

ADVISORY

REMEMBER - **you are responsible for your case**. You must fill out the paperwork correctly, request and attend hearings, check whether the opposing party is filing paperwork, keep track of deadlines, etc.

Please, READ the instructions. The instructions are specifically designed to help you fill out these forms.

Please, TAKE YOUR TIME when completing these forms. This paperwork will have some legal effect on your life.

If you do not read the instructions and take your time when completing these forms, you may find you have to repeat steps, wasting your time and energy.

Please, always use your case **caption** (example: Jane Doe v. John Doe, D-1329-CV-20050094) on all court papers, letters, and with the clerk's and judge's offices.

If at any time you do not understand, or are unsure or are uncomfortable with the information you must put down on a form, **it is strongly urged you seek the help of an attorney.**

FLOWCHART
Name Change - Adult or Child

Step 1

Fill out the Petition for Change of Name. Fill out the Notice of Name Change EXCEPT for the blanks of when and where the hearing will be. DO NOT SIGN the forms until you are in front of a notary public. After completing these forms, make two (2) copies.

Step 2

Bring the completed forms and the two (2) copies to the clerk's office. Pay the **\$122 filing fee** either in cash or by money order. The clerk will assign a case number to your paperwork. The clerk will assign a judge to your case. The clerk is a notary public and will witness your signature on the paperwork. The clerk will file your Petition for Change of Name and file-stamp your two (2) copies.

Step 3

Go the office of the judge assigned to your case. Bring your original and two (2) copies of the Notice of Name Change. The judge's staff will assign you a hearing date - write that date in your Notice of Name Change. File the original Notice. Take one copy of the Notice and one copy of the Petition to the newspaper for publication. Keep the other copy for your records.

Step 4

After the two week publication for name change, the newspaper will mail you an affidavit of publication. File this with the clerk's office.

Step 5

On the day of the hearing, bring your completed Order for Change of Name and several copies. The judge will review the paperwork and may ask some questions. If the judge is satisfied all paperwork is in order, he/she will sign the Order for Change of Name.

Step 6

Take the signed Order for Change of Name to the clerk's office and file. YOUR NAME CHANGE IS NOW OFFICIAL. Ask the clerk to **certify** your copies of the Order. **Certification is \$1.50 per document.** You will need to produce a certified copy of the Order to change your name with Social Security, etc.

Step 7

A certify copy of the Order must be filed with the county clerk. The county clerk's office does charge a fee for filing.

INSTRUCTIONS - PETITION FOR NAME CHANGE (ADULT)

Numbers below match the numbers in the blanks of the petition.

The cost to file the Petition is \$122. It must be the exact amount in cash or money order.

1. Put down the county (Cibola, Sandoval or Valencia) where you are filing the name change petition.
2. Put down your current name.
3. This is your court file number. The court clerk assigns you a number when you file your petition.
4. Put down your current name.
5. Put down the county (Cibola, Sandoval or Valencia) where you live.
6. Put down the name you wish to have.
7. Put down the reason you wish to change your name. For example, if you are divorced, you may want to change your last name back to your maiden name.
10. Put down your address and telephone number. **DO NOT SIGN until you are in front of a notary public.** Below the address and telephone number is where the notary public officially states he/she saw you sign this Petition for Name Change.

Notary Publics - all the people working in the court's clerk office are notary publics. They will notarize your signature for free. Banks also have notary publics but may charge to notarize your signature. Remember to bring your driver's license to the notary public. He/she needs the license for identity purposes.

File the Petition with the clerk's office. Don't forget to bring two copies of the Petition for the clerk's office to file stamp and for you to keep. When you file the Petition, a judge is assigned to your case. After filing, visit the judge's office for a hearing date on your Petition for Change of Name. See the form and instructions for Notice of Name Change on how to proceed.

THIRTEENTH JUDICIAL DISTRICT COURT
COUNTY OF 1. _____
STATE OF NEW MEXICO

IN THE MATTER OF A PETITION FOR
CHANGE OF NAME OF

2. _____ No. 3. _____

PETITION FOR CHANGE OF NAME

COMES NOW the Petitioner, 4. _____, and pursuant to NMSA

1978 Sections 40-8-1 et seq., states as follows:

1. Petitioner is a resident of 5. _____ County, New Mexico.
2. Petitioner is fourteen years of age or older.
3. Petitioner requests a change of name to 6. _____

for the following reasons: 7.

WHEREFORE, the Petitioner respectfully requests this court for an order granting a
change of name as requested.

By signing below, I am telling the court that this document, and the statements in it, are true and correct as far as I know and believe.

8. _____

Petitioner's signature

Name: _____ (print)

Address: _____

Telephone: _____

STATE OF NEW MEXICO)

) ss

COUNTY OF _____)

Acknowledged, subscribed and sworn to before me this ____ day of _____,
____ by _____, the petitioner.

My commission expires: _____
_____ Notary Public

April 2005

INSTRUCTIONS -NOTICE OF NAME CHANGE

Numbers below match the numbers in the blank spaces of the notice.

When asking the court for a name change, notice of the child's requested name change must be **PUBLISHED in a newspaper at least ONCE a week for TWO consecutive weeks**. The newspaper can be any newspaper that is published at least once a week and is in general circulation (available to the public at various places) in the county where you are filing this paperwork.

Visit the assigned judge's office and ask for a hearing date from the judge's assistant. The hearing date must be in the future (at least 30 days) so that you have plenty of time to publish the notice at least once a week for two weeks in the newspaper.

Once the judge's secretary gives you a hearing date put this down on the Notice. File it with the clerk's office. Take a copy of the Notice and the Petition to a newspaper for publication. Newspapers do legal notices all the time and know how to handle the publication. Once the two weeks of publication are complete, you must get an **AFFIDAVIT OF PUBLICATION** from the newspaper. The newspaper knows how to do this and will provide one to you. **REMEMBER:** newspapers do charge a fee for publication.

After receiving the AFFIDAVIT OF PUBLICATION from the newspaper, make a copy for your records and file the original with the clerk's office. Then attend the hearing and provide the judge with an Order granting the child's name change.

1. Put down the county (Cibola, Sandoval or Valencia) where you are filing the name change petition.
2. Put down your current name.
3. This is your court file number. The court clerk assigns you a number when you file your petition. Use this number on all the name change paperwork.
4. Put down your current name.
5. At the time you filed your Petition for Change of Name in the clerk's office, a judge was assigned to your case. Put down the full name of the judge here.
6. Put down the same county as in No. 1.

7. After you file your Petition and a judge is assigned to the case, you must visit the judge's office and request a hearing from the judge's secretary. Put that information in the Notice.
8. Put down your current name.
9. Put down the name you wish to have.
10. Put down the name of the Chief Clerk in your county as listed below:
Cibola County - LISA BRO
Sandoval County - THERESA VALENCIA
Valencia County - GERI LYNN SANCHEZ
11. Do not write in here. The clerk that helps you in the clerk's office will sign his/her name here.
12. Put your signature here and print your name and address information.

Take a copy of the Notice and a copy of the Petition to a newspaper.

THIRTEENTH JUDICIAL DISTRICT COURT
COUNTY OF 1. _____
STATE OF NEW MEXICO

IN THE MATTER OF A PETITION FOR
CHANGE OF NAME OF

2. _____ No. 3. _____

NOTICE OF CHANGE OF NAME

TAKE NOTICE that in accordance with provision of NMSA 1978 Sections
40-8-1 through 40-8-3 the Petitioner, 4. _____, will apply to the
Honorable 5. _____, District Judge of the 13th Judicial District,
6. County, New Mexico, at 7. _____ a.m./p.m. _____ on the _____
day of _____, 20 ____ for an ORDER FOR CHANGE OF NAME from
8. _____ to 9. _____.
10. _____, District Court Clerk

By: 11. _____, Deputy Court Clerk

Submitted by:

12. _____
Petitioner's signature

Name: _____ (print)

Address: _____

Telephone: _____

INSTRUCTIONS - ORDER FOR NAME CHANGE

Numbers below match the numbers in the blanks of the order.

Bring this Order, already filled out by you, to the hearing on your Petition for Change of Name.

1. Put down the county (Cibola, Sandoval or Valencia) where you are filing the name change petition.
2. Put down your current name.
3. This is your court file number. The court clerk assigns you a number when you file your petition. Use this number on all your name change paperwork.
4. Put down the name you wish to have.
5. Do not put anything down here. The judge will sign the order after the hearing.
6. Put down your name, address and telephone number.
7. After the judge signs the Order, take it to the clerk's office. Bring extra copies of the Order with you. The clerk will file the original order. Once the Order is filed, it becomes effective. Be sure to get two or more CERTIFIED copies of the Order (see No. 8 below). A certified copy allows you to go to your bank, the social security office, etc. and have your name legally changed.

The clerk's office charges \$1.50, cash only, to certify one document. If you do not bring copies of the Order, the clerk's office will charge 35 cents per page to copy a document.

8. A certified copy of the Order must be filed in the county clerk's office of the county where you live and there is a fee for this filing. Check with the County Clerk's office for the cost of filing.

THIRTEENTH JUDICIAL DISTRICT COURT
COUNTY OF 1. _____
STATE OF NEW MEXICO

IN THE MATTER OF A PETITION FOR
CHANGE OF NAME OF

2. _____ No. 3. _____

ORDER FOR CHANGE OF NAME

THIS MATTER came before the court for hearing upon a Petition for Change of Name. The court examined the matter pursuant to NMSA 1978 Sections 40-8-1 to 40-8-3 and, being fully advised in the premises, FINDS:

1. The Petitioner has complied with all of the requirements of the law for change of name, including the requirement of publication of notice.
2. No sufficient cause has been shown why the name of the Petitioner should not be changed.

IT IS THEREFORE ORDERED that the name of the Petitioner be and hereby
CHANGED to be 4. _____ .

5. _____
District Court Judge

Submitted by:

Name: _____ (print)

Address: _____

Telephone: _____

April 2005