

LACKAWANNA COUNTY PROCEDURES

LEGAL NAME CHANGE

It is recommended that an attorney be consulted.

Filing Procedures:

For your reference, copies of various forms are attached to assist you. Using the blank forms attached, the petitioner must complete the following: 1) the name change petition, 2) the verification page, 3) an order to schedule a court hearing and provide notice of publication, and 4) enter the petitioners name and docket number on the Order granting the name change. The name must be entered as it appears on the birth certificate and you must include the person's date of birth. On the verification form please print your name under the signature line.

When you have completed an original of the forms above, make one copy. When finished, you will have a total of two.

A Civil Cover Sheet (blank one attached) must be completed and attached to the front of the packet.

Once the forms are filled in, the petitioner must go to Motion Court with the completed petition. The Court Administration office can direct you to the Judge that has motion court. Motion court is held daily at exactly 9:00 AM and at no other time. The petitioner should arrive at least a few minutes early. At motion court, the judge will consider the petition and, if approved, will sign the Order for Publication. Immediately following motion court, the petitioner should go to the Court Administration office on the first floor of the courthouse with their paper work. Court Administration will assign a time and date for hearing of the name change in open court.

Next, if the person seeking the name change is 12 years of age or older, that person must have a law enforcement department representative place your fingerprints on an official finger print card for submission with your petition. This is used to verify that there are no records of criminal convictions under your present name. Fingerprints can be taken at the Central Booking office on the ground floor of the courthouse. There is a fee for this process. Fingerprints can generally be done the same day as the motion court hearing.

Your completed Fingerprint Card, along with the original and one copy of your petition/order, your signed Order for Publication plus a filing fee of \$148.50 (effective January 1, 2013) must be taken to the Office of the Clerk of Judicial Records, Civil Division. The filing fee can be in the form of cash, check or money order and the Clerk's office is located on the 1st floor of the Brooks Building, 436 Spruce Street, Scranton, PA. 18503. The Clerk's Office will give your case a docket number and collect the fees. The original stays with the clerk's office. Have the other copy time stamped and keep it with you.

The Clerk's office will forward the petition/order and fingerprint card to the Pennsylvania State Police Records Identification Division for your criminal check. When the State Police review is completed, a report is mailed to the Clerk of Judicial Records Office and the results go into the petitioner's file.

After you receive the information on your hearing date and time, you must publish the notice of the hearing in two (2) publications of general circulation in the county where the petitioner resides. Publication can be with the Scranton Times, Penn Avenue and Spruce Street, Scranton, PA. 18503 and with the Lackawanna Jurist, a publication of the Lackawanna Bar Association, 338 North Washington Avenue, 3rd Floor, Scranton, PA. 18503 (570-969-9161). There is a fee for the publication of legal notices. Written proof (a copy of the advertisement) of both publications must be presented at the hearing.

Prior to your hearing, you must get signed certifications that there are no judgments against you from the Clerk of Judicial Records, Civil Division and a certification from the Recorder of Deeds office concerning mortgages (135 Jefferson Avenue, 3rd Floor, Scranton, PA. 18503-570-963-6775). The clerk will keep the certification that there are no judgments in your file. The certification from the Recorder of Deeds should be kept by you and brought to the hearing.

The court administration office will pick up all files for name change from the clerk's office late in the afternoon on the day before the name change hearing.

Please carefully read and follow the instructions below:

On the day of your hearing, you must arrive by 9:00 AM. Your file will be present in court. The file should contain the petition for name change along with the following:

1. Certification from the State Police that you are not subject to 18 PA C.S. Chapter 91 (in the Clerk's file)
2. Certifications of searches of the county where the Petitioner has resided within the past five years showing there are no judgments (in the Clerk's file).

The petitioner should bring the following items with them to the hearing:

1. Decrees of record or other similar matters (if any) against the petitioner from the Recorder of Deeds (petitioner brings this)
2. Proofs of publication (petitioner brings these)

Immediately following the hearing, the petitioner must take the original signed court order approving the name change over to the Clerk's office. Four certified copies of the order will be provided for use by the petitioner.

Court Administration will collect the files following the court hearing and return those to the Clerk's office following the hearing.

PLEASE NOTE- DO NOT SUBMIT AN INCOMPLETE PETITION. IF YOUR PETITION DOES NOT CONTAIN ALL OF THE REQUIRED INFORMATION, IT WILL BE REJECTED BY THE JUDGE AT MOTION COURT. IF THE PETITION IS REJECTED, YOU MAY BE REQUIRED TO RE-FILE YOUR PETITION AND PAY THE FILING FEE AGAIN. IN THE COURT OF COMMON PLEAS OF LACKAWANNA COUNTY, PENNSYLVANIA

IN THE COURT OF COMMON PLEAS OF LACKAWANNA COUNTY, PENNSYLVANIA

CIVIL DIVISION

IN RE: CHANGE OF NAME

20____ CIV _____

PETITION FOR NAME CHANGE

The Petitioner(s), _____, requests that this Court order a change of name for _____ and in support thereof represents as follows:

1. Petitioner(s) is an adult individual whose date of birth is _____ and who presently resides at _____ in the County of _____.
2. Petitioner(s), also requests the Court to change the names of _____, minor child/children whose date(s) of birth is/are _____, and whose social security number(s) is/are _____ and who is/are residing with the Petitioner at the above address.
3. Petitioner(s) desires this change of name for the following reason(s):
4. Petitioner is a citizen of the United States of America and his/her social security number is _____.
5. There are no judgments or decrees pending against this petitioner.
6. WHEREFORE, Petitioner respectfully requests that this Court enter and Order changing the name of Petitioner from _____ to _____.
7. WHEREFORE, Petitioner respectfully requests that this Court enter an Order changing the name of minor child/children from _____ to _____.

Respectfully submitted,

Petitioner

IN THE COURT OF COMMON PLEAS OF LACKAWANNA COUNTY, PENNSYLVANIA

CIVIL DIVISION

IN RE: CHANGE OF NAME OF

_____ 20____ CIV _____

ORDER FOR PUBLICATION

AND NOW, this _____ day of _____, 20____, upon motion of _____, Petitioner it is ORDERED and DECREED that the within Petition be heard on the _____ day of _____, 20____ at _____ .M. in Courtroom No. _____ before the Honorable _____ and that notice of the filing of the within Petition and of the aforesaid date of hearing be published in the Scranton Times and the Lackawanna Jurist at least thirty (30) days before the hearing.

BY THE COURT:

_____, J.

ALL APPLICATIONS FOR CONTINUANCE SHALL BE PRESENTED TO THE JUDGE WHO IS SCHEDULED TO HEAR THE CASE.

Telephone Number

**IN THE COURT OF COMMON PLEAS OF LACKAWANNA COUNTY, PENNSYLVANIA
CIVIL DIVISION**

IN RE: CHANGE OF NAME OF _____

20____ CIV _____

ORDER

NOW, this _____ day of _____, 20____, upon
consideration of the Petition for Change of Name for _____,
and upon representation of proof of publication of notice as required by law together with proof
that there are no judgments or decrees of record or any other matter of like effect against the
Petitioner, and it appearing that there is no legal objection to the granting of the prayer of the
Petitioner,

IT IS ORDERED that the name of Petitioner be and is hereby changed to _____
_____.

BY THE COURT:

_____, J.