



TORII LEGAL ASSISTANCE

OFFICE OF THE STAFF JUDGE ADVOCATE



How do I legally change my name?

Adapted from an Article by Anthony R. Tempesta,

The process of legally changing one's name depends on state law. Normally, a change of name may be authorized when the state court or other approving authority is satisfied that the name change would not result in fraud, such as an attempt by the person to avoid their creditors.

A DA Form 4187, which is a "Personnel Action" form used by the Army, does not result in a legal name change.

To begin the name change process, it is usually necessary to file an application or petition to an appropriate state court. In Georgia for example, a name change petition would be filed in the county where the individual lives. Georgia law requires that the person live in Georgia for the past twelve months.

Once filed, a Georgia name change petition must be published in the newspaper for four consecutive weeks. If there is no objection, the judge will normally approve the name change at a court hearing. The total cost for the Georgia name change process, which includes court costs, fees, and publication, is currently approximately \$215.00 (depending on the county). The average timeline on a Georgia name change, from submission of the name change petition to approval by the court, is four to six weeks.

Name change requests usually result from divorce and adoption. It is possible for the court granting a divorce to restore the divorced spouse's maiden name, but many divorcees wait until some years after the divorce to change their name. Doing so later however requires a separate court action, and thus additional cost to the person petitioning the court for a name change. It is not possible for someone to simply start using their maiden name again. Once a name is changed upon marriage with the Social Security Administration for example, using a different name without first submitting a name change request will result in a records conflict that will cause problems with the person's income tax returns and any Social Security benefits.

Name change requests when a child is adopted are more complicated, and anyone who is considering such a request should speak with an attorney.