

Frequently Asked Questions about Name Changes

Will the court issue me a new birth certificate after my case is complete?

- No, the court does not issue birth certificates. Once you have the Final Decree for Name Change, you will need to contact the vital statistics office in the county where the birth certificate was originally issued to find out what their policies and procedures are to change a birth certificate.

Why do I have to have this published in a newspaper?

- Per Colorado Revised Statutes, publication can only be waived if you have been:
 - The victim of a violent 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 13-4-101(2) C.R.S.

I have some charges on my criminal history report from the FBI or CBI. Can I still get my name changed?

- That decision will be made by the judge or magistrate handling your case. You may want to seek legal advice from an attorney before filing your petition.

Will there be a hearing?

- It depends on the circumstances of your case.

I have sole custody of my child/children. Do I still have to notify the non-custodial parent of the petition to change the child/children's name(s)?

- Yes. The only time that notification to a non-custodial parent is not required is if parental rights have been terminated by the court.

My child/children's mother/father has not had any contact with us or paid any child support in a long time. Do I still have to notify her/him of the petition to change the child/children's name(s)?

- Yes. The only time that notification to a non-custodial parent is not required is if parental rights have been terminated by the court.

I do not know where the non-custodial parent lives and we do not have any contact with each other. How can I notify them of the petition to change the child/children's name(s)?

- You may file a Request to Publish Notice to Non-Custodial Parent (JDF 424) with the court. The court will require that you provide proof that you have made diligent effort to locate the non-custodial parent before considering your request.

My child/children's other parent and I were divorced or had a custody case in another state. Can I file for a name change for the child/children in Colorado?

- No. Once a court has issued orders for a child and/or children, that court retains jurisdiction over the child/children. You will need to contact the court in the state your orders are from and find out what their process is for a name change.