



## INFORMATION FOR CLIENTS OF TEXAS ATTORNEYS

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# Name Changes in Texas

Changing your legal name in Texas is a relatively simple process. While most name changes are completed in conjunction with a marriage or a divorce, this article will largely address obtaining a name change as a separate, independent process.

In almost all circumstances other than marriage or divorce, a request for change of name must be made in a petition filed with the court and the court must sign an order granting the person a new name. To permit a person to change his or her name, the court has certain requirements that must be met to ensure that the change is not sought to avoid legal trouble. If the name change is for a child, there are added requirements that the parents or conservators of the child must be served and the name change must be in the best interest of the child.

### Filing a Petition For a Change of Name

The first step in obtaining a name change is to file an original petition for change of name. The petition must be filed with the district clerk of the county where the person requesting the name change, known as the petitioner, resides. The clerk will then assign the case to a specific court. According to Texas law, the petitioner must sign the petition in the presence of a notary and swear that all of the information it contains is true.

If you are requesting a child's name change, Texas law requires that the petitioner requesting the name change be served by a constable or process server on each parent of the child that has not had his or her parental rights terminated or any managing conservator or guardian of the child. Additionally, a petition for the change of name of a child requires different information than a petition for an adult's name change.

### Preparing and Entering An Order for Change of Name

After a petition has been filed and properly served, if service is necessary, the petitioner will have to schedule a time with the court's coordinator to appear before the judge and have an order signed by the judge.

*It is important to remember that a court ordered name change does not release a person or a child from liability incurred in that person's previous name or defeat any right the person or child had in the previous name.*

Like the petition, the order that the judge will sign must contain certain information. The order must not only contain the same information that is included in the petition, but must also state that the name change is in the interest or to the benefit of the petitioner and is in the interest of the public. When the petitioner presents the order to the court, he or she must also testify in open court as to each of the things listed in the order.

When the name change is requested for a child, the order must state and the petitioner must show that the parents or other required persons have been served with the petition for name change and that the required parties have agreed to the name change either by signing the order or testifying in court. If the matter is contested,

the request for the name change must be set for a hearing with the court on a specific date and time and all necessary parties must be notified of the hearing.

The order for change of name for a child must include the same information as the petition, a statement that the change is in the best interest of the child and signed agreement of the parents or other required persons if the name change is uncontested.

### After the Order Is Entered

After the court has signed the order, several government agencies and organizations must be notified of the name change. Among other offices, a person must notify the Social Security Agency and Department of Motor Vehicles to obtain a new social security card and driver's license. In addition to government agencies, credit card companies, banks, employers, insurance providers, and other private organizations must be notified of the name change. Each group has different requirements as to how this information will need to be updated, so it is important to contact the individual organization to determine how to proceed with recording the name change. If proof of the name change is required, a name change certificate can be obtained from the district court clerk for a small fee. If a child's name has been changed and the child has been the subject of a custody or child support order, the person that obtained the name change must also send a copy of the order to the Central Record File at the Bureau of Vital Statistics.

Finally, it is important to remember that a court ordered name change does not release a person or a child from liability incurred in that person's previous name or defeat any right the person or child had in the previous name. ❖

This article is excerpted from *Name Changes in Texas*, a pamphlet produced as a public service by the Texas Young Lawyers Association. To download a full copy of the pamphlet, visit [tyla.org](http://tyla.org), write TYLA, P.O. Box 12487, Capitol Station, Austin 78711-2487, or call (800)204-2222, Ext. 1800.