

STATE OF NEW HAMPSHIRE

PROBATE COURT

PROCEDURE BULLETIN 18

Change of Name; RSA 547:3-i, II

This procedure bulletin is prepared for informational purposes in processing case files. It is not intended to provide parties with legal advice.

RSA 547:3-i, II, as amended, requires that a "person petitioning for a name change will **serve a copy of the petition** on the department of corrections if the person is incarcerated, or on probation or parole, or on the department of safety if the person is required to register as a sexual offender or an offender against children and is no longer subject to supervision by the department of corrections." **Service must be by sheriff pursuant to RSA 547:29.**

Scheduling the Hearing

Do not schedule the hearing on the Petition for Change of Name until after the return of service is received from the sheriff.

Hearings on name change petitions for incarcerated individuals will be either video hearings or telephonic hearings, or held in courtrooms available at correctional facilities, at the option of the judge. No court should issue an order to transport an incarcerated individual for a hearing on a name change petition, except for extraordinary circumstances.

Incarcerated individuals petitioning for name change may be relocated within the prison system after the filing of the petition and prior to the scheduled hearing date. The court originally receiving the petition will continue to handle the petition. However, the court may, at the request of the department of corrections, schedule the hearing at another location without requiring a motion for change of venue.

In any case involving notice to a department of corrections or to the department of safety, the court will not schedule a hearing earlier than thirty (30) days to give the responding agency sufficient notice.

Fees

No court will waive fees in connection with a petition for change of name, except for good cause shown.

Notice of the Hearing after Return of Service is Received

If a person petitioning for a name change indicates on the petition that he or she is incarcerated in a New Hampshire Department of Corrections facility or is on probation or parole, the court will list the Department of Corrections as an interested party and send a copy of the hearing notice to:

Office of the Commissioner of Corrections
105 Pleasant Street
P.O. Box 1806
Concord, NH 03302-1806

If a person petitioning for a name change indicates on the petition that he or she is a registered sex offender or offender against children, **or is on probation or parole**, the court will list the Department of Safety, Division of State Police as an interested party and send a copy of the hearing notice to:

Department of Safety, Division of State Police
SIU/Sex Offender Registry
33 Hazen Drive
Concord, NH 03305 (271-6344)

If a person petitioning for a name change indicates on the petition that he or she is an inmate in a county correctional facility, **or is on probation or parole**, the court will list only the county department of corrections as an interested party and send a copy of the hearing notice to the county. A listing of the county Department of Corrections and their addresses is provided as an addendum to this bulletin.

In any case in which the Attorney General's Office files an appearance on behalf of either the department of corrections or the department of safety, all further notice will be sent to the Attorney General's Office.

David D. King
Administrative Judge of Probate Court

History:

Revised October 1, 2009

Revised July 16, 2008

Revised August 1, 2007

Revised December 22, 2004

Revised December 31, 2001

Effective August 1, 2001

Formerly Procedure Bulletin 2000-06, Issued 10/30/00

PROCEDURE BULLETIN 18 ADDENDUM
COUNTY DEPARTMENT OF CORRECTIONS

Belknap County

Belknap County Dept. of Corrections
76 County Drive
Laconia NH 03246

Merrimack County

Merrimack County Dept. of Corrections
326 Daniel Webster Hwy.
Boscawen NH 03303

Carroll County

Carroll County Dept. of Corrections
Rt. 171, 50 County Farm Road
Ossipee NH 03864

Rockingham County

Rockingham County Dept. of Corrections
99 North Road
Brentwood NH 03833

Cheshire County

Cheshire County Dept. of Corrections
825 Marlboro Road
Keene NH 03431

Strafford County

Strafford County Dept. of Corrections
266 County Farm Road
Dover NH 03820

Coos County

Coos County Dept. of Corrections
County Farm Road
PO Box 10
W. Stewartstown NH 03597

Sullivan County

Sullivan County Dept. of Corrections
103 County Farm Road
Unity NH 03743

Grafton County

Grafton County Dept. of Corrections
3865 Dartmouth College Highway
North Haverhill NH 03774

Hillsborough County

Hillsborough County Dept. of Corrections
445 Willow Street
Manchester NH 03103-6216