



# TRANS Program

## **MISSISSIPPI NAME CHANGE SELF HELP PACKET**

By The TRANS Program

*The Transgender Resources, Advocacy, Networking & Support Program*

### **Packet Contents:**

- Packet Instructions
- Petition for Name Change
- Affidavit for Name Change
- Order for Name Change
- Civil Case Filing Form (Cover Sheet)

### **Requirements for name change in Mississippi:**

1. Twenty-one (21) years old
2. A resident of the county in which you are filing the petition (with matching driver's license or state ID)
3. Not a convicted felon
4. Not filing for fraudulent purposes
5. Not infringing on another person's rights

Note: You do not need a lawyer to file a petition for name change.

### **Disclaimer**

*We are providing this information as a public service. We try to make it accurate. Sometimes the laws change. We do our best to ensure our information is always up-to-date and correct. We do not intend this information to be legal advice. We do not intend it as advertising or solicitation. By providing this information, we are not acting as your lawyer.*

## INSTRUCTIONS

These are step by step instructions for filing Name Change in Mississippi.

### A) Fill-in Petition for Name Change

- Anything in **RED** should be typed up. Once typed, ensure that all of your font is colored black. **DO NOT** sign this ahead of time.
- Sign in the presence of the clerk assisting you at the courthouse.
- **If filing in Hinds County**, please complete this interview, instead: <https://lawhelpinteractive.org/Interview/GenerateInterview/2445/engage>. You can create an account or complete as a guest. Make sure to save/print the completed documents provided at the end of the survey.

### B) Fill-in Affidavit for Name Change

- Anything in **RED** should be typed up. Once typed, ensure that all of your font is colored black. **DO NOT** sign this ahead of time.
- Your Affidavit must be notarized by having the document signed in the presence of a Notary Public.
- All justice court judges and clerks, clerks of the circuit and chancery courts and assistant secretaries of state are notaries public by virtue of their office.
- Sign in the presence of the clerk assisting you at the courthouse. The notary (courthouse clerk) will apply their signature and notary seal.

### C) Fill-in Order for Name Change

- Anything in **RED** should be typed up. Once typed, ensure that all of your font is colored black. **DO NOT** sign this ahead of time.
- This serves as the actual court order that will be signed by the judge.



## D) Fill-in Civil Case Filing Form (Cover Sheet)

- A cover sheet may or may not be required at your Chancery Court. It is good to be prepared, just in case.
- Print the Civil Case Filing Form (Cover Sheet) and complete it with a pen. Simply indicate your “origin of suit” as initial filing, fill out your current name under “plaintiff” and place an X where it says “name change” under “probate”. Nothing else should be applicable. The clerk at your Chancery Court can assist you with this.

## E) Gather Supporting Documents

**This is everything you will need to bring with you to your Chancery Court on the day you file your petition for name change.**

- Petition for Name Change
- Affidavit for Name Change
- Order for Name Change
- Civil Case Filing Form (Cover Sheet)
- Driver’s License/Legal Photo ID
- Birth Certificate—*Making a copy in advance is a kind gesture, however, you will need to bring the original*
- A money order or exact cash for one hundred and forty-eight dollars (\$148.00)—*This is your filing fee. If you prefer to pay by check, call your Chancery Court to ask if it is acceptable, in advance (credit card is not usually accepted).*
- An extra five to ten dollars (\$5.00- \$10.00) for copies of an original court order—*In case a Judge is willing to sign on the same day you file instead of scheduling you a court date (yes, it does happen), bring cash for at least five (5) original copies of the order.*
- A friend, for support (if desired). *You cannot bring a phone into a Chancery Courthouse but, you can bring a friend. Alternatively, someone from The TRANS Program is always willing to join you.*



## **F) File Petition for Change of Name at Local Chancery Court**

- Go to your Chancery Court and give your documents to the clerk. State that you are “filing a petition for name change”.
- You should either be given a date for your name change court hearing or a phone number to call someone who will schedule your name change court hearing. Sometimes a Judge is available to sign, same day. Feel free to ask, but don’t expect this.

## **G) – Filing Fee**

- Pay the filing fee of one hundred and forty eight dollars (\$148.00) by money order (or by other means of payment, if authorized by the court ahead of time).
- Make sure that you receive a receipt for your filing.

## **H) – Attend Hearing (if required)**

- If you are given a court date, attend the hearing at the appointed date and time. Be early and dress respectfully.
- The Judge will simply ask you why you want to change your name. A simple “People refer to me by this name” is sufficient.
- The purpose of the hearing and the question is to ensure that you are not attempting to run from debt or do anything illegal.
- NO ONE can legally ask you about your transition and it is HIGHLY recommended that you DO NOT mention your trans identity.
- If there is no objection or cause for refusal, the court will give you an Order for Name Change which certifies that your name has been legally changed.

**NOTE: Don’t forget to ask for several original copies. This court order will then serve as proof of name change when you complete the remaining steps on the roadmap and update your name on legal documents.**

