

**RULES GOVERNING THE COURTS OF THE STATE OF NEW JERSEY**  
**RULE 4:72. ACTIONS FOR CHANGE OF NAME**

**4:72-1. Complaint**

(a) Generally. An action for change of name shall be commenced by filing a verified complaint setting forth the grounds of the application. The complaint shall contain the date of birth of the plaintiff and shall state: (1) that the application is not made with the intent to avoid creditors or to obstruct criminal prosecution or for other fraudulent purposes; (2) whether plaintiff has ever been convicted of a crime and if so, the nature of the crime and the sentence imposed; (3) whether any criminal charges are pending against plaintiff and if so, such detail regarding the charges as is reasonably necessary to enable the Division of Criminal Justice or the appropriate county prosecutor to identify the matter. If criminal charges are pending, a copy of the complaint shall, at least 20 days prior to the hearing, be served upon the Director of the Division of Criminal Justice to the attention of the Records and Identification Section if the charges were initiated by the Division, and otherwise upon the appropriate county prosecutor. Service upon the Division or a prosecutor shall be accompanied by a request that the official make such response as may be deemed appropriate.

(b) Change of Name for Minor Involved in a Family Action. If the complaint seeks a name change for a minor, the complaint shall state whether the child or any party in interest in the name change application is the subject of a family action pending or concluded within the three years preceding the filing of the complaint. In such event, the action shall be transferred to the Family Part in the vicinage in which the family action is pending or was concluded. If neither the child nor any party in interest is or has been the subject of such action, a certification to that effect shall be appended to the complaint.

Note: Source-R.R. 4:91-1. Amended July 11, 1979 to be effective September 10, 1979; amended July 15, 1982 to be effective September 13, 1982; amended November 1, 1985 to be effective January 2, 1986; amended July 13, 1994 to be effective September 1, 1994; former text of rule designated as paragraph (a) and amended, paragraph (a) caption added, and new paragraph (b) adopted July 9, 2008 to be effective September 1, 2008.

**4:72-2. Guardian Ad Litem**

An action for the change of name of a minor may be commenced by a parent without the appointment of a guardian ad litem.

Note: Source-R.R. 4:91-2; amended July 13, 1994 to be effective September 1, 1994.

#### **4:72-3. Notice of Application**

The court by order shall fix a date for hearing not less than 30 days after the date of the order. Notice of application shall then be published in a newspaper of general circulation in the county of plaintiff's residence once, at least two weeks preceding the date of the hearing. Notice of application must be served by certified and regular mail, at least 20 days prior to the hearing to the Director of the Division of Criminal Justice to the attention of the Records and Identification Section. The court shall also require, in the case of a minor plaintiff, that notice be served by registered or certified mail, return receipt requested, upon a non-party parent at that parent's last known address.

Note: Source-R.R. 4:91-3. Amended July 7, 1971 to be effective September 13, 1971; amended July 13, 1994 to be effective September 1, 1994; amended July 5, 2000 to be effective September 5, 2000; amended August 1, 2016 to be effective September 1, 2016.

#### **4:72-4. Hearing; Judgment; Publication; Filing**

On the date fixed for hearing the court, if satisfied from the filed papers, with or without oral testimony, that there is no reasonable objection to the assumption of another name by plaintiff, shall by its judgment authorize plaintiff to assume such other name from and after the time fixed therein, which shall be not less than 30 days from the entry thereof. At the hearing, plaintiff must present adequate proof of his or her current name. Within 20 days after entry of judgment, a copy thereof, from which plaintiff's social security number shall be redacted, shall be published in a newspaper of general circulation in the county of plaintiff's residence, and within 45 days after entry of judgment, the unredacted judgment and affidavit of publication of the judgment shall be filed with the deputy clerk of the Superior Court in the county of venue and a certified copy of the unredacted judgment shall be filed with the appropriate office within the Department of Treasury. If plaintiff has been convicted of a crime or if criminal charges are pending, the clerk shall mail a copy of the judgment to the State Bureau of Identification.

Note: Source — R.R. 4:91-4; amended July 24, 1978 to be effective September 11, 1978; amended July 11, 1979 to be effective September 10, 1979; amended July 22, 1983 to be effective September 12, 1983; amended July 14, 1992 to be effective September 1, 1992; amended July 13, 1994 to be effective September 1, 1994; amended June 20, 2003 to be effective immediately; amended August 1, 2016 to be effective September 1, 2016 .