

Cause No.: _____ Court: _____ Judge: _____

ADULT NAME CHANGE CHECKLIST FOR PRO SE LITIGANTS

(designed for parties who are representing themselves in an adult name change lawsuit)

Below is a checklist that you must complete before appearing in court for your requested name change. If you have additional questions about what is required to obtain a name change, you should confer with an attorney. The reference attorney with the Montgomery County Law Library's Pro Se Services is available to assist litigants with documentation at no cost. To schedule an appointment, you may call 936-539-7976. Additional information may be available at www.texaslawhelp.org (then click on *Family Law and Domestic Violence*, and then click on *Name Change*).

- _____ 1. The petition **must** be filed in the county of the adult's place of residence, **must** be verified (notarized), and **must** include:
 - The present name and place of the residence of the petitioner
 - The full name requested for the petitioner
 - The reason the change in name is requested
 - Whether the petitioner is subject to the registration requirements of Chapter 62 of the Code of Criminal Procedure (sex offender registration)
 - A legible and complete set of the petitioner's fingerprints on a fingerprint card format acceptable to the Texas Department of Public Safety and the Federal Bureau of Investigation (you may contact the Montgomery County Sheriff's Department – ID/Crime Lab Section at 936-760-5878, or see reverse page for further instructions)

- _____ 2. The petition **must** also include each of the following pieces of information or a reasonable explanation why the following required information is not included:
 - The petitioner's (a) full name, (b) sex, (c) race, (d) date of birth, (e) driver's license number for **any** driver's license issued in the 10 years preceding the date of the petition, (f) social security number, and (g) assigned FBI number, state identification number, if known, or any other reference number in a criminal history record system that identifies the petitioner. (You may contact the Texas Department of Criminal Justice to learn your SID or FBI number at 512-406-5202 or 800-535-0283).
 - Any offense above the grade of Class C misdemeanor for which the petitioner has been charged
 - The case number and the court if a warrant was issued or a charging instrument was filed or presented for any offense above the grade of a Class C misdemeanor for which the petitioner has been charged

- _____ 3. If the petitioner has a final felony conviction, the petitioner **must** prove to the court that (a) the petitioner received a certificate of discharge by the pardons and paroles division of the Texas Department of Criminal Justice or completed a period of probation ordered by a court, and not less than two years have passed from the date of the receipt of discharge or completion of probation, or (b) the petitioner has been pardoned, before the court will consider granting a name change.

- _____ 4. If the petitioner is subject to the registration requirement of Chapter 62 of the Code of Criminal Procedure (sex offender registration), the petitioner **must** prove to the court that the petitioner has notified the appropriate local law enforcement authority of the proposed name change before the court will consider granting a name change.

- _____ 5. The petitioner **must** obtain his/her own criminal history record information from the Texas Department of Public Safety, and have the results sent directly to the Montgomery County District Clerk's office (See reverse page for further instructions).

- _____ 6. **Only after** you have completed all of the above, **and** your criminal history record information has been received by the Montgomery County District Clerk's office, should you contact the assigned court to schedule a court date.
 - You may call **County Court at Law #3 (CCL3) at (936) 539-7977.**
 - You may call the **410th District Court at (936) 539-7860.**
 - You may call the **418th District Court at (936) 538-3618.**

- _____ 7. If you have filed an *Affidavit of Inability to Pay Costs* or a *Pauper's Oath*, a hearing will first be held regarding your financial circumstances. After such hearing, the court may require that you pay your filing fees before your case will be considered and/or granted.



**TEXAS DEPARTMENT OF PUBLIC
SAFETY CRIME RECORDS SERVICE
Access & Dissemination Bureau**



SUBMISSION OF FINGERPRINT CARDS TO DPS/FBI FOR LEGAL NAME CHANGE

The Texas Family Code, Section 45.102, requires that each petition include a legible and complete set of the petitioner's fingerprints on a fingerprint card format acceptable to the Department of Public Safety (DPS) and the Federal Bureau of Investigation (FBI).

WHERE TO GET FINGERPRINTS TAKEN: The petitioner may call 1-888-467-2080 to schedule an appointment to be fingerprinted at a **“Print and Go”** FAST location or access the website at www.identogo.com and select **Option B – Fingerprint Cards**. Fingerprints **cannot** be transmitted to DPS electronically. The fee for this fingerprinting service is \$20.00, includes two fingerprint cards. Petitioner must submit both fingerprint cards and all required information to DPS by mail.

FEES: Under the authority of Chapter 411.088, Texas Government Code, DPS charges a \$15.00 fee and the FBI a \$13.25 fee for processing State and Federal background checks. A cashier's check, certified check, personal check or money order made payable to Texas DPS in the amount of \$28.25 must be attached to the fingerprint cards, along with a copy of the court petition.

INFORMATION ON THE CARDS: All cards submitted to DPS by mail must include a complete set of legible fingerprints and the following information about the petitioner and court being petitioned:

- | | |
|--|---|
| -Full Printed <u>Current Legal Name</u> | -Sex |
| -Race | -Date of Birth |
| -Signature (Must match <u>Current Legal Name</u>) | -Social Security Number |
| -Petitioner's Mailing Address | -Cause/Case Number (in the OCA field) |
| -District Court Name/Number and City (in the ORI field) | -Driver License Number (in the MNU field) |
| -District Court Originating Agency Number (in the ORI field) | |
| -Reason Fingerprinted (Legal Name Change - Family Code Section 45.001) | |

A copy of the petition MUST be attached to the fingerprint cards.

WHERE TO SEND COMPLETED CARDS:

Mail completed fingerprint cards and payment:
Texas Department of Public Safety
Central Cash Receiving
P. O. Box 15999
Austin, Texas 78761-5999

WHERE RESPONSES WILL BE SENT: Responses, other than rejects, will be sent from DPS directly to the court.

QUESTIONS: For questions, call the Criminal History Inquiry Unit at (512) 424-5079, Option 3.

Please be advised that extreme care should be taken in following the directions above to alleviate any delay in processing the request.