

## INSTRUCTIONS FOR FILING A CHANGE OF NAME FOLLOWING CONVICTION/ADJUDICATION FOR A FELONY

These standard instructions are for informational purposes only and do not constitute legal advice about your case. If you choose to represent yourself, you are bound by the same rules and procedures as an attorney.

### GENERAL INFORMATION BEFORE YOU FILE YOUR PETITION

- ◆ These instructions only apply to a person who was convicted of a felony or adjudicated as a juvenile delinquent for an offense that would constitute a felony if committed by an adult in Colorado or any other state or under federal law and the person needs a legal name change in order to be issued in that name a driver's license or an identification card in Colorado.
- ◆ The proposed name change that you are requesting should be the name under which you were convicted or adjudicated, unless you can show good cause for proposing a different name.
- ◆ As a general rule, the Petition shall be filed in county court or district court in the county in which the person seeking a name change is a resident. However, if the person seeking a name change is under 19 years of age and is the subject of an action concerning child support, allocation of parental responsibilities, or parenting time, the Petition shall be filed in the Court that has jurisdiction over that action. Also, if the person seeking a name change is under 19 years of age the Petition shall include the caption of any proceeding in which a Court has ordered child support, allocation of parental responsibilities, or parenting time regarding that person.
- ◆ The Court will not consider a Petition for a name change unless the following occurs:
  - ✓ If the person seeking a name change is over 14 years of age, a FBI and CBI fingerprint-based criminal history record check is conducted within 90 days prior to the filing of the Petition.
  - ✓ The Colorado criminal history record has the proposed name added as an alias. If the conviction or adjudication occurred in another state, this may not apply.
  - ✓ The District Attorney's Office(s) in the district(s) where the felony conviction(s) or adjudication(s) occurred received notification of the proposed name change.
  - ✓ If the Petitioner is in custody of the Department of Corrections, under an order for probation or community corrections, or incarcerated in a county jail, written notification was provided to the supervising agency.
- ◆ For additional information, please review Colorado Revised Statutes §§13-15-101, -102, C.R.S.
- ◆ If you have a disability and need a reasonable accommodation to access the courts, please contact your local ADA Coordinator. Contact information can be obtained from the following website:  
[http://www.courts.state.co.us/Administration/HR/ADA/Coordinator\\_List.cfm](http://www.courts.state.co.us/Administration/HR/ADA/Coordinator_List.cfm)

### COMMON TERMS

- |               |   |
|---------------|---|
| ☒ Petition:   | Document officially commences the Change of Name process. |
| ☒ Petitioner: | The person filing a Petition for Change of Name.          |
| ☒ May:        | In legal terms, "may" is defined as "optional" or "can."  |
| ☒ Shall:      | In legal terms, "shall" is defined as "required."         |

**If you do not understand this information, please contact an attorney.**

## FEES

The filing fee is \$ 100.00. If you are unable to pay, you must complete the Motion to File without Payment and Supporting Financial Affidavit (JDF 205) and submit it to the Court. Once you submit the completed JDF 205 form and a blank Order (JDF 206), the Court will decide whether you need to pay the filing fee.

Fees that a party to the case may encounter are as follows:

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| <input type="checkbox"/> Publication Fee                             | Varies (May be payable to the Court or to the newspaper). |
| <input type="checkbox"/> Copies of Documents (Documents on File)     | \$ .75 per page or \$1.50 if double-sided                 |
| <input type="checkbox"/> Copies of Documents (Documents not on File) | \$ .25 per page or \$.50 if double-sided                  |
| <input type="checkbox"/> Cost of Fingerprints                        | (See fingerprinting information in Step 1)                |
| <input type="checkbox"/> Fingerprint-based Criminal History Check    | (See fingerprinting information in Step 1)                |

## FORMS

To access forms online, go to the website at [www.courts.state.co.us](http://www.courts.state.co.us) and click on the “Forms” tab. The packet/forms are available in PDF or WORD by selecting “County Civil - Name Change to Obtain Identity-Related Documents”. You may complete a form online and print or you may print it and type or print legibly in black ink.

- |                                  |  |
|----------------------------------|--|
| <input type="checkbox"/> JDF 426 | Order for Publication for Change of Name                             |
| <input type="checkbox"/> JDF 427 | Public Notice  |
| <input type="checkbox"/> JDF 386 | Petition for Change of Name (Felon)                                  |
| <input type="checkbox"/> JDF 387 | Final Decree for Change of Name to Obtain Identity-Related Documents |

## STEPS TO FILING YOUR CASE

### Step 1: Complete required fingerprint-based criminal history checks.

The Petitioner must submit a criminal history check from the Colorado Bureau of Investigation (CBI) and Federal Bureau of Investigation (FBI) at the time the “Petition for Change of Name (Felon)” is filed. Please follow these steps:

- Law enforcement agencies are no longer required to provide fingerprinting for civil cases. Some law enforcement agencies will refer you to Colorado Application Background Services (CABS). Below is a link to the Colorado Bureau of Investigations website which includes information and instructions sorted by category: <https://www.colorado.gov/pacific/cbi/employment-background-checks>
- If you have a felony conviction recorded in Colorado or any other state, and you know that it is inaccurate, it is your responsibility to obtain the disposition information from the Court where such action occurred as identified in the CBI and FBI reports.
- You are also responsible for providing certified copies of any criminal dispositions that are not reflected in the Colorado Bureau of Investigations or Federal Bureau of Investigation records and any other dispositions which are unknown, by contacting the agency where such actions occurred.

### Step 2: Notify appropriate agencies in writing.

- Notify the CBI and the FBI, in writing, to add the proposed name change as an alias to the Petitioner’s criminal history record.
- Notify the District Attorney’s Office(s) in the district(s) where the felony conviction(s) or adjudication(s) occurred that you are seeking a name change. If you are in the custody of the Department of Corrections (DOC), under an order for probation or community corrections, or incarcerated in a county jail, notify the supervisory agency in writing. A copy of this written notification must be provided to the Court as Exhibit C.

**Step 3: Complete appropriate forms.**

- Petition for Change of Name (Felon) (JDF 386).**
  - Complete all sections of this form.
  - Insert your current full name and proposed name change as identified in the caption below.
  - The proposed name change should be the name under which you were convicted or adjudicated.** For good cause, the Court may allow a change of name other than a name under which you were convicted or adjudicated.
  - If the person seeking a name change is over 14 years of age, attach the fingerprint-based FBI criminal history record check to the Petition as Exhibit A and the fingerprint-based criminal history record check from the CBI as Exhibit B. The CBI record must list the proposed name as an alias. If the conviction or adjudication occurred in another state, submit as Exhibit B the letter from CBI showing that no CBI record exists. **Make sure that the fingerprint-based criminal history record checks are conducted within 90 days prior to the filing of the Petition.**
  - If applicable, attach a copy of the written notification provided to DOC, the Probation Department, Community Corrections, or the county jail and identify as Exhibit C.

<input type="checkbox"/> County Court <input type="checkbox"/> District Court <input type="checkbox"/> Denver Juvenile Court _____ County, Colorado Court Address: _____ <hr/> In the Matter of the Petition of: <b>(Insert your full legal name here.)</b> For a Change of Name to: <b>(Identify your proposed name here.)</b>	<b>COURT USE ONLY</b>
Attorney or Party Without Attorney (Name and Address): _____ Phone Number: _____                      E-mail: _____ FAX Number: _____                         Atty. Reg. #: _____	Case Number: _____  Division                      Courtroom
<b>PETITION FOR CHANGE OF NAME (FELON)</b>	

- Order for Publication for Change of Name (JDF 426).**
  - Complete all sections of this form.
  - The Judge or Magistrate will sign the Order for Publication if publication is required.
  
- Public Notice (JDF 427).**
  - Complete all sections of this form.
  - This is the form that you will submit to the local newspaper to publish notice of the requested name change, if publication is required.
  
- Final Decree for Change of Name to Obtain Identity-Related Documents (JDF 387).**
  - Complete caption only.
  - The Judge or Magistrate will sign the Final Decree.

**Step 4: File your Documents with the Court.**

- Provide the Court with the documents completed as described in Steps 1 - 3 above and pay the \$100.00 filing fee.
- The Court may require a self-addressed stamped envelope.

**Step 5: Publish proposed name change.**

Unless you show good cause why publication is not required, the Court will enter the Order for Publication for Change of Name (JDF 426). The change of name must be published at least three times within 21 days from the date of the publication order in a newspaper by using the Public Notice (JDF 427) form unless, pursuant to §13-15-102, C.R.S., you have been:

- The victim of a crime, the underlying factual basis of which has been found by the Court; to include an act of domestic violence as defined in §18-6-800.3(1), C.R.S.; or
- The victim of child abuse as defined in §18-6-401, C.R.S., or
- The victim of domestic abuse as defined in §13-14-101(2), C.R.S.

**Step 6: Obtain a signed copy of the Final Decree for Change of Name to Obtain Identity-Related Documents from the Court.**

- Submit proof of publication to the Court. This can include copies of the newspaper notice.
- If publication is not required pursuant to §13-15-102, C.R.S., you will receive your Final Decree if the Petition is approved by the Court.
- You will need a certified copy of the Final Decree to provide to the Department of Revenue for it to issue a driver's license or identification card in your new name.
- The Court will provide you certified copies at no cost.

**Note:** If you own property, you should record the Final Decree for Change of Name with the Clerk and Recorder's Office in the county where the property is recorded to reflect the new name on the property records.

- Check with the Clerk and Recorder's Office for the fee to record the name change, office hours, if the information can be submitted by mail or in person, etc.