions. *Changing your legal name does not change your name on your birth certificate.*
4. **After you file the Change of Name petition, YOU must make sure the following are done:** You must publish the notice of name change in a newspaper. The court will mail you a **Notice of Change of Name** form and instructions. This is also called a **Citation**. There will be a “*return date*” on the Notice. This is not a court date--It is the end of the time which must pass before the court can act on your request. The notice form will tell you what newspaper to publish the notice in.
5. **After the Notice is published, you must provide proof of publication by mailing or returning the form and a copy of the published ad to the court.**
6. Sometimes, the court will not require publication of the notice of name change, although it usually does. For example, in cases where the change is to your first name only, the court may not require publication. If you think your circumstances do not require publication, you must request the waiver of the publication by filing a “*Motion to Waive Publication.*” **Ask for the forms at the front desk. This should be done when you file the name change.**
7. After you return proof of publication, and after the return date, your petition will be sent to a Judge for review. If no person files an objection and if the Court does not find any reasons to refuse to allow it, the name change will be approved without a hearing. If you ordered a certificate, it will be mailed to you. This process takes approximately 3-4 weeks after you return the proof of publication.
8. If someone files an objection to your name change, this makes your case contested. If this happens you may wish to consult an attorney or the lawyer for the day on how to proceed.
9. If the Court does not approve your Petition without a hearing, you will be notified that you must schedule a hearing, and make an appearance in person. If this happens you may wish to consult an attorney or the lawyer for the day on how to proceed.

Every time a case is filed in court, a **DOCKET NUMBER** is assigned. This is the number the court uses to identify your case and find your case file.

Write this number on *all* papers you file in Court. Have the Docket Number handy when you come to the courthouse or call on the telephone to ask about your case.

Write the Docket Number in a place where you keep important information.