

## Retaking Your Prior Name

PLEASE READ ALL OF THE INFORMATION CONTAINED IN THIS PACKET BEFORE YOU START FILLING OUT THE FORMS.

**THIS PACKET DOES NOT CONSTITUTE LEGAL ADVICE. IF YOU HAVE ANY QUESTIONS ABOUT THIS PROCESS, YOU SHOULD SEEK THE ADVICE OF AN ATTORNEY. THE COURT ASSUMES NO RESPONSIBILITY AND ACCEPTS NO LIABILITY FOR ACTIONS TAKEN BY USERS OF THESE DOCUMENTS, INCLUDING RELIANCE ON THEIR CONTENTS.**

We encourage you to contact an attorney to advise you on this matter. If you cannot afford an attorney, the Court will not appoint an attorney for you. You may contact Northwestern Legal Services at (800) 665-6957 or (814) 724-1040 to see if they will provide free legal services to you. They are not obligated to do so.

You will be required to follow the State and Crawford County Rules of Civil Procedure and all applicable laws even if you do not have an attorney.

This packet is for use when you wish to retake any prior surname after you or the other party has filed for divorce. This packet is not intended to change your name to anything but a prior surname you have used, and you may not change your first or middle name and/or initials. If you wish to change your name to something other than a prior surname, you should use the "Name Change" packet available at the Crawford County Judicial Center Law Library.

To complete this packet, you will need:

- The names of the parties listed in the Divorce Complaint; and
- The case number assigned to your Divorce Complaint by the Prothonotary's Office when the complaint was filed.

**Instructions:**

1. When filling out these forms, please write as clearly and neatly as possible.
2. Fill out these forms to the best of your ability, completing every line that applies. **DO NOT LEAVE ANY LINES BLANK.** Use "None" or "0" if necessary. Do NOT use "N/A" anywhere on the forms.
3. Check your divorce complaint to find out who the "Plaintiff" and "Defendant" should be. Be sure the caption is filled out **EXACTLY** the same on each form in your case; you should always have the same names in the same place. The "No." line is for the case number, which was assigned when the complaint was filed.
4. Fill out the "Notice of Election to Retake Prior Name" [page 3].
5. Bring the Notice and at least two (2) photocopies to the Prothonotary's Office. File the original and keep one of the photocopies for yourself.
6. Serve one copy of the Notice on your ex-spouse as directed by Pennsylvania Rule 440.  
Generally:
  - a. If your ex-spouse has an attorney, you should mail by regular first class mail, hand deliver or leave a copy of the documents at their attorney's office. If the attorney has a box in the Prothonotary's Office, you can leave their copy in their box if the attorney previously agreed in this case to receive service that way.
  - b. If your ex-spouse does not have an attorney and you know their current address, you should mail by regular first class mail, hand deliver or leave a copy of the documents at your ex-spouse's home.
  - c. If your ex-spouse does not have an attorney and you do not know their current address, you should mail by regular first class mail or leave a copy of the documents at the address that your ex-spouse put on their most recent pleading in this case, or hand deliver the documents if you can locate your ex-spouse somewhere else.
  - d. You can serve the documents by fax if your ex-spouse or their attorney agreed, or if your ex-spouse or their attorney put a fax number on an earlier pleading in this case. Please read Rule 440(d)(2) to see how the fax cover sheet should be prepared.
7. If you want your change of name recognized by the Department of Motor Vehicles, Social Security Office, or any other office or agency, you should request a certified copy of the Notice from the Prothonotary's Office and then take that copy to the agency or office you wish to have recognize your name change.

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA

Civil Action – Law

\_\_\_\_\_  
Plaintiff

vs.

\_\_\_\_\_  
Defendant

:  
:  
:  
:  
:  
:  
:

No. \_\_\_\_\_

NOTICE OF ELECTION TO RETAKE PRIOR NAME

Notice is hereby given that \_\_\_\_\_ hereby elects to  
(Full Married Name)  
retake and hereafter use the prior surname of \_\_\_\_\_  
(Prior Last Name)  
and gives this written notice avowing that intention.

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Sign Married Name

\_\_\_\_\_  
Print Married Name

**TO BE KNOWN AS:**

\_\_\_\_\_  
Sign New Name

\_\_\_\_\_  
Print New Name

**IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA**

_____	:	
	:	
v.	:	No. _____
	:	
_____	:	
	:	

**CERTIFICATE OF COMPLIANCE**

This form is associated with the pleading titled \_\_\_\_\_, dated \_\_\_\_\_, 20\_\_\_\_.

I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Name: \_\_\_\_\_

Attorney No. (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_