

## LOS ALAMOS COUNTY

### HOW TO CHANGE AN ADULT'S, OR CHILD OVER AGE OF FOURTEEN'S NAME

Disclaimer: This packet is designed to give assistance to *Pro Se* parties. It isn't a guarantee or a promise; it's just some helpful hints. It's always a good idea to have a lawyer assist you in legal matters.

### DO YOU QUALIFY UNDER THE LAW?

**YOU MUST BE:** Over the age of fourteen (14) and living in Los Alamos County.

### HOW TO GET STARTED

1. Prepare the Petition for Change of Name, the Interpreter form, and Request for Hearing.
2. Notice is no longer required to change your name if you are over the age of fourteen (14).
3. File the Petition, Interpreter Form, and Request for Hearing along with the \$132.00 Filing Fee with the Clerk's Office. The Clerk will assign a case number and Judge to your case. If you need copies of your documents, the Clerk can make you copies for 35 cents per page.

The Clerk's Office only accepts cash, cashier's check or money order. If you cannot afford to pay the filing fee, you can complete an Application for Free Process and Affidavit of Indigency. You must submit this form to the judge for approval.

4. The Clerk's Office will submit your forms to the Judges' Office.
5. The Clerk will contact you when your endorsed forms are ready for pick-up.
6. Go to the hearing on the date provided on the Notice of Hearing. Be sure to bring the Order for Change of Name. If no one objects, the Judge will usually grant your request. Give the Judge the Order for Change of Name to sign.
7. You may purchase copies of the signed Order for Change of Name at the Clerk's Office. It is a good idea to get more than one copy for your own records and for other agencies like Vital Records or Social Security. Please remember, the Clerk's Office only accepts cash, cashier's check or money order.
8. Go to the County Clerk's Office and record the Order for Change of Name. The Los Alamos County Clerk is located at 1000 Central Avenue Suite 240, Los Alamos, NM 87544. The County Clerk will charge a recording fee. For information regarding the cost of recording, please call the County Clerk's Office at 505-662-8010. The Judge cannot reduce or forgive fees required by the County Clerk's Office.

This informational packet includes directions and all the forms you need. The packet is provided to you by:

**The First Judicial District Court**  
225 Montezuma Ave.  
Santa Fe, New Mexico 87501

**Clerk of the Court: 505-455-8250**  
**Fax Number: 505-455-8280**

## **New Mexico Statutes on Name Changes**

**NMSA 1978, § 40-8-1 (amended in 2023):** A. Any resident of this state fourteen years of age or older may, upon petition to the district court of the district in which the petitioner resides, if no sufficient cause is shown to the contrary, have the petitioner's name changed or established by order of the court. The legal parents or legal guardians of any resident of this state under the age of fourteen years may, upon petition to the district court of the district in which the petitioner resides, if no sufficient cause is shown to the contrary, have the name of the petitioner's child or ward changed or established by order of the court. When residents under the age of fourteen years petition the district court for a name change, notice shall be given to all legal parents or legal guardians. The order shall be entered at length upon the record of the court, and a copy of the order, duly certified, shall be filed in the office of the county clerk of the county in which the person resides. The county clerk shall record the same in a record book to be kept by the county clerk for that purpose.

B. If the court finds that notice to one or more legal parents or legal guardians of a child who is under fourteen years of age will jeopardize the child's or the applicant's personal safety, the court shall not require notice. The court shall order all records regarding the petition to be sealed. The records shall only be opened by court order based upon a showing of good cause or at the applicant's request.

**NMSA 1978, § 40-8-3:** That the hearing and determination of all proceedings instituted under the provisions of this chapter [40-8-1, 40-8-3 NMSA 1978], and the final order of the court therein, shall be had and made at some regular term of the district court sitting within and for the county wherein said petitioner resides.

STATE OF NEW MEXICO  
COUNTY OF SANTA FE/RIO ARRIBA/LOS ALAMOS  
FIRST JUDICIAL DISTRICT COURT

Case No.: D-\_\_\_\_\_-CV-\_\_\_\_\_

IN THE MATTER OF THE PETITION OF  
\_\_\_\_\_  
FOR CHANGE OF NAME,

**This form must be  
filled out.**

**INTERPRETER FORM**

1. Do you need an interpreter?:  Yes  No
2. An interpreter is requested for:  Petitioner/Plaintiff  Respondent/Defendant  
 Witness in matter

**(This party request is for the entire case.)**

3. The type of interpreter needed:  Spanish  American Sign Language  
 \_\_\_\_\_ speaker  
(language)

Dated: \_\_\_\_\_

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
 Petitioner/Plaintiff Pro Se  
 Respondent/Defendant Pro Se

\_\_\_\_\_  
(Street Address)

\_\_\_\_\_  
(City, State and Zip Code)

\_\_\_\_\_  
(Telephone Number – Indicate If None)

\_\_\_\_\_  
(Email)

**STATE OF NEW MEXICO  
COUNTY OF \_\_\_\_\_  
FIRST JUDICIAL DISTRICT COURT**

No. \_\_\_\_\_

**IN THE MATTER OF THE PETITION OF  
\_\_\_\_\_  
FOR CHANGE OF NAME**

**PETITION TO CHANGE  
NAME (ADULT or CHILD  
OVER FOURTEEN)**

1. **COMES NOW** the Petitioner, \_\_\_\_\_  
Print Name  
pursuant to §40-8-1, NMSA 1978, and states as follows:
2. Petitioner is over the age of fourteen (14) years.
3. Petitioner is a resident of \_\_\_\_\_,  
City of Residence  
County, New Mexico.
4. The Petitioner seeks the following name change:

<i>Current Name</i>	<i>Proposed Name</i>	<i>Year of Birth</i>

5. There is no sufficient cause to the contrary why his/her name should not be changed to and established as stated in paragraph 4 of this petition.

**WHEREFORE**, Petitioner prays:

1. That the Court set a hearing in this matter; and
2. Following the time set for the hearing, the Court enter its Order changing and establishing Petitioner's name as stated in paragraph 4 of this petition.

Respectfully submitted,

\_\_\_\_\_  
Signature, Petitioner, pro se (sign your current name)

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone number \_\_\_\_\_

STATE OF NEW MEXICO  
COUNTY OF \_\_\_\_\_  
\_\_\_\_\_ JUDICIAL DISTRICT

No. \_\_\_\_\_

IN THE MATTER OF THE PETITION OF  
\_\_\_\_\_  
FOR CHANGE OF NAME

**REQUEST FOR HEARING**

The Petitioner requests a HEARING on a Petition for Order for Change of Name of a Child under the Age of 14.

Assigned judge: \_\_\_\_\_  
Matters to be heard: PETITION FOR NAME CHANGE  
Time requested by Petitioner: 10 MINUTES

(Provide names and addresses of parties who need to be notified – attach a list if necessary.)<sup>2</sup>

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I hereby certify that I have caused a copy of the foregoing to be [mailed] [delivered] [faxed] to each of the opposing parties listed above on or before \_\_\_\_\_ (date of service).

Hearing requested by:

\_\_\_\_\_  
Signature  
Printed name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Telephone: \_\_\_\_\_  
\_\_\_\_\_

**STATE OF NEW MEXICO  
COUNTY OF SANTA FE/RIO ARRIBA/ LOS ALAMOS  
FIRST JUDICIAL DISTRICT**

No. \_\_\_\_\_

**IN THE MATTER OF THE PETITION OF**  
\_\_\_\_\_  
**FOR CHANGE OF NAME,**

**NOTICE OF HEARING**

PLEASE TAKE NOTICE that the above-entitled cause has been scheduled for a hearing before the HONORABLE \_\_\_\_\_, District Judge for the date, time, and place set forth below:

Date: \_\_\_\_\_

Time: \_\_\_\_\_

Place: \_\_\_\_\_

Matter: **PETITION FOR CHANGE OF NAME**

Time Allotted: \_\_\_\_\_

\_\_\_\_\_  
**Trial Court Administrative Assistant**

I hereby certify that I mailed, emailed, electronically served, or hand delivered a copy of the foregoing Notice of Hearing on the date of filing acceptance to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
**Trial Court Administrative Assistant**



**STATE OF NEW MEXICO  
COUNTY OF \_\_\_\_\_  
FIRST JUDICIAL DISTRICT COURT**

No. \_\_\_\_\_

**IN THE MATTER OF THE PETITION OF  
\_\_\_\_\_  
FOR CHANGE OF NAME**

**ORDER FOR CHANGE OF NAME**

THIS MATTER came before the Court for hearing upon a Petition for Change of Name. The court examined the matter pursuant to NMSA 1978, Section 40-8-1 (2023), and being fully advised, FINDS:

1. The Petitioner has complied with all of the requirements of the law for a change of name, including the requirements of notice because:
  - a. \_\_\_\_\_ Notice has been given to both legal parents and Petitioner has provided proof of the required notice.
  - b. \_\_\_\_\_ No notice is required because notice to one or more legal parents or legal guardians will jeopardize the Child's or the Applicant's personal safety under NMSA 1978, §40-8-1(B).
  - c. \_\_\_\_\_ No notice is required because the applicant is over the age of 14.
2. No sufficient cause has been shown why the name of the Petitioner should not be changed.
3. The name shall be changed as follows:

Former Name	Newly Ordered Name	Year of Birth

**IT IS THEREFORE ORDERED** that the name of the Petitioner be and hereby is CHANGED to \_\_\_\_\_ (new name).

**IT IS FURTHER ORDERED** that the Department of Vital Statistics shall change the name on the Petitioner's birth certificate to reflect Petitioner's new legal name.

\_\_\_\_\_  
The Honorable Judge \_\_\_\_\_