

## INSTRUCTIONS FOR ADULT CHANGE OF NAME

### Safety Note:

The court will normally post a public notice about a change of name request on the Alaska Court System's legal notice website. However, if you have personal safety concerns about this public posting, you can ask the judge to waive (not have to do) this legal requirement. In addition, you can ask that your case be kept confidential or that your name not be published in the case listed on the court's public index (CourtView) on the internet. For more information, see Step 2 of these instructions or contact your local court clerk.

Step 1. Fill out the petition form and the vital records report form.

a. *Petition for Change of Name* (form [CIV-700](#)).

On the "AT" line at the top of the form, write the city where the court you will be filing at is located.

Leave the "CASE NO." line blank. The court clerk will assign the number and fill this in once you file with the court.

On the "Petitioner" line and in section 1, write your current legal name. Look at your original birth certificate (or the most recent legal document that changed your name, such as a marriage certificate or divorce decree) to make sure that you are spelling your current legal name exactly as it appears on those legal documents. Check that any punctuation marks such as dashes and periods are exactly the same also. You may not be able to get a birth certificate with your new name from Health Analytics and Vital Records if the current name submitted to the court does not exactly match existing records. If you do not have a middle name, leave the line blank (do **not** write "N/A" or "none").

Section 2 asks whether you have another name that is different from the name on your birth certificate. This section is to make it easier for people to change their birth certificate when their current legal name is not the same as their birth name, because the court can directly order the change. If you are **not** interested in changing the name on your birth certificate, you can let the judge know this at the hearing

Fill out the rest of the form. Wait to sign the form until you are in front of a notary. A court clerk can provide this notary service for you (at no charge) when you bring the petition to court. You must bring a photo ID with you for the notarization.

b. *Application for Legal Name Change* (form [VS-405](#)).

Fill in items 1 through 7. Sign and date the form where it asks for applicant's signature and date. The court clerk will fill in items 8 through 11, and also sign and date the bottom of the form.

Step 2. Safety Concerns (form [CIV-708](#)). [Optional.]

If you have concerns about your personal safety if your proposed name change is posted publicly, you can ask the court to waive posting (that is, not require it to be posted). Fill out *Request to Waive Posting in Adult Change of Name Case* (form [CIV-708](#)) and attach it to your petition when you file the case. This form also asks whether you want your case to be confidential or sealed, and whether you want the court to use

“Not Published” for your name on public CourtView. The form explains in more detail what each of these requests means. Only fill out page 1; page 2 is for the judge. You can get this form notarized at the same time as your petition.

The court may decide the request based only on what you wrote on the form, or the court may schedule a hearing to decide your request(s). At this hearing, the court will only decide whether or not to grant a waiver of public posting and/or grant any requests for confidentiality. This hearing will **not** approve the name change itself.

If you file form CIV-708 at the same time as you open your case, then your case will not be public when it is opened, and the clerk will not post the proposed name change on the court’s website, until after the judge makes a decision on your request. If the judge grants your request, the case will stay unavailable to the public and the proposed name change will not be posted. If the judge denies your request, the clerk will wait at least ten days before making your case public. This is to give you time to decide whether you want to withdraw (cancel) your petition for the name change. If you withdraw, the case will be closed and will not be public. If you decide not to withdraw, then after the waiting period, the court clerk will schedule a hearing on the name change, and a notice will be posted on the website.

If you file form CIV-708 after your case is already open, then the case will remain public until the judge makes a decision on your request(s). If the judge grants the request(s), the court clerk will immediately remove it from public view. If the judge denies the request, your case will proceed as usual.

Step 3. Copies.

Make a copy of the petition, the vital records form, and any other attachments (such as form CIV-708) for yourself.

Step 4. File in Court.

File the originals of all forms in step 3 at the nearest superior court filing location (a list of locations is on page 6). Pay the filing fee. Fee amounts are listed in [Administrative Rule 9](#). If you cannot afford the fee, file form [TF-920](#), *Request for Exemption from Payment of Fees*.

Step 5. Order for Hearing.

The court clerk will give or mail to you *Order For Hearing, Posting, and Additional Service* (form CIV-701). This order will tell you (1) the date of your court hearing, (2) whether the court system will post notice,\* and (3) whether or not you must do additional public posting or notify anyone else of your petition. The hearing date must take place at least 40 days after the date of the order.

Step 6. Posting Notice on Court’s Website. [Unless waived for safety concerns.]

The court will automatically post notice on the Alaska Court System’s legal notice website for four consecutive weeks, unless the court waived this requirement in a written order.\* After the posting, the clerk will file *Clerk’s Certificate of Service of Posting* (form TF-815) to the website.

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\* See Step 2 or the text box at the beginning of these instructions for more information about how to request that the court not post notice.

Step 7. Additional Service. [Only if ordered by the court.]

The court may order you to do additional posting or notice. Read your order (form CIV-701) carefully to understand what the court is requiring you to do, including what proof you must provide that you completed it. If you do not follow the court's instructions, your name change may be delayed or denied. The following paragraphs describe in detail some common orders you may see, but you should follow the instructions on your order if they are different than the instructions below.

a. Notice to a Person, Agency, or Other Entity.

The order may tell you to give a copy of the notice to a specific person, agency, or entity (such as a corporation). Unless the court gives you a specific method to do this, choose whichever method is likely to give the person actual notice. This could be mailing or emailing it to the person's known work or home address, handing the person a physical copy, posting to a social networking account, or using a process server. If the court orders you to use a specific method, then you must use that method. Whichever method you use, once you have completed it, fill out *Affidavit of Additional Service* (form [CIV-702](#)). The court may require you to provide a specific kind of proof of service, which you should attach to the affidavit. File the original affidavit (and all attachments) with the court before the court hearing, or bring it with you to the hearing.

**Note:** If you are on parole or supervised felony probation, you must give notice to your assigned parole or probation officer. If you are incarcerated (for example, in jail, in prison, or at a halfway house), then you must give notice to your institutional probation officer, if you have one. If you are required to register on the Sex Offender and Child Kidnapper Registry under AS 12.63.010, then you must notify the Department of Public Safety. Read your order carefully for any other requirements or details.

b. Publication in a Print Newspaper.

Take the order to the listed newspaper and tell the newspaper staff that you need to publish the "Notice of Petition to Change Name" (on page 2 of the order) in the legal notices section of their newspaper, once each week for four consecutive weeks, before the date of the court hearing. You will have to pay the newspaper for this service. **Do not wait to do this.** All four publications of the notice must happen **before** the court hearing. After the notice has been published all four times, the newspaper will give you an "Affidavit of Publication" that will contain a copy of the published notice and the dates when it was published. File this affidavit with the court before the court hearing, or bring it with you to the hearing.

c. Posting to an Online Newspaper.

Make copies of the notice and post it in the places listed in the order for the number of days stated in the order. After posting is complete, get an affidavit of publication from the online publication's publisher, manager, foreman, or principal clerk, or by the certificate of the attorney for the party at whose instance the service was made. You must also get a printed copy of the posted notice with the name of the online publication and dates of posting. Attach these documents to *Affidavit of Additional Service* (form [CIV-702](#)). File the original affidavit with the court before the court hearing, or bring it with you to the hearing.

d. Posting in Public Places.

Make copies of the notice and post it in the places listed in the order for the number of days stated in the order. After posting is completed, fill out *Affidavit of Additional Service* (form [CIV-702](#)). File the original affidavit with the court before the court hearing, or bring it with you to the hearing.

Step 8. Court Hearing.

The hearing is usually short and fairly informal. The judge will often start by making sure that any required notices were done. Then, tell the judge why you want to change your name, and testify under oath to the judge that you are not seeking to change your name in order to avoid debts, defraud anyone, obstruct law enforcement, or interfere with another person's rights.

Step 9. Judgment for Change of Name.

If the judge finds that there is no reasonable objection to the name change, and that it is not contrary to the public interest, the judge will sign a judgment allowing you to take the new name. However, you cannot begin using the new name yet, because the judgment will not be effective until the rest of these steps are completed.

Step 10. Posting Notice of Judgment. [Unless waived for safety concerns.]

The court will automatically post notice on the legal notice website for one week, unless the court waived this requirement in a written order. After the posting, the clerk will file *Clerk's Certificate of Service of Posting* (form TF-815) to the website.

Step 11. Additional Service of Judgment. [Only if ordered by the court.]

The judge may order you to do additional posting or notice. See Step 7 of these instructions for more information on this. After you complete what the judge ordered you to do, fill out *Affidavit of Additional Service* (form [CIV-702](#)) and file the original with the court. You must do this **within 20 days** of the date of the clerk's distribution of the judgment.

Step 12. Certificate of Name Change.

Once any requirements in Steps 10 and 11 are complete, the clerk will send you *Certificate of Name Change* (form CIV-705). If the judgment does not require additional service, then the clerk will issue this certificate automatically after the one-week posting on the court's website, without waiting for any proof of posting from you.

You can begin using your new name on the date stated in the *Certificate of Name Change*. This date will be at least 30 days after the judgment was distributed. The clerk will give you two copies of the certificate. One will be a free certified copy. If you need more certified copies, there will be a charge for them. See [Administrative Rule 9](#) for current fees.

## Records to Change

After changing your name, there are several records you will need to change:

1. Social Security. To avoid tax problems and help assure proper employment credit, you should notify the Social Security Administration of your name change. Toll free telephone number: 1-800-772-1213.
2. Division of Motor Vehicles (DMV). If you have an Alaska driver's license or you own a vehicle registered in Alaska, you must send written notice of your name change to the Division of Motor Vehicles **within 30 days**.<sup>1</sup> It is **very important** that you do this; you could receive a citation and have to pay a fine, or even be charged with a crime under certain circumstances, if you fail to do this. Contact a DMV office to find out how the division wants to receive written notice. To get a new driver's license or Alaska ID card, go to a DMV office and present a certified copy of the *Certificate of Name Change* (form CIV-705).
3. Vital Records. If you want a new birth certificate, contact the Vital Records office of the state in which you were born and pay any required fee.
4. Sex Offender and Child Kidnapper Registry. If you are required to register under AS 12.63.010, then you must notify the nearest Alaska state trooper post or municipal police department of your new name **by the next working day** after receiving the *Certificate of Name Change* (form CIV-705). Use *Notification of Petition/Proof of Legal Name Change* (form 12-299-74), available in paper copy from local law enforcement or online at <https://sor.dps.alaska.gov/Home/Documents>. Failure to do this is a crime, with a penalty of up to five years in jail, depending on your criminal history.
5. Other Records. You may also need to change your name on such other records as bank accounts, insurance policies, the Alaska PFD Division, etc.

## Statutes and Rules

The Alaska Statutes and Alaska Court Rules about name changes are:

- Civil Rule 84, which establishes the procedure for changing names.
- Alaska Statute 09.55.010, which gives the superior court the power to hear these cases and sets the standard the court must use in deciding whether to grant a name change. It also requires extra notice requirements for individuals that are incarcerated or charged with a crime, are on probation or parole, or must register on the sex offender or child kidnapper registry.
- Alaska Statute 25.24.165, which describes the procedure for changing a person's name in a divorce. Also see AS 25.24.230(c)(2) & (f) concerning dissolutions of marriage.

You can find the rules and statutes at all state courts, court law libraries, and many city libraries.

Court rules are online here: [www.courts.alaska.gov/rules/index.htm](http://www.courts.alaska.gov/rules/index.htm).

Alaska statutes are online here: <https://www.akleg.gov/basis/statutes.asp>

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<sup>1</sup> AS 28.05.071 and AS 28.35.135(b).

SUPERIOR COURT FILING LOCATIONS

ANCHORAGE:	825 West 4 <sup>th</sup> Avenue, Anchorage, AK 99501-2004
BETHEL:	Box 130, Bethel, AK 99559-0130
CORDOVA:	Box 898, Cordova, AK 99574-0898
DELTA JUNCTION:	Box 401, Delta Junction, AK 99737-0401
DILLINGHAM:	Box 909, Dillingham, AK 99576-0909
FAIRBANKS:	101 Lacey Street, Fairbanks, AK 99701-4765
GLENNALLEN:	Box 86, Glennallen, AK 99588-0086
HOMER:	3670 Lake Street, Building A, Homer, AK 99603-7686
JUNEAU:	Box 114100, Juneau, AK 99811-410
KENAI:	125 Trading Bay Drive, Suite 100, Kenai, AK 99611-7717
KETCHIKAN:	415 Main Street, Room 400, Ketchikan, AK 99901-6399
KODIAK:	204 Mission Road, Room 124, Kodiak, AK 99615-7312
KOTZEBUE:	Box 317, Kotzebue, AK 99752-0317
NAKNEK:	Box 229, Naknek, AK 99633-0229
NENANA:	Box 449, Nenana, AK 99760-0449
NOME:	Box 1110, Nome, AK 99762-1110
PALMER:	435 South Denali Street, Palmer, AK 99645-6437
PETERSBURG:	Box 1009, Petersburg, AK 99833-1009
PRINCE OF WALES:	Box 529, Klawock, AK 99925
SEWARD:	Box 1929, Seward, AK 99664-1929
SITKA:	304 Lake Street, Room 203, Sitka, AK 99835-7759
TOK:	Box 187, Tok, AK 99780-0187
UNALASKA:	Box 245, Unalaska, AK 99685-0245
UTQIAGVIK:	Box 270, Utqiagvik, AK 99723-0270
(Formerly BARROW)	
VALDEZ:	Box 127, Valdez, AK 99686-0127
WRANGELL:	Box 869, Wrangell, AK 99929-0869

If your nearest court is not on this list, check with that court to find out if a petition for name change can be filed there. Court contact information can be found here:

<http://www.courts.alaska.gov/courtdir/index.htm>.