

# INSTRUCTIONS FOR FILING A PETITION TO CHANGE THE NAME OF AN ADULT

This is the form packet for people who want to file their own name change without an attorney. Parties to a case who are unrepresented by an attorney are also known as “**pro se**.”

**Please read these instructions and each form very carefully.** Missing or misreading a word could cause you to make serious errors in your case, placing your rights and the direction of your name change case in jeopardy.

A “**minor**” is a child who is younger than eighteen years of age, **as of the date of filing your case.**

## **INTRODUCTION**

In the State of Georgia, if you want to change your name, you must file a Petition to Change the Name of an Adult, or a Petition for Name Change in the Superior Court where you **reside**. After a court grants your petition for name change, you will be able to change your name with the DDS (Department of Driver Services), Vital Records (birth certificate), and Social Security.

**It is advisable to speak with a lawyer before filing any action with the court.** There are often more issues involved in a name change than you might realize if you fail to hire an attorney. If you cannot afford an attorney to file your case, for a reduced fee, you may be able to consult with an attorney on your filings to assure you have properly addressed all the issues involved.

Name change can be a very complicated process. If documents are not completed, signed, notarized and filed, the divorce pleadings are not in compliance with the law. This means a judge cannot grant your request for name change and may dismiss your case.

If you want a court to grant your name change, **you must follow the law and you must complete every paragraph of every form that applies to your case (but not paragraphs that do not apply to your case)**. Please carefully read and complete all steps listed below.

State law, OCGA § 15-19-51 prohibits court personnel (including staff attorneys or law clerks, calendar clerks, clerk’s office staff, and sheriff’s department staff) from giving legal advice or answering legal questions

**If you still have questions after reading ALL the instructions below and the required forms, please see the FAQ page at [augustafamilybar.com](http://augustafamilybar.com)**

**STEP 1: Determine the proper county in which to file your case documents. If you do not file in the proper county, the court MUST dismiss your case.**

- File in the county of your residence.

**STEP 2: Complete and sign ALL of the required documents. You must completely fill out the Petition to Change the Name of Adult. The petition may be found at [www.augustafamilybar.com](http://www.augustafamilybar.com) Your petition MUST be verified, meaning it must be sworn to under oath and notarized.**

**STEP 3: File your completed documents with the Clerk of Court in the proper county (see Step 1) and pay all required fees. Forms can be filed electronically at PeachCourt.com. You will be required to create a free account.**

- **What if I cannot afford to pay the filings and service fees?** You must complete, notarize, and file a Poverty Affidavit. Form found at [augustafamilybar.com](http://augustafamilybar.com).

\*\*\*If you lie about your income, the case can be overturned later, and you will be prosecuted for perjury\*\*\*

**STEP 4: Within seven (7) days of the filing of your petition, you must take the Notice of Petition to Change Name of Adult to the official legal organ (newspaper) in the county in which your petition was filed. The Notice of Petition to Change Name of Adult shall contain the name of the petitioner, the name of the person whose name is to be changed (if different than Petitioner), the new name desired, the Court in which the petition is pending, the date on which the Petition was filed, and the right of any interested party to appear and file an objection.**

You MUST pay the newspaper to publish the Notice of Petition to Change Name of Adult as an advertisement.

**STEP 5: The newspaper will run the advertisement once a week for four (4) weeks. After the advertisement has run for four (4) weeks, obtain an Affidavit of Publication from the newspaper and file it with the Clerk of Court.**

**STEP 6: Attend your hearing, if required. Most judges require pro se parties to attend a final hearing to finalize their name change. The judge's office will send notice of your hearing date to you via U.S. Mail or email. Please note there may be a fee associated with a court reporter at your hearing.**

**IT IS YOUR RESPONSIBILITY TO PROVIDE YOUR ADDRESS TO THE CLERK OF COURT. IF YOU MOVE, YOU MUST NOTIFY THE CLERK OF COURT OF THE CHANGE IN YOUR ADDRESS.**

## Name Change Checklist

- 1) \_\_\_\_\_ Domestic Relations Case Filing Information Form
- 2) \_\_\_\_\_ Petition to Change Name of Adult
- 3) \_\_\_\_\_ Notarized Verification signed by the Petitioner (this must be signed in front of a notary)
- 4) \_\_\_\_\_ Within seven (7) days of the filing of the Petition, you must take the Notice of Petition to Change Name of Adult to the newspaper.
- 5) \_\_\_\_\_ Pay the newspaper to run Notice of Petition to Change Name of Adult as a legal advertisement once a week for four (4) weeks
- 6) \_\_\_\_\_ Wait four (4) weeks for the publication to run
- 7) \_\_\_\_\_ Obtain an Affidavit of Publication from the newspaper.
- 8) \_\_\_\_\_ File the Affidavit of Publication with the Clerk of Court
- 9) \_\_\_\_\_ Check the mail for a hearing notice or a final order
- 10) \_\_\_\_\_ You must obtain a certified copy of the final order from the Clerk of Court to give to DDS (Department of Driver Services) for a new driver's license, Vital Records for a new birth certificate, and Social Security. These agencies require **Certified Copies** which only can be obtained from the Clerk of Court.