

Pennsylvania Name Change Process

Changing your name in Pennsylvania is a fairly straightforward process and can usually be accomplished by the individual "Pro Se" (a person who represents him/herself) within 3 to 6 months. An attorney is not required, but may be able to more quickly navigate the process, especially if there are unusual circumstances concerning your petition(s).

Things You'll Need:

Name Change Petition Forms - Contact your county prothonotary's office to see if they have a pre-printed form, an example of a petition, or, if you need to write one yourself, a list of what needs to be included in the petition to the court.

Fingerprint Card - Finger prints must be taken at the local police department which serves the city, borough, or township where you reside. You may go to the Pennsylvania State Police barracks for this purpose ONLY if your municipality is not served by a local police department. The usual fee is about \$20.

Birth Certificate - If you do not have your birth certificate you can get a copy from the local Department of Health where you were born or order online at www.uscerts.com.

Social Security Card - Visit your Social Security Administration office to obtain a replacement. A fee maybe required.

Newspaper Advertisement - You will be required to publish your name in 2 local newspapers, one should be, but is not required to be, a legal paper of record (the cost of publishing in a legal paper can be several hundred dollars). You can petition the court not to require you to publish your name in a newspaper if you feel it would put you in danger.

Applicable Fees - The court will assess a filing fee (approximately \$320) as well as a Judgment Search (\$120 and up). However, if you are considered to be low-income, you may request to "Petition to Proceed In Forma Pauperis (IFP)" which asks the court to waive filing and other fees to include the requirement to advertise your name change in a newspaper. This must be done BEFORE you begin the actual steps of changing your name.

The Process:

- 1) Contact your county's prothonotary for specific county instructions for name changes.

2) If you are low-income and plan to "Petition to Proceed in Forma Pauperis (IFP)", complete this before starting the name change process. Again, the prothonotary will provide you with the process.

3) Draft and type your actual Name Change Petition. The petition must include: your name and address, the reason for the name change and any other addresses you have lived at in the past five years. Your spouse and adult children may be listed as party petitioners for the name change if desired.

4) Gather your Paperwork (paperclip, DO NOT staple)

- Your Name Change Petition
- Your Fingerprint Card
- Copy of your Birth Certificate
- Copy of your Social Security Card
- Copy of your Driver's License/Photo ID
- Copy of your IFP Petition (if applicable)

5) File your paperwork with your county's prothonotary. They will then forward your paperwork and fingerprint cards to the state police who will do a background check. Once complete (within 60 days), the court will notify you of a court date.

6) While awaiting your background check, advertise your name change in 2 local papers. Retain copies of both advertisements for your court date. If you have petitioned the court not to advertise the change, then you will most likely have to meet with the judge and explain why before your actual name change court date. Explaining that there is evidence of numerous hate crimes conducted against Trans-people is a viable reason.

7) You must have two judgment searches done for each county you have lived in for the past five years to prove that you are not changing your name to avoid paying any debts, child support, or alimony. One search is done through the Common Pleas Court the other is done through Family Court. You may need to hire someone to do them for you.

8) Attend the name change hearing. The hearing will be scheduled any time from one to three months after the petition is filed. Bring copies of the notices that you placed in local newspapers. The petition will not be granted if there are judgments or decrees of record against your current name. The judge will ask if anyone present at the hearing objects to your name change and may take any objections into consideration before making a decision.

Additional Considerations:

A name change will not be granted if the court determines that you wish to change your name to avoid obligations, debts or legal actions or wish to defraud another person.

If you are under 18, your parent(s) or legal guardian must initiate the name change on your behalf and convince the court that the name change is in "the best interests of the child." There is slightly different process as well as forms to changing the name of a minor. You may want to consider consulting an attorney since changing the name of a minor requires a higher burden of proof.

If you have a criminal record, it may delay or prevent your ability to change your name. Misdemeanors normally do not affect your ability to legally change your name, but may delay it. You will usually not be permitted to change your name if you have been convicted of the following felonies: murder, rape, voluntary manslaughter, statutory sexual assault, involuntary deviate sexual intercourse, arson, aggravated assault, certain types of robbery, kidnapping, criminal conspiracy or attempt to commit any of the crimes listed above. Other felonies normally require you to wait 2 years from your sentencing to include any probation or parole. If you have been pardoned or exonerated for the specified crime, you will not be restricted in changing your name. In any case mentioned above, it is best to consult an attorney.