



THE BASICS

Changing Your Name and
Social Security Number in New York State

WHY WOULD I WANT TO CHANGE MY NAME?

You can change your name for any reason. Sometimes, when a person has been harassed or abused, they may choose to change their name, address and identity in order to protect themselves against their abuser. Even though the person may have an order of protection against their abuser, the order of protection may not be enough to stop the abuse from happening again, and the person must then take steps to protect themselves, such as by changing their name.

WHERE DO I GO TO CHANGE MY NAME?

You can change your name through the New York **Supreme Court** or the New York **Civil Court**. Name change orders through either court are valid and binding. Once a name change has been granted by the Court, you are required to publish notice of your name change in a newspaper as directed by the Court.

- **Civil Court**

You may go to any one of the Civil Courts located within the 5 counties of New York City to apply for a name change. You do not have to choose the county in which you reside. The filing fee in Civil Court is \$65.00.

You will be required to appear in front of a Civil Court judge. If the judge approves your name change, you will be required to publish notice of your name change. For Civil Court orders, name changes are usually published in local newspapers. For example, in New York County name changes are usually published in the *Village Voice*. Each local paper will have its own publishing fee which you will be responsible for paying. However, publishing name changes in local newspapers are less costly than national newspapers or law journals.

- **Supreme Court**

You may go to the Supreme Court in the county in which you reside. The filing fee for Supreme Court is \$210.00. Additionally, you may have to pay \$95.00 to appear before a judge.

The Supreme Court requires notice of name changes to be published in a law journal, which can be quite costly.

WHAT DO I NEED TO SUBMIT TO THE COURT?

In order to change your name legally, you must fill out a **Name Change Petition form** explaining why you want to change your name and provide **proof of identity**. Petition forms can be found at the courthouse or online at <http://www.nycourts.gov/forms/namechange.shtml>.

For name changes in Civil Court, you may use the Court's Adult Name Change Petition Program to change your *own* name. This program is free and will ask you questions to help you fill out the name change petition. When you finish the program, you can print your completed Name Change Petition and get instructions on how to file it with the Court.

You can access the Adult Name Change Petition Program at:
http://www.nycourts.gov/courts/nyc/civil/int_adultnamechange.shtml.
The program can be used in English or Spanish.

If you want to keep your name change private for safety or other reasons, do not use the Adult Name Change Petition Program. Name change requests done through this program can be viewed by anyone because they are public records. Instead, fill out the Name Change Petition form by hand and inform the court clerk of your need for privacy.

HOW DO I PROVE MY IDENTITY?

When you go to Court to submit your Name Change Petition, you will need to bring proof of your identity. How to prove your identity will depend on where you were born.

- **If you were born in New York State, you will need to show your original birth certificate.** An original birth certificate is one with a “raised seal” (certified copy). If you do not have a certified copy of your birth certificate, you will need to get one.
- **If you were born in New York City, you can get a certified copy of your birth certificate from the New York City Department of Health and Mental Hygiene, Office of Vital Records, 125 Worth Street, New York, N.Y. 10013.** The cost is \$15.00 per certified copy, plus \$5.50 mailing and service charge per order if you do not apply in person. It could take several weeks for your request to be processed and mailed to you.

You can get the application on-line at:

<http://www.nyc.gov/html/doh/html/vr/vrbappl.shtml>, in-person, or by calling (212) 788-4520.

- **If you were born outside of New York City but within New York State, you can get a certified copy of your birth certificate from your local City Hall for \$30.00 or from the New York State Department of Health by internet, telephone or mail.** Internet and telephone requests require a major credit card and the cost is \$30.00 for a certified copy of the birth certificate, plus \$15.00 priority handling fee, plus a \$7.25 processing fee. Mail requests payments could be made by check or money order and the cost is \$30.00 for a certified copy of the birth certificate, plus \$15.00 priority handling fee.

To order online, visit: http://www.health.ny.gov/vital_records/birth.htm
or call 1-877-854-4481.

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- **If you were born in the U.S. outside of New York State, you need to provide a **copy of your birth certificate**.**
- **If you were not born in the United States and are a lawful permanent resident, you need to provide a **copy of your green card**. You must copy *both sides* of your green card.**
- **If you were not born in the United States and are naturalized U.S. citizen, you need to present a **copy of your naturalization papers**.**
- **If you were not born in the United States and are not a U.S. citizen or lawful permanent resident, you have the right to ask a New York court to change your name but you should speak with a lawyer before doing so.**

You must bring the form of identification as stated above to Court with you when you submit your name change petition. No other forms of identification will be accepted.

WHAT ELSE DO I NEED TO BRING TO COURT?

In addition to bringing the following to Court:

- 1. Name Change Petition: “Petition for Individual Adult Change of Name”**
- 2. Filing fee(s)**
- 3. Proof of identity**

You will also need to bring a **self-addressed, stamped envelope** with you.

WHAT HAPPENS AFTER I GIVE THE COURT A NAME CHANGE PETITION?

The Name Change Petition and proof of identity will be reviewed by the court clerk and submitted to a judge. If the judge says yes to your name change, you will have to publish your new name in a newspaper. The judge will determine what newspaper you need to publish in. The newspaper charges a publishing fee that you are responsible for paying. Publication of your new name must be done within 20 days of the date on the court order.

If you wish to avoid publishing your new name for safety or other reasons, you must tell the court clerk that you want to seal your records and/or avoid publication when you originally hand your papers to the Court. Name change requests can be viewed by anyone because they are public records. If you tell the court clerk that there is a need for you to keep your name change private, the court clerk will then tell you how you can seal your records and/or avoid publishing your new name.

After notice of your name change has been published, you are required to submit an **Affidavit of Publication** to the Court. Once you have turned in the Affidavit of Publication proving that you have published your new name in a newspaper, you may begin using your new name *unless* you are an 18–26 year old male, have declared bankruptcy, *or* been convicted of a crime. If you fall into any of these three groups, you must obtain an Affidavit of Service from the courthouse and take the following additional steps before you can use your new name.

- **If you are a male between the ages of 18 and 26**, regardless of your citizenship status, you need to photocopy your order and petition and send it within 20 days of the date it was signed to Selective Service System:

Registration Information Office
Selective Service System
P.O. Box 94638
Palatine, IL 60094–4638

You must send this photocopy by certified mail. You can do it at any post office. Be sure to keep the receipt. Fill out the Affidavit of Service and attach your certified mail receipt to it. This form says that you sent a copy of your signed order and petition to Selective Services. Then it must be filed with the clerk at the Court within 40 days of the date the order was signed. You may then begin using your new name.

- **If you have declared bankruptcy**, you need to photocopy your signed order and petition and send it within 20 days of the date the order was signed to the U.S. Bankruptcy Court where you were granted bankruptcy.

You must send this photocopy by certified mail. Fill out the Affidavit of Service, and attach your certified mail receipt to it. This form says that you sent a copy of your signed order and petition to the U.S. Bankruptcy Court. This must be filed with the clerk at the Court within 40 days of the date the order was signed. You may then begin using your new name.

- **If you have been convicted of a crime** and have satisfied your sentence, you may be required to provide a copy of the Certificate Disposition or Certificate of Incarceration. You may also be required to notify the New York State Criminal Justice Services of your name change. Check with the court clerk regarding additional notice requirements.

HOW MUCH WILL A NAME CHANGE COST?

The cost for a name change will depend on which court you are filing in and what proof of identity documents you already have. In general, getting your name changed in Civil Court will cost about \$200.00. Getting your name changed in Supreme Court will cost upwards of \$300.00.

● **Civil Court costs**

Newspaper publication of name change: (approx.)\$115
(Fees vary):

Filing fee for index number: \$65

Birth certificate from:

N.Y.S. Department of Health:..... \$15
(Within New York City)

OR

N.Y.S. Department of Health:..... \$45
(Outside New York City but within New York State)

● **Supreme Court costs**

Law journal publication of name change: (approx.) \$150–200
(Fees vary)

Filing fee for index number: \$210

Request for Judicial Intervention..... \$95
(To see judge):

Birth certificate from:

N.Y.S. Department of Health \$15
(Within New York City):

OR

N.Y.S. Department of Health:..... \$45
(Outside New York City but within New York State)

WHAT IF I DON'T HAVE MONEY TO PAY FOR A NAME CHANGE?

If you do not have money to pay the court filing fee(s), you can ask the Court to let you apply for a name change without having to pay. This is called an application for “poor person’s relief.” In order to apply for “poor person’s relief,” you must submit a **Poor Person Application** to the Court *before or at the time of filing* your Name Change Petition.

Even if you are excused from paying court costs and fees, you will still be required to pay for any fees that are associated with publishing your name change in the newspaper.

CAN I CHANGE MY CHILD’S NAME AS WELL?

If you are the parent or legal guardian of a child, you may request a name change for the child if the child is under the age of 18. However, you may be required to get the consent of the other parent to change the child’s name.

The process is similar to changing your own name. You will need to submit to the Court:

- 1. Name Change Petition: “Petition for Individual Minor’s Change of Name”**
- 2. Filing fee(s)**
- 3. Proof of child’s identity.**

Additionally, you must submit two other forms which must be notarized.

- 4. Consent of other parent to change name of child**
- 5. Consent of child over the age of 14 to change name.**

IMPORTANT:

- If contacting the other parent in order to get their consent to the child's name change would put you or the child's safety in jeopardy, you must inform the Court and speak with a Judge to ask for confidentiality.
- If you do not know where the other parent is, or if the other parent refuses to sign the consent form, you will need to speak with a judge to explain the situation. You may be required to do a search for the other parent and show that you tried to find the other parent. In any case, the judge will tell you what you need to do, if anything, to proceed with the child's name change.

Proof of the child's identity follows the same rules as the ones for proving your own identity (*see previous section*). The filing fee for Civil Court is \$65.00 to change the name of one or more minor child. You can use the Civil Court's online Minor Name Change Petition Program to help you fill out the forms.

The program can be accessed at

http://nycourts.gov/courts/nyc/civil/int_minornamechange.shtml.

This program is free and available for use in English and Spanish.

If you or your child's safety is an issue, you should not use the Minor Name Change Petition Program. Name change requests can be viewed by anyone and are public records. If you want to keep your child's name change request private, you should fill out the Minor Name Change Petition by hand and speak to the court clerk about the need for privacy.

CAN I CHANGE MY SOCIAL SECURITY NUMBER?

You cannot change your Social Security number just because you changed your name. If you changed your name, or your child's name, to escape stalking or continued abuse, you should be able to change your Social

Security number as well. If your abuser knows your Social Security number, changing it will make it harder for the abuser to find you.

In order to change your Social Security number, **you must present evidence to the Social Security Administration office that you are being stalked, harassed, or in danger.**

WHERE DO I GO TO CHANGE MY SOCIAL SECURITY NUMBER?

You should go to your local Social Security Administration office. Call 1–800–772–1213 to find the office nearest you, or for any other information. (Deaf or hard of hearing individuals can call the TTY number at 1–800–325–0778.) You can find information on their website: www.ssa.gov.

HOW DO I CHANGE MY SOCIAL SECURITY NUMBER?

If you can establish a need to change your Social Security number, you need to go to your local Social Security Administration office to fill out an application. The office staff can help you complete the application form. If you have access to a computer you may download a copy of the required form with instructions from the Social Security Administration website at www.ssa.gov.

You must bring the following with you to the Social Security Administration office:

- **Identification** that shows your age, your identity (name) and your citizenship (U.S. citizen, legal alien status, etc.). For example, you could bring an original birth certificate, a passport or a driver's license.
- **Current Social Security Card**
- **If you have changed your name already**, you need to bring proof of your old name, as well as proof of your new name (court order).

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- **If you want to change a child’s Social Security number,** you need to bring proof that you have legal custody of your child.
- **If you have been harassed or abused, you need to bring documentation of the harassment or abuse.** This might include:
 - Police reports
 - Doctor, emergency room or clinician reports
 - Court orders of protection
 - Letters from domestic violence shelters saying that you stayed there
 - Letters from family members or friends who witnessed the harassment or abuse and/or who may have provided you with shelter
 - Names of counselors you have told about the harassment or abuse
 - Names of anyone else who might have known about the harassment or abuse

IMPORTANT: Your Social Security number is confidential. No one will know your Social Security number unless you give it to them. You need to be careful about who you give this number to, particularly once you have gone through the trouble of changing it.

GENERAL TIPS

- **Be patient.** This means be patient with yourself, and with other people. If you are changing your name or your Social Security number, you will probably have to tell your story several times. You are also probably going to have to make several trips to one or more courthouses or office, and each time you go, you should plan on spending a good part of the day there. Try not to let it bother you. Just know that it is part of getting what you need.
- **Be prepared.** This booklet tells you what you need to have ready before going in to have your name or Social Security number changed. You will save yourself a lot of time and trouble if you check it first and bring everything you think you will need with you. You might also write down what you want ahead of time. Some offices have agents behind a glass window, which means you may need to raise your voice in order to be heard. If you want to protect your privacy, or you feel nervous about sharing your business in public, write down what you need or are asking for on a piece of paper. That way, you can just slide it through the glass window once you get there.
- **Read everything.** Even if you know that you are filling out the same form every person has to fill out, take the time to read it before signing it. After all, this is an important change you're making. It's a good idea to be aware of what's going on every step of the way.
- **Ask questions.** There are plenty of people who will be able to help you understand the process better, or to help make sure that you have everything ready before you go in. Don't be afraid to ask the court clerks or Social Security Administration office workers for help.

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