

INSTRUCTIONS FOR ADULT LEGAL NAME CHANGE

These sample forms have been assembled for your convenience in preparing your own legal name change. This packet 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.

Refer to North Carolina General Statutes Chapter 101 for Name Changes.

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

1. The NOTICE must be date-stamped in the Special Proceedings office and then posted on the Courthouse bulletin board for at least ten (10) full calendar days. This board is located on the first floor of the Old Courthouse by the emergency exit door near Court Street. (Pre-filing notice may not be required in certain instances.) Please see NCGS 101-2(b&c) for more information.
2. After the NOTICE has been posted for the required time you must remove it from the bulletin Board and present it along with the other required documents to the Special Proceedings Division. Hearings on Name Changes will be held on a walk-in basis in our office on Mondays and Fridays between 8:30 A.M. and 4:30 P.M. Please note however that staff is limited during the lunch hours of 12:00 P.M. through 2:00 P.M. which may result in a longer wait period. Appointments can be made if preferred by the Petitioner.
3. The Clerk will retain all original documents for the court file. Please provide any additional copies you want returned to you as well as any additional copies the clerk will need to forward to other agencies. You will be charged a fee for any copies that the Clerk's Office must make for you.
4. Furnish the original or a currently certified copy of your Birth Certificate and a valid picture identification.
5. A state and national criminal history record check is required for a name change applicant who is 16 years of age or older. The criminal history record check must be conducted within 90 days of the application date. You may request the criminal history checks on the following websites:
<https://www.ncsbi.gov/> Search Background Checks
<https://www.fbi.gov/> Search Identity History Summary
6. There will be a filing fee which must be paid in cash, certified check or money order or we will accept a credit card or debit card with proper identification and for a small service fee.

7. If the name change is granted, you will be required to complete the Order and Certificate of Name Change (AOC-SP-601/DHHS 1053) in our office. Please allow extra time to complete this form.

The clerk will forward a certified copy of the order granting the name change to the N.C. State Registrar for Vital Statistics and the SBI Division of Criminal Information. It can take up to 6 months for the State Registrar to process the birth certificate. You will need to contact the State Registrar for procedures on obtaining a copy of the new birth certificate.

PLEASE SEE N.C. GENERAL STATUTE CHAPTER 101 FOR MORE INFORMATION REGARDING NAME CHANGES

Minimum Number of Documents Needed:

Notice - original for Clerk and 1 copy to be returned to Petitioner

Petition – original for Clerk, 1 copy for Vital Records, 1 copy to be returned to Petitioner

Affidavits of Character – original of each for Clerk, 1 copy to be returned to Petitioner

Background Check – original for Clerk

Summary Order – original for Clerk, 1 copy for SBI, 1 copy for Vital Records, 1 copy to be returned to Petitioner

Order and Certificate of Name Change (AOC-SP-601/DHHS 1053) – Pink copy for Vital Records, 1 copy for Clerk, 1 copy for SBI, 1 copy to be returned to Petitioner

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
BEFORE THE CLERK
FILE NO:

COUNTY OF ONSLOW

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

NOTICE

_____, residing at _____,
_____, North Carolina, hereby gives notice of his/her intention to file in the
Office of the Clerk of Superior Court of Onslow 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
 (Current Name)
_____.
 (The name you want)

This the _____ day of _____, 20_____.

Petitioner

Address:

STATE OF NORTH CAROLINA
COUNTY OF ONSLOW

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
BEFORE THE CLERK
FILE NO:

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

PETITION FOR LEGAL NAME CHANGE
OF AN ADULT

NOW COMES _____, a bona fide resident, domiciled in Onslow 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:

1. 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 _____.
2. That the Petitioner desires to adopt the name: _____.
3. That the petitioner desires to change his/her name for the following reason:

_____.
4. That the petitioner's name has never been changed pursuant to N.C. General Statute 101.
5. That the petitioner does not have any outstanding tax or child support obligations.
6. 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 Onslow, 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 _____, 20_____.

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 _____, 20_____.

Petitioner's Signature

Subscribed and sworn before me

This the _____ day of _____, 20_____.

My Commission Expires: _____

Notary Public

STATE OF NORTH CAROLINA
COUNTY OF ONSLOW

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
BEFORE THE CLERK
FILE NO:

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 Onslow 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 _____, 20_____.

SIGNATURE

(Affiant's name)

(Affiant's address)

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

Sworn to and subscribed before me this the
_____ day of _____, 20_____

Notary Public
My Commission Expires: _____.

STATE OF NORTH CAROLINA
COUNTY OF ONSLOW

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
BEFORE THE CLERK
FILE NO:

IN THE MATTER OF THE CHANGE OF NAME)

of _____)

SUMMARY OF EVIDENCE

to _____)

THIS CAUSE coming on to be heard and being heard before the undersigned Clerk of Court of Onslow County, North Carolina on the _____ day of _____, 20____, upon the Petitioner's request to change the name of _____ to _____, and notice having been posted as required on the _____ day of _____, 20____, I have considered the following evidence in this matter:

1. Evidence establishing that the petitioner is a resident and citizen of Onslow County, North Carolina and that the petitioner has been a resident of the State of North Carolina for at least six (6) months prior to the filing of this action;
2. That notice of the petition for the name change was posted at the Courthouse door in Onslow County, North Carolina for the required ten (10) day period preceding this hearing;
3. That the federal and state criminal background checks have been submitted and have been Reviewed and considered;
4. That the petitioner has no outstanding tax or child support obligations;
5. That I have considered all of the facts alleged in the petition and have reviewed all documents attached thereto;
6. That I have considered the sworn affidavits of the two (2) character witnesses who have known the petitioner for the required period of time and have attested to his/her good character; and,
7. That I have considered the petitioner's reason for requesting the proposed name change and I have determined that there is good reason to allow the name change.

This the _____ day of _____, 20____

Assistant/Clerk of Superior Court, Onslow County, NC