



## **THE BASICS**

Changing Your Name and  
Social Security Number New York State

## **WHY WOULD I WANT TO CHANGE MY NAME?**

Unfortunately, many people are harassed or abused. This can be by someone they do not know at all, someone they know a little, or someone they are very close to, like a spouse or partner. Sometimes, orders of protection are not enough to stop the abuse from happening. When abuse or harassment becomes extreme, people who are being abused may need to change their locations and their identities in order for them to remain safe.

## **HOW CAN I CHANGE MY NAME?**

People who want to change their name legally can fill out a form and give it to the Court. You need to say why you want to change your name, and prove who you are. There are a few ways that you can prove your identity:

**! If you were born in New York State, you need to show your original birth certificate.** If you do not have it, you will need to get a copy with a “raised seal” on it (a certified copy).

You can apply to your local Department of Health for a certified copy of your birth certificate by internet, telephone, mail, fax or in person. The cost is \$15 per certified copy, plus a \$5 mailing and

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service charge per order if you do not apply in person. It can take up to a week for your request to be processed and mailed to you. You can get the application form by calling (518) 474-3077 or, if you live in New York City, by calling (212) 788-4520.

**! If you were born outside of New York State, but are a U.S. citizen, you need to provide a copy of your birth certificate.**

**! If you were not born in the United States, but are a permanent resident alien, you need to provide a copy of your green card. Be sure to copy BOTH sides.**

**! If you were not born in the United States, but are now a citizen, you need to present a copy of your naturalization papers.**

**You must bring the form of identification as stated above. No other forms of identification will be accepted.** You should also bring a self-addressed, stamped envelope with you.

## **WHERE DO I GO WITH MY PROOF OF IDENTITY?**

**Bring your proof of identity, along with \$50, to the Civil Court of the county you live in.** If you live in New York City, go to the Civil Court in the borough you live in.

### **Brooklyn:**

Go to Room 501 of the Brooklyn Civil Court at 141 Livingston Street (at the corner of Livingston and Smith Streets). For more information, you can call (718) 643-8090.

### **Bronx:**

Go to Window 10 of the Bronx Civil Court at 851 Grand Concourse (at 161<sup>st</sup> Street). For more information, you can call (718) 590-3601.

### **Queens:**

Go to the Queens Civil Court at 89-17 Sutphin Boulevard (at 89<sup>th</sup> Avenue) in Jamaica. For more information, you can call (718) 262-7100.

### **Staten Island:**

Go to the Staten Island Civil Court at 927 Castleton Avenue (at the corner of Castleton and Bement Avenues). For more information, you can call (718) 390-5417.

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**Manhattan:**

You have two choices in Manhattan:

! Go to the New York County Civil Court at 111 Centre Street, (3 blocks south of Canal Street). For more information, you can call (212) 374-4646.

OR

! Go to Room 116 of the New York County Supreme Court at 60 Centre Street (2 blocks south of Canal Street). For more information, you can call (212) 374-8548.

When you make your choice, you should know that **Supreme Court costs a bit more than Civil Court**. It is \$185 for an index number (explained below), \$75 to appear before a Judge and another fee to have your name change published (also explained below). The Supreme Court requires people to have their names published in a law journal, which is more expensive than another kind of publication.

At the New York County Civil Court, it costs only \$50 for the index number AND the appearance in front of the Judge. Name changes are usually published in the *Village Voice*, which will be much less expensive than a law journal.

## ONCE I GET THERE, WHAT DO I DO?

**Ask the clerk for an order and petition for an individual name change.**

An order is a form giving you permission, in this case, to legally change your name.

A petition is a form that tells the Judge what you want.

Before filling out this form, be sure to tell the clerk if:

- You have been **convicted of a crime**.
- You have filed for and been granted **bankruptcy**.
- Someone is now **suing you** for any reason.
- You are in the middle of **getting a divorce**.
- You are **between the ages of 18 and 26**.
- You are a **legal resident alien, naturalized citizen or a non-resident alien**.

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If none of these apply to you, or you have already given this information to the clerk, then you can fill out the order and petition. This needs to be typed. Once you complete the form, do not sign it. You need to go to a notary, and sign it in front of him/her. Many courts have notaries. If yours does not, they should be able to tell you where you can find a notary in the area. Some stationery stores have notaries working for them, and so do banks. There is a small fee for having something notarized, usually no more than \$2.50.

After you've had the form notarized, give it to the clerk.

### **WHAT HAPPENS NEXT?**

When you file the order and petition, you will be given an index number, and your form will go to a Judge. The Judge will decide whether to approve your name change.

### **WHAT HAPPENS AFTER THE JUDGE SIGNS MY ORDER?**

You must follow these steps:

**! You have to have a notice of your name change published in a newspaper.** You only have to do this once, but it must be done

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**within 20 days after the order was signed.** The Judge will tell you which newspaper you need to send your announcement to. Just photocopy your signed order, and bring it with your original to the newspaper. The newspaper will charge you a fee; how much it is depends on the newspaper.

**! While you are at the newspaper office, you must get an affidavit of publication from them.** This paper proves that you had your name change published. **Once you have this, you must bring it back to the Court to have it filed.** This must be done **within 40 days of the date of the original order.**

Example: If you receive your signed order from the Judge on March 3<sup>rd</sup>, you need to have your name change published no later than March 23<sup>rd</sup> (20 days after the date on the order). Then you need to make sure your affidavit of publication is filed in court no later than April 12<sup>th</sup> (40 days after the date on the order).

**IMPORTANT:** If you are changing your name to escape domestic or relationship abuse and feel that having your name published would take away your safety, you can ask for an exemption from the rules to have your name published. Ask the clerk in your courthouse how to apply for an exemption.

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Once you have filed the affidavit of publication, you may be able to use your new name. You should double-check this with the clerk when you bring it in. While you are there, be sure to get an affidavit of service form from the clerk, which you may need if you fall into one of the following groups:

**! If you are a male between the ages of 18 and 26**, regardless of your citizenship status, you need to photocopy your order and petition and send it within 20 days of the date it was signed to:

Registration Information Office  
Selective Service System  
P.O. Box 94638  
Palatine, IL 60094-4638

You must send this photocopy by certified mail. You can do it at any post office. Be sure to keep the receipt. Fill out the affidavit of service, and attach your certified mail receipt to it. This form says that you sent a copy of your signed order and petition to Selective Services. Then it must be filed with the clerk at the Court within 40 days of the date the order was signed.

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**! If you are a resident alien, naturalized citizen or a non-resident alien**, you need to photocopy your signed order and petition and send it within 20 days of the date the order was signed to:

The Department of Immigration and Naturalization (INS)  
New York City District Office  
26 Federal Plaza  
New York, NY 10278

You must send this photocopy by certified mail. Again, be sure to keep the receipt. Fill out the affidavit of service, and attach your certified mail receipt to it. This form says that you sent a copy of your signed order and petition to INS. This must be filed with the clerk at the Court within 40 days of the date the order was signed.

**! If you have ever been convicted of a crime**, you need to photocopy your signed order and petition and send it within 20 days of the date the order was signed to:

New York State Division of Criminal Justice Services  
4 Tower Place  
Albany, New York 12203-3764

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You must send this photocopy by certified mail. Fill out the affidavit of service, and attach your certified mail receipt to it. This form says that you sent a copy of your signed order and petition to N.Y.S. Division of Criminal Justice Services. This must be filed with the clerk at the Court within 40 days of the date the order was signed.

**!** **If you have declared bankruptcy**, you need to photocopy your signed order and petition and send it within 20 days of the date the order was signed to the U.S. Bankruptcy Court where you were granted bankruptcy.

You must send this photocopy by certified mail. Fill out the affidavit of service, and attach your certified mail receipt to it. This form says that you sent a copy of your signed order and petition to the U.S. Bankruptcy Court. This must be filed with the clerk at the Court within 40 days of the date the order was signed.

## **WHAT IF I WANT TO CHANGE MY CHILD'S NAME AS WELL?**

You may also request a name change for your child. Follow the same steps that you did for your own name change. However, in addition to the order and petition for an individual name change you

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request from the clerk, you also need to ask for a **petition for an infant name change**. This is for all children under the age of 18, even if your child may not be an infant.

You need to provide proof of your child's birth. The proof that is required is the same as the proof for an adult (explained earlier in this booklet). Bring everything to the same address as the adult name change form.

**Most of the steps are the same as in the adult name change, but there are two other consent forms you will need to have notarized.** One must be signed by the child's other parent, and one must be signed by your child, if s/he is 16 or older.

**IMPORTANT:**

- ! If contacting the other parent about this name change would put your safety in jeopardy, you need to speak with a Judge.
  
- ! If you do not know where the other parent is or if the other parent refuses to sign the consent form, you need to speak with a Judge.

You will need to explain your situation. The Judge could approve your name change right there. If you do not know where the other

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parent is, the Judge will explain to you what your next step is. This may include giving you information on how to conduct a search for the other parent.

### **HOW MUCH WILL EVERYTHING COST?**

Once you have completed the entire process, you probably will have spent somewhere around \$190. Here is how the approximate costs break down:

Newspaper publication of name change:	\$115.00
Receiving an index number:	\$ 50.00
Birth certificate from N.Y.S. Department of Health:	\$ 15.00
Certified copies:	\$ 5.00 each
Notarized forms:	\$ 2.50 each

### **WHY WOULD I WANT TO CHANGE MY SOCIAL SECURITY NUMBER?**

You would do this for the same reason you would want to change your name. You can't change your social security number just

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because you've changed your name. However, if you are being harassed or are a survivor of abuse – and you're changing your name to escape this harassment and abuse – you should be able to change your social security number also. Doing that will make it harder for your abuser or harasser to find you.

### **HOW DO I APPLY FOR A NEW SOCIAL SECURITY NUMBER?**

You need to go to your local Social Security Administration office. Staff there will help you complete the forms. You must bring the following with you:

- ! **Identification** that shows your age, your identity (name) and your citizenship (U.S. citizen, legal alien status, etc.). For example, you could bring an original birth certificate, a passport or a driver's license.
  
- ! **If you have changed your name already**, you need to bring proof of your old name, as well as proof of your new name.
  
- ! **If you want to change a child's social security number**, you need to bring proof that you have custody of your child.

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**!** If you have been harassed or abused, you need to bring documentation of the harassment or abuse. This might include:

- Police reports
- Doctor, emergency room or clinician reports
- Court restraining orders/orders of protection
- Letters from shelters saying that you stayed there
- Letters from family members or friends who witnessed the harassment or abuse and/or who may have provided you with shelter
- Names of counselors you have told about the harassment or abuse
- Names of anyone else who might have known about the harassment or abuse

**IMPORTANT:** Your social security number is confidential.

**No one will know your social security number unless you give it to them.** You need to be careful about who you give this number to, particularly once you have gone through the trouble of changing it.

## **WHERE DO I GO TO CHANGE MY SOCIAL SECURITY NUMBER?**

You should go to your local Social Security Administration office. Call 1-800-772-1213 to find the office nearest you, or for any other information. (Deaf or hard of hearing individuals can call the TTY number at 1-800-325-0778.) You can find a lot of information on their website, which is [www.ssa.gov](http://www.ssa.gov).

Here are some general tips:

- ! **Be patient.** This means be patient with yourself, and with other people. If you are changing your name or your social security number, you will probably have to tell your story several times. You are also probably going to have to make several trips to one or more offices – and each time you go, you should plan on spending a good part of the day there. Try not to let it bother you. Just know that it is part of getting what you need.
- ! **Be prepared.** This booklet tells you what you need to have ready before going in to have your name or social security number changed. You will save yourself a lot of time and trouble if you check it first and bring everything you think you will need with you. You might also write down what you want ahead of time. Some offices have agents behind a glass window, which means

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you may need to raise your voice to be heard. If you want to protect your privacy, or you feel nervous about sharing your business in public, write down what you need on a piece of paper. That way, you can just slide it through the glass window once you get there.

! **Read everything.** Even if you know that you are filling out the same form every person has to fill out, take the time to read it before signing it. After all, this is an important change you're making. It's a good idea to be aware of what's going on every step of the way.

! **Ask questions.** There are plenty of people who will be happy to help you understand the process better, or help make sure that you have everything ready before you go in. Just call any of the phone numbers listed in this booklet for more information.

**BOOKLETS IN *The Basics Series***

**Abuse and Neglect Cases in New York State**

**Adoption in New York State**

**Becoming a Legal Guardian in New York State**

**Changing Your Name and Social Security Number in New York State**

**Courts in New York City**

**Custody and Visitation in New York State**

**Domestic Violence Issues Faced by Immigrant Women**

**Getting a Divorce in New York State**

**Getting Child Support in New York State**

**Getting an Order of Protection in New York State**

**Getting Spousal Support in New York State**

**Paternity Proceedings in New York State**

To obtain a copy of other booklets in this series, you may contact either:

**The Brooklyn Bar Association Volunteer Lawyers Project**

Telephone: 718.624.3894 E-mail: [bklynvlp@aol.com](mailto:bklynvlp@aol.com)

**inMotion**

Telephone: 718.537.7355 E-mail: [inquiries@inmotiononline.org](mailto:inquiries@inmotiononline.org)

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## **SOURCES CONSULTED**

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## **CITY, STATE AND NATIONAL GOVERNMENT AGENCIES**

Administration for Children's Services,  
Parents' & Children's Rights Unit and  
Division of Legal Services

C-PLAN: Child Planning and Advocacy Now,  
Public Advocate's Office

New York City Department of Health

New York State Coalition Against Domestic Violence

New York State Department of Social Services

New York State Office for the Prevention  
of Domestic Violence

New York State Office of Court Administration

Social Security Administration

State of New York Unified Court System

U.S. Department of Justice,  
Immigration and Naturalization Service

U.S. Department of Justice,  
Violence Against Women Office

U.S. Department of State,  
Office of Children's Issues

## **ORGANIZATIONS**

Association of the Bar of the City of New York

Bronx AIDS Services Inc.

Bronx Legal Services

The Door

The Family Center

Family Violence Prevention Fund

Lambda Legal Defense and Education Fund

Law Tek Media Group, LLC

The Legal Aid Society, New York City,  
Juvenile Rights and Civil Divisions

Legal Information for Families Today (LIFT)

MFY Legal Services, Inc.

New York Association for New Americans, Inc.  
(NYANA)

New York County Lawyers Association

New York Legal Assistance Group

New York State Bar Association

Pace University School of Law

Safe Horizon Domestic Violence Law Project

Sanctuary for Families Center for  
Battered Women's Legal Services

South Brooklyn Legal Services

Urban Justice Center

Women's Prison Association

## CROSS-BOROUGH COLLABORATION

Founded in 2000, the Cross-Borough Collaboration (CBC) was established to address the severe lack of free legal assistance for indigent women in the area of family law in New York City. Hundreds of thousands of individuals are involved in Family Court proceedings in New York City each year, yet there are fewer than 75 staff attorneys dedicated to family law issues at the City's free legal services agencies. As a result, the vast majority of Family Court litigants are forced to proceed without counsel, and with little information regarding the substantive or procedural aspects of their cases. The CBC addresses the lack of services in two important ways: (1) by coordinating the efforts of The Brooklyn Bar Association Volunteer Lawyers Project (VLP) and inMotion, Inc. to organize efficient, quality pro bono assistance to indigent clients; and (2) by researching and producing extensive plain-language materials for use by women who must represent themselves in cases involving family law and related issues.

