



LEGAL AID
SOCIETY OF HAWAI'I



HOW TO CHANGE YOUR LEGAL NAME

This brochure provides step-by-step procedures on how to change an adult's name, change a minor's name, and change the name on your birth certificate.



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Section One: Changing an Adult's Name

Name changes are processed through the Lieutenant Governor's office.. Changing a name takes about 6-8 weeks, but can take longer if there are mistakes on your forms. The cost of a name change can range from \$270-\$400 or more (see last page for details). The cost will increase depending on how many petitioners there are.

STEP ONE:

Get the correct name change forms and instructions from the Lieutenant Governor's office.

The Lieutenant Governor's office has several different types of name change forms. The types that are available include:

1. Form A: Name Change of Individual
2. Form B: Name Change of Husband and Wife
3. Form C: Name Change of Minor by Parents
4. Form D: Name Change of Husband, Wife, and Minor Children
5. Form E: Name Change of Minor by One Parent with Notarized Consent of OTHER Parent
6. Form F: Name Change of Parent and Minor Child with the Notarized Consent of OTHER Parent.

Make sure you request the correct packet.

Or go online! <https://namechange.ehawaii.gov>

The Lt. Governor's office has an online application for Name Change. Completing the application online gives you the opportunity to track the status of your petition.

CHANGING YOUR NAME AS PART OF A DIVORCE

If you are currently in a divorce proceeding and you are considering changing your name, you may change your name as a part of the divorce proceeding.

What if I forgot to request to change my name during the divorce?

If you forgot to request a name change during the divorce, you may petition the Lt. Governor's office for a name change when the divorce is completed. This is simpler than revising the divorce order.

If you are unable to go online or pick up the forms in person, send a letter requesting the correct name change form AND also send a self-addressed stamped 6 ½ by 9 ½ envelope with three stamps to the address below.

In Person Pick Up:

Office of the Lieutenant Governor
State Capitol
415 S. Beretania St., 5th Floor
Honolulu, HI 96813
1-808-586-0255

You can also find the forms in PDF format at:

<http://govarchive.hawaii.gov/ltgov/ltgov/office/office/name.html>

If you are on public assistance or do not have a steady income source, it is highly recommended that you:

Postpone the name change at this time and focus on necessary expenses like rent, food, clothing, etc. As soon as your income stabilizes you may reconsider changing your name.

STEP TWO:

Type out the forms.

You must type the forms out. You cannot handwrite your forms.

Forms that should be included are:

1. Petition for Name Change
2. Notice of Change of Name
3. Order
4. Fact Sheet
5. Consent forms, if needed
6. Any other forms required in the packet

STEP THREE:

Make Copies of Necessary Forms.

Read the instructions that come with your forms. Some of the forms will need additional copies made before you can submit the packet to the Lieutenant Governor's office.

STEP FOUR:

Mail or drop off all the paperwork to the Lieutenant Governor's office and Pay Filing Fee.

There is a \$50.00 Non-Refundable Filing Fee. When a Petition is rejected due to typographical errors or missing information, the \$50.00 fee is applied to the re-submitted Petition. However, when the Lieutenant Governor formally denies a Petition, the \$50.00 filing fee is not applied to any subsequent Petition.

If you **go in person** to turn in your forms, you can pay with cash, cashier's check, or money order. Cashier's checks or money orders should be made out to the *Office of the Lieutenant Governor*. Personal checks are not accepted.

If you **mail** your forms, you can pay with either cashier's check or money order. Cashier's checks or money orders should be made out to the *Office of the Lieutenant Governor*. Personal checks are not accepted.

STEP FIVE:

The Notice will be returned to you after the Lieutenant Governor signs it.

It is then the petitioner's responsibility to publish the Notice within 60 days.

STEP SIX:

Publish a Name Change Legal Notice in a Newspaper

(You may not need to publish your name change if you fear for your safety.)

If You Are A Victim of Domestic Violence...

If you are a domestic violence victim or if publishing the name change would endanger you in any way, publication can be waived by getting an affidavit issued by a state prosecuting attorney. Contact the Department of Prosecuting Attorney on your island for more information.(see last page for contact info)

"Publishing your name change" means that you must place a legal notice in the Star-Advertiser to notify the public about the change you are about to make. By law, **you must publish** the name change legal notice for **one (1) day** in the Honolulu Star-Advertiser **within 60 calendar days** of the Lieutenant Governor signing your Notice.

Outer Islands: the Lieutenant Governor's office has designated the Honolulu Star-Advertiser as petitioners' only choice for publishing.

If you do not publish your name change within 60 calendar days, you will have to start all over again. You will be required to file the application forms again and pay another \$50 filing fee.

Contact the Star-Advertiser at **808-529-4344** or email legals@staradvertiser.com for more information on how to pay the fee and publish the Notice.

STEP SEVEN:

The Star-Advertiser will make an affidavit, which verifies the publication of the Notice of Change of Name.

Star-Advertiser will send you and the Lieutenant Governor's Office a copy of the affidavit along with a copy of the legal ad.

STEP EIGHT:

The Lieutenant Governor will sign the Order after they receive the affidavit from the newspaper agency. The Lieutenant Governor's Office will send you the original and four copies of the Order.

STEP NINE:

Take or mail the ORIGINAL Order to the Bureau of Conveyances with the filing fee of \$31. Make the check or money order out to Bureau of Conveyances. The remaining four copies are for your personal use. You can reach the Bureau of Conveyances at 808-587-0147.

In Person Drop Off:

Bureau of Conveyances
1151 Punchbowl St., Room 120
Honolulu, HI 96813
(M-F, 7:45am to 4:30pm, except holidays)

Mailing Address:

Bureau of Conveyances
P.O. Box 2867
Honolulu, HI 96803

Section Two: Amendment to the Birth or Marriage Certificate

BORN/MARRIED IN THE STATE OF HAWAII:

The State Department of Health and Vital Statistics is in charge of birth, marriage, and death certificates.

In order to complete the legal change of name on your birth or marriage certificate, you must submit a certified copy of the Name Change Order and Petition to:

State Department of Health and Vital Statistics
1250 Punchbowl Street, Room 103, (P.O. Box 3378)
Honolulu, HI 96801
Hours: M-F 7:45am-2:30pm, except State holidays

The fee to amend the birth or marriage certificate is **\$3.00**. A copy of the new certificate is **\$10.00**. The above fees are subject to change without notification. For more information, contact the Vital Statistics office at 808-586-4541.

BORN/MARRIED OUTSIDE OF HAWAII:

Check with the Bureau of Vital Records in the state or country of your birth or marriage if you wish to amend your certificate(s).

*** The ORDER issued by the Lt. Governor's office is an ADMINISTRATIVE ORDER (signed by the Lt. Governor), **not** a court order (signed by a Judge). **Most States require a Court Order before amending a birth or marriage certificate.** ***

Section Three: Changing a Minor's Name

If you would like to change a minor's name, in particular, your child's name, it can be done by either the child's parents or the courts. This process can be easy or difficult depending on whether or not both parents agree on the name change.

NAME CHANGE REQUEST FILED BY BOTH PARENTS

If both parents agree to the name change ...

Then a child's name can be changed through the Lieutenant Governor's office. It's the same process as changing the name for an adult. Be sure however, to request the name change forms for changing a minor's name.

One of the following can file a petition for changing a minor's name:

1. Both Parents, OR
2. The custodial parent with the notarized written consent of the non-custodial parent, OR
3. The child's guardian.

NAME CHANGE REQUEST FILED BY ONE PARENT

If both parents do not agree to the name change, OR

If one parent cannot be found to give permission for the name change ...

If the father's name IS NOT on the child's birth certificate, the mother alone, without the father's consent, can do the name change. The mother can file the application for name change at the Lieutenant Governor's office. It's the same process as changing the name for an adult. Be sure to request the name change forms for changing a minor's name. *See page 2 for more information on changing the name of an adult.*

If the father's name IS on the child's birth certificate, the parent desiring the name change must file a petition for name change in the Family Court, and give notice to the other parent. The court may waive notice to the other side if it finds that the waiver is necessary to protect the child OR if the whereabouts of the other parent is unknown.

To get Court Forms for Contested Name Change for a Minor:

Oahu: Forms are available at:

Court Management Services
Circuit Court, 2nd Floor
777 Punchbowl Street
Honolulu, HI 96813

Neighbor Islands: The forms must be typed up from scratch. The Family Court will change the child's name if it is determined to be in the best interest of the child.

NAME CHANGE ORDERED BY THE COURT

The Family Court can also change a child's name as a part of a paternity action or an adoption proceeding.

What is a paternity action?

The Family Court can change the last name of a child to the name of the custodial parent, if the parents make a request in a paternity action.

If the Judge refused to change the child's last name or if the parent(s) forgot to ask for a name change during the paternity action, either parent can request the Court to "Reconsider" or "Reopen" its decision. Or, if both parents can agree to the name change, they can petition the Lieutenant Governor's office for a name change once the paternity action is complete. *See page 2 for more information.*

What is an adoption proceeding?

The Family Court can change a minor child's last name in an adoption proceeding. Usually the name changes to the adoptive parent's last name. If, for some reason the Court refuses to change the last name, or if the parties forgot to request such change at the time, the adoptive parents can petition the Lieutenant Governor's office for a name change once the adoption is completed.

The Honolulu Star-Advertiser is the only newspaper in the State of Hawai'i that satisfies the Change of Name publication requirement.

All petitioners in the State of Hawaii should contact the Star-Advertiser for publishing information.

Honolulu Star-Advertiser
Legal Notices Info
808-529-4344
legals@staradvertiser.com

Section Four: Cost Breakdown

Notice of Name Change needs to be published in the newspaper for **one (1) full day**. The cost increases depending on how many names are being changed.

Table of Applicable Fees:	\$ Costs (as of 05/22/2014):
Lieutenant Governor's Office Filing Fee	\$50.00 / petition
Star-Advertiser Publication Fee (1 day)	\$188.48 / Form A: Name Change of Individual (\$204.19) / (Form B: Name Change of Husband & Wife)
Bureau of Conveyances Filing Fee	\$31.00 / Order
Amendment of Birth/Marriage Certificate	\$3.00
Copy of New Birth/Marriage Certificate	\$10.00
Total cost of Name Change	= \$282.48 for Individuals (= \$311.19 for a Husband & Wife Name Change)

Contacts	
Shan Tsutsui, Lt. Governor of the State of Hawaii Office of the Lieutenant Governor Hawai'i State Capitol 415 South Beretania Street, 5th floor Honolulu, Hawai'i 96813 (808) 586-0255	Honolulu Star-Advertiser 808-529-4344 legals@staradvertiser.com
State of Hawaii Department of Health and Vital Records 1250 Punchbowl St. Rm. 103 (P.O. Box 3378) Honolulu, HI 96801 (808) 586-4533 (Office hours 7:45am-2:30pm)	Kauai Office of the Prosecuting Attorney 3990 Kaana Street Suite 210 Līhu'e, HI 96766 Phone: (808) 241-1888
Honolulu Prosecuting Attorney's Office Ali'i Place 1060 Richards Street Honolulu, HI 96813-2908 808-768-7400 Hours: M-F 7:45am-4:30pm	Maui Prosecuting Attorney's Office (serving islands of Maui, Molokai, and Lanai) 150 South High St. Old Court House Bldg Wailuku, HI 96793 (808) 270-7777 Hours: M-F 7:45am-4:30pm
Big Island's Prosecuting Attorney's Office East Hawai'i Aupuni Center 655 Kilauea Avenue Hilo, HI 96720 (808) 961-0466 Fax (808) 961-8908	North Hawai'i Holomua Center 64-1067 Mamalahoa Highway Kamuela, HI 96743 (808) 887-3017 Fax (808) 887-3016
West Hawai'i Kealakekua Business Plaza 81-980 Haleki'i Street, Suite #150 Kealakekua, HI 96750 (808) 322-2552 Fax (808) 322-6584	