

In New York, the term **infant** means any person under the age of 18 years. You can change your infant's name without going to court. This is called common usage. Changing your infant's name by common usage is easy - just start using the new name. The name will not be legally changed and there will not be a public record of your infant's new name.

Because there will not be proof of the name change, it may be hard, if not impossible, to get your infant's name changed with certain agencies, like Social Security Administration.

### What forms do I need?

You need to fill out and file the following forms to ask the court for the name change.

- *Infant Name Change Petition*
- *Notice of Petition with proof of service*
- *Consent (if needed)*
- *Infant Name Change Order*
- *Application for Index Number*
- *Request for Judicial Intervention*

You can find these forms and detailed instructions at your local law library or online at:

<http://www.nycourts.gov/courts/6jd/forms/SRForms/index.shtml>

Once your order is signed, you will need to publish the name change in the newspaper.

### Do I have to publish the name change in the newspaper?

- Yes, in most circumstances! This is so creditors and other agencies can be aware of the name change.
- *But*. . . you may ask the court to not have to do this *IF* you feel that your personal safety, or the safety of your infant, could be in danger by having the name change in the newspaper.

### Are there restrictions?

Yes! You cannot:

- Change your infant's name to a "trademarked" name like "IBM" to make money.
- Use symbols or pictures in the name like a dollar sign "\$", an asterisk "\*" or a smiley face "☺".
- Use numbers in the name like "John2007". You *can* use Roman numerals at the end of the name, such as John Smith, II.
- Use offensive or violent words or a racial slur for the name.

### Could the judge deny my request to change my infant's name?

Yes. Submitting the petition to change an infant's name does not guarantee that the judge will sign an order approving the name change. The reasons for the name change must be true and in the best interests of the infant.

### What else should I know?

- You can get your infant's birth certificate changed to show the new name. Send a certified copy of the name change order to the Department of Health in and for the state that issued the birth certificate.
- It is **your** responsibility to notify agencies of your infant's name change. This includes schools, insurance companies, banks, credit card companies and anyone else that might need to update their records to show your infant's name change.

### More Questions?

You can go to your local law library. To find the one nearest you go to our website at:  
<http://www.nycourts.gov/courts/6jd/index.shtml>