

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU
COURT INFORMATION CENTER - ROOM 240

NAME CHANGE INSTRUCTIONS

Important: Read ALL of the following instructions before completing forms. A name change order is a legally binding document. It is strongly recommended that you review Article 6 of the Civil Rights Law and/ or contact an attorney if you do not fully understand or cannot complete the application. Neither the Court Information Center nor any member of the court staff can act as your attorney or give you legal advice.

- A Petition to assume another name must be made in the county in which the applicant currently resides (*Civil Rights Law 6*). This packet should be used by Nassau County residents only.
- You do NOT need to apply for a separate name change order if:
 - * The birth certificate was corrected by the hospital of birth within one (1) year of the infant's birth;
 - * Your name was changed at the time of applying for citizenship papers;
 - * You are entitled to resume your maiden name by virtue of a divorce judgment.
- An **index number** must be purchased at the Nassau County Clerk's Office - 240 Old Country Road, Mineola, NY 11501 - Room 108. The fee for the index number is \$210.00. Proof of payment of the index number **must** accompany your application.
- No RJI is required to be purchased if the application is being made with the consent of both parents, or in cases where the Court determines there is good cause, after a diligent search has been made, as to why one of the parents cannot be located. However, a "No Fee" RJI must be filled in and attached. If the application must be brought by Notice of Petition, where one parent is NOT consenting and is entitled to notice, then an RJI must be purchased (\$95.00 fee). In both cases, please bring an original RJI and a copy.
- The affidavits and the verified petition must be sworn to in front of a Notary Public. A Notary Public is available in the Office of the Nassau County Clerk.
- File the **original completed name change petition** with the Court Information Center of the Supreme Court, Room 240. Make sure that the index number is written on the proposed name change order and on each page requiring the same.
- If the applicant was born in the State of New York, the Birth Certificate of the applicant, or of the infant, or a certified transcript of the birth certificate, or a certificate of the commissioner or local board of health that none is available, **MUST** accompany the name change petition. Local practice in Nassau County also requires that a person born *anywhere in the United States* also provide a certified copy of the birth certificate or one of the aforementioned certificates. NOTE: The certificate that is in the possession of the applicant at the time the petition is submitted must be presented to a staff member in the Court Information Center. The staff member will make a copy and immediately return it to the applicant. The applicant should not submit a copy that he or she has made.
- A petition to change the name of an infant may be made on behalf of the infant by his/ her parent or guardian.

- If the application is made on behalf of an infant, the Petition must be verified by the parent or guardian of the infant AND the consent of the other parent must be attached as a sworn statement (you may use the affidavit provided). NOTE: If consent of the other parent cannot be obtained, the application must be made by Notice of Petition and Petition returnable before the Special Term of the Supreme Court; unless it is alleged in the Petition that the whereabouts of the other parent are unknown to the applicant, after having demonstrated due diligence in trying to ascertain those whereabouts (post office, voter registration, DMV records, etc); that the other parent has had no contact with the infant for a protracted period of time; and that the other parent has not provided financial support for the infant for a demonstrable period of time.

- A petition made on behalf of an infant 14 years of age or older must be accompanied by a sworn statement from the infant consenting to the relief requested in the Petition (you may use the affidavit provided).

- If the Petition is made by a naturalized citizen the Petition should state so and the original Certificate of Naturalization or US Passport or, in the absence of both, the Birth Certificate from the Petitioner's country of origin along with a certified translation in English should accompany the name change Petition. A staff member will make a copy of the certificate and immediately return it to the applicant.

- If the Petition is made by a non-citizen, the Petition should state so and the Resident Alien Card or the Birth Certificate from the Petitioner's country of origin along with a certified translation in English or, in the absence of both, the Petitioner's foreign passport should be presented to a staff member of the Court Information Center at the time the Petition is submitted. The staff member will make a copy and immediately return the resident alien card to the applicant.

- If the Petition is being made by an adult, photo identification (driver's license, employee identification card, student identification card, etc) should be presented to a staff member of the Court Information Center. The staff member will make a copy and immediately return the photo identification to the applicant.

- Once the name change is signed by the Justice and entered in the County Clerk's Office, you will receive a copy of the signed Order in the mail from the Nassau County Clerk.

- IT IS THE APPLICANT'S RESPONSIBILITY TO DO THE FOLLOWING:

It is the **APPLICANT'S RESPONSIBILITY** to serve a copy of the signed order to the newspaper directed in the order so that notice may be published. Unless otherwise specified by the Judge, this must be done within 60 days after the order is signed. IN ADDITION, it is the APPLICANT'S RESPONSIBILITY to file proof of publication with the Nassau County Clerk within 90 days after the order is signed. Proof of Publication is the affidavit of the publisher which is provided by the newspaper. The publication fee is set by the newspaper.

- Once the above is fully complied with, the name change is official.

- An applicant wishing to have the name changed on his/her birth certificate (or the infant's) must send a certified copy (obtainable from the Nassau County Clerk once the order has been entered) to one of the following agencies:

If born **within** the five (5) boroughs of New York City (Manhattan, Kings, Queens, Bronx, Staten Island), contact:

NYC Department of Health & Mental Hygiene
Corrections Unit
125 Worth Street, CN 4
New York, NY 10013
Telephone 212-788-4520 Internet: www.nyc.gov/health

If born **outside** the five (5) boroughs of New York City, but within the state of New York, contact:

NYS Department of Health
Amendments Unit
P.O. Box 2602
Albany, NY 12220-2602
Telephone 1-855-322-1022 Internet: www.health.state.ny.us

If born outside New York State, you must contact the Vital Records agency of that State or Territory.

- The Nassau County Clerk is required to forward a copy of the signed name change order to the Division of Criminal Justice Services if the Petition states that the petitioner stands convicted of a felony offense pursuant to Civil Rights Law 64.

Pursuant to Civil Rights Law 64, any application to change a name must be made in the County in which the applicant resides at the time the application is made.

Revised October 13, 2017