



Guide to Names Changes (for a prior felon)

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

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

In County Court – \$88.00

In District Court – \$238.00

Other fees that may apply:

- | | |
|---|---|
| <input type="checkbox"/> Publication Fee | Varies (May be payable to the Court or to the newspaper). |
| <input type="checkbox"/> Copies of Documents | \$ 0.25 per page or \$0.50 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

For forms, visit [www.courts.state.co.us/Forms].

- JDF 426 Order for Publication for Change of Name
- JDF 427 Public Notice
- JDF 386 Petition for Name Change (prior felon)
- JDF 387 Final Decree

STEPS TO FILING YOUR CASE

Step 1: History Checks

You must attach a fingerprint based criminal history check from the CBI and FBI dated within 90 days when you file the Petition (Step 3).

- Visit the CBI and FBI websites for information on ordering a history check.
- Visit the CBI's webpage to schedule fingerprints:
<https://cbi.colorado.gov/sections/biometric-identification-and-records-unit/employment-and-background-checks>

Step 2: Notification

- In writing, notify the CBI and the FBI to add the proposed name change as an alias to your criminal history record.
- Notify the District Attorney's Offices in the districts where the felony convictions or adjudications occurred that you are seeking a name change. If you are in the Department of Corrections (DOC) custody, under an order for probation or community corrections, or incarcerated in a county jail, notify the supervisory agency in writing. Keep a copy of these notices to attach to the Petition (Step 3).

Step 3: Complete Forms

Petition for Name Change (prior felon) (JDF 386).

- Complete all sections of this form.
- Insert your current full name and proposed name change.
- 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 the 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 Attachment 1 and the fingerprint-based criminal history record check from the CBI as Attachment 2. 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 Attachment 3.

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 filing fee.
- The Court may require a self-addressed stamped envelope.

Step 5: Publication

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: Final Decree

- 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.