

PRO SE FORMS – NAME CHANGE

Section 40-8-1. Change of name; petition and order.

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.

THIS PACKET CONTAINS:

1. **Petition for Change of Name**
2. **Request for Setting**
3. **Final Order Changing Name**
4. **Sample Letter to Registrar**



PLEASE READ

- **REMEMBER - As a self-represented litigant you are responsible for your case.** The District Court Clerk's Office will not provide any information as to how you should proceed with your case.
- **You must fill out the paperwork correctly, request and attend hearings, file all necessary documents, keep track of deadlines, etc.**
- **Type or print your forms.**
- **Make sure the pleadings are signed.**
- **File the forms with the court.**
- **Required number of copies:** An original and at least one (1) copy of each form must be filed.
- **Pay the filing fee:** \$132 - cash or money order, unless free process is approved.

STATE OF NEW MEXICO
COUNTY OF _____
SIXTH JUDICIAL DISTRICT

IN THE MATTER OF A PETITION
FOR CHANGE OF NAME OF

_____. No. D-____ - _____

PETITION FOR CHANGE OF NAME

COMES NOW, the Petitioner, _____, pursuant to NMSA
1978, § 40-8-1, *et seq.* and states as follows:

1. Petitioner is a resident of _____ County.
2. Petitioner is fourteen years or older.
3. Petitioner requests a change of name to _____ for
the following reasons: _____

WHEREFORE, Petitioner prays this Court for its order granting a change of name as
requested.

PETITIONER

Print Name: _____

Address: _____

City/State/Zip _____

Telephone No.: _____

VERIFICATION

I have read this Petition for Change of Name and it is true to the best of my knowledge and belief.

Petitioner

SUBSCRIBED AND SWORN TO before me this _____ day of _____,
_____.

Notary Public

My Commission Expires:_____

[Effective in all cases filed or pending on or after June 16, 2023.]

STATE OF NEW MEXICO
COUNTY OF _____
SIXTH JUDICIAL DISTRICT

IN THE MATTER OF A PETITION
FOR CHANGE OF NAME OF

_____. No. D-_____-_____

REQUEST FOR SETTING

Type of case: _____ Non-jury _____ Jury _____

Judge assigned to case: _____

Any hearing presently set in this matter: _____

Specific matters to be heard: _____

Time requested for hearing: _____

(By requesting trial on the merits the undersigned attorney or pro se party certifies the case is ready for trial. A party who disagrees that the case is ready for trial on the merits shall, within ten (10) days from service of this request for setting, file a response setting forth why it is not ready for trial on the merits and when it will be. Rule 1-040 NMRA.)

(Provide names, addresses, telephone numbers, and email addresses if known, of counsel and pro se parties who need to be notified—attach a list if necessary.)

Telephone number: _____

Telephone number: _____

Email address: _____

Email address: _____

I hereby certify that I have caused a copy of the foregoing to be mailed/delivered/faxed to opposing counsel/parties pro se this _____ day of _____, 20____.

Requested by:

[Effective in all cases filed or pending on or after June 16, 2023.]

STATE OF NEW MEXICO
COUNTY OF _____
STATE OF NEW MEXICO

IN THE MATTER OF THE PETITION
FOR CHANGE OF NAME OF

No. D- _____ - _____

FINAL ORDER CHANGING NAME

THIS MATTER having come before the Court on the Petition of _____

_____ to change Petitioner's name to _____,

and the Court having considered said Petition and being otherwise advised in the premises, finds

as follows:

1. This Court has jurisdiction over the subject matter and the party hereto.
2. Petitioner, _____, who is fourteen (14) years of age or older, is a resident of the City of _____, County of _____, State of New Mexico.
3. Petitioner, _____, desires to change Petitioner's name from _____ to _____.
4. No person has objected to the change of name as requested herein.
5. The Court finds no reason why the Petition should not be granted.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

- A. The Court adopts paragraphs numbered 1 through 5 above as findings of this Court.
- B. Said Petition should be, and the same is hereby, granted;
- C. Petitioner's name of _____ is hereby changed to _____.

Upon the request of Petitioner, the Office of Vital Records of the New Mexico Department of Health, and its successors, shall amend the Certificate of Birth to reflect the name change, if applicable.

DISTRICT COURT JUDGE

[Effective in all cases filed or pending on or after June 16, 2023.]

Date: _____

Registrar
New Mexico Health Department Vital Records
P.O. Box 26110
Santa Fe, NM 87502

To whom it may concern:

I have recently changed my name and would like to amend my birth certificate. My former name was _____ and I was born in _____ County on _____ (*date of birth*).

I have enclosed the following documents:

1. A certified copy of the Order changing my name bearing the court's embossed seal;
2. A check of money order for \$20.00;
3. My completed Birth Record Search Application obtained from the New Mexico Bureau of Vital Records (<https://www.nmhealth.org/about/erd/bvrhs/vrp/birth/>);
4. My old birth certificate; and
5. A photocopy of my I.D.

Sincerely,

(Your new name)

(Address)

(City, State, Zip Code)

(Telephone)

New Mexico Vital Records and Statistics:

7.2.2.25 NAMING: For all parts of this section, any document in which a name is created or amended, the name given must comply with the following requirements:

- A. must include a first and last name;
- B. must be a full name and may not include initials;
- C. may not be obscene, offensive, bizarre, or unduly lengthy;
- D. may not be used for fraudulent purposes; and
- E. may only use the 26 letters of the English alphabet and may not contain characters except hyphens, apostrophes, and periods.

[7.2.2.25 NMAC - N, 12/27/2022]

Updated: July 11, 2023