

## CHAPTER 22

### NAMES

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**Library References:**

- C.J.S. Corporations §§ 166, 167; Name § 11.
- West's Key No. Digests, Corporations ¶46, 47; Names ¶20.

#### A. FICTITIOUS NAME REGISTRATION

##### § 22.1 In General

Florida, like many states, has long required by statute that any person operating a business under a fictitious name file a certificate in a public office disclosing the true names of the owners of the business.<sup>1</sup> The purpose for this registration is to provide notice to the public, and

##### § 22.1

1. Some states refer to fictitious names as assumed names.

especially to creditors, of the identities of persons who are doing business under fictitious names for the purpose of protecting creditors from fraud and deceit.<sup>2</sup>

Until July 1, 1990, the Florida Fictitious Name Statute, Florida Statutes § 865.09, required that a person engaged in business under a trade name do the following if the trade name was not the proper name or known called name of the person: (1) publish once a week for four weeks in a newspaper in the county in which the principal place of business was located notice of intention to register the fictitious name; and (2) record in the office of the clerk of the circuit court of that county an affidavit signed by all of the owners. "Person" included partnerships and corporations, as well as natural persons. Failure to so register subjected the person to criminal liability, as well as civil liability.<sup>3</sup>

Because fictitious name registrations were being filed in all counties throughout the state, it was often difficult to ascertain the true ownership of a business operating under a fictitious name in more than one county. A single, state-wide system of registration was needed to effectuate the statute's purpose of providing notice to the public.

On July 1, 1990, the Florida Fictitious Name Statute became the Florida Fictitious Name Act. Florida Statutes § 865.09 was amended in its entirety by Chapter 90-267, Laws of Florida, by changing the notice publishing from four times to one time and by changing the place of registration from the Clerks of Court to the Division of Corporations of the Florida Department of State. The penalties for not registering a fictitious name remains the same under the new law: second degree misdemeanor criminal penalties, and prohibition against maintaining a lawsuit in this state until compliance.

The registration requirements under the new law are as follows, which are reflected in forms promulgated by the Division of Corporations:

- (1) advertise the intention to register the fictitious name at least once in a newspaper in the county of the principal place of business; and

2. See *Jackson v. Jones*, 423 So.2d 972 (Fla. 4th D.C.A.1982), review denied 436 So.2d 99 (1983); 1957 Op.Att'y Gen.Fla. 057-283 (September 17, 1957).

3. However, compliance was no assurance of avoiding civil liability. See *Robinson v. Lane*, 557 So.2d 908 (Fla. 1st

D.C.A.1990), which held an individual liable for a corporate contract even though the individual disclosed she was signing in an agency capacity for "Slender World" and even though the corporation had properly registered that fictitious name under the former F.S.A. § 865.09.

(2) file a sworn statement with the Division of Corporations<sup>4</sup> listing the name to be registered, the mailing address of the business, and the name and address of each owner; and the federal employer's identification number and Florida incorporation or registration number if the owner is a corporation; and

(3) payment of a filing (processing) fee to the Division of Corporations, initially \$50.00.

The new law defines a fictitious name as any name under which a person transacts business other than his, her or its legal name. For example, the following would be fictitious names of a person legally named John Smith: ABC Lumber, John's Lumber, Jack's Gas Station. But John Smith may engage in business as "John Smith" or "Smith" without registering the name. In addition, if John Smith is a lawyer or other licensed professional, he may use any trade name allowed by the profession and need not register the name since attorneys and persons licensed by the Department of Professional Regulation are exempt from the new law. F.S.A. § 865.09(7).

The word "person" is broadly defined in F.S.A. § 1.01 to include individuals, children, firms, associations, joint adventures, partnerships, estates, trusts, business trusts, syndicates, fiduciaries, corporations, and all other groups or combinations. Thus, the new law applies to any person, firm, partnership or corporation engaging in business in Florida under a name other than its legal name.

It is important to note that, if a corporation is the owner of a business, it is the corporation that must register and not the shareholders of that corporation. Thus, the sworn statement to be filed with the Division of Corporations should be signed by the president or other authorized officer of the corporation and not by the shareholders.

"Business" is defined as any enterprise in which a person sells, buys, exchanges, barter, deals, or represents the dealing in any thing or article of value, or renders services for compensation. It is not clear from this whether a nonprofit corporation engaged in a charitable purpose without compensation is required to register a fictitious name. For example, if a nonprofit corporation named Charity Health Concerns, Inc. owns a hospital named Charity Clinic and does not charge for its services or goods, then it might not be required to register the fictitious name since it is not in business, as defined by the new law.

Fictitious names registered under the new law are valid for five years and expire on December 31 of the fifth year. Registration may be renewed for five years by filing a renewal statement in the fifth year.

4. Until January 1, 1991, registrations are filed with the Clerk of the Circuit Court.

If the ownership of a business changes, the owner of record must file a cancellation and reregistration of the fictitious name on forms prescribed by the Division of Corporations. F.S.A. §§ 865.09(4) and 865.09(11).

There is a common misconception that registration of a fictitious name assures the registrant of exclusive rights to the name. The new law clearly states that registration is for public notice only, registration does not give rise to any presumption of the registrant's rights to own or use the name registered, and registration does not affect service mark, trade name, or corporate name rights previously acquired by others in the same or similar name. F.S.A. § 865.09(8). Registration itself does not grant any trademark or other proprietary rights in the name. However, it is not yet clear whether registration of a fictitious name will make it more difficult for another in the future to use that name as its corporate name.<sup>5</sup>

5. However, it is not yet clear whether registration of a fictitious name will make it more difficult for someone else in the future to use that name as its corporate name. F.S.A. §§ 607.0401 and 617.0401

require that names of corporations be distinguishable from the names of all entities or filings registered and on file with the Division of Corporations.

§ 22.2 Fictitious Name Registration Packet—State Form

FLORIDA DEPARTMENT OF STATE

**FICTITIOUS  
NAME  
REGISTRATION  
PACKET**



**FLORIDA DEPARTMENT OF STATE  
Jim Smith  
Secretary of State**

**This packet contains:**

- General Information and Instructions for Application Completion
- Application for Registration of Fictitious Name (not valid until January 1, 1991)
- Chapter 90-267, Laws of Florida (Section 865.09, Florida Statutes)
- Return Envelope

**DIVISION OF CORPORATIONS**

**GENERAL INFORMATION**

Registration under the Fictitious Name Act is for public notice only and gives rise to no presumption of the registrant's rights to own or use the name registered nor does it affect trademark, service mark, or corporate name rights previously acquired by others in the same or a similar name. Registration under this section does not reserve a fictitious name against future use. If a fictitious name registrant wants a name which is not already in use, a separate search must be made prior to registration by calling (904) 488-9000 or mailing in a search request.

**The Division of Corporations will not deny a registration for a duplicate name. Every fictitious name application will be registered if statutory filing requirements are met.**

If a business fails to comply with this act, the business, its members, and those interested in participating in such business may not maintain any action, suit, or proceeding in any court of this state until this section is complied with. Any person who fails to comply with this act commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes.

Effective January 1, 1991, the filing responsibility for fictitious name registration is with the Department of State, Division of Corporations.

**THE OWNER OF A FICTITIOUS NAME REGISTRATION ON FILE WITH EACH COUNTY IN FLORIDA MUST COMPLETE AN APPLICATION AND REFILE IT WITH THE DIVISION OF CORPORATIONS NO LATER THAN DECEMBER 31, 1992.**

A person may engage in business under a fictitious name by registering the name with the Division of Corporations by filling out the enclosed "Application for Registration of Fictitious Name." The fictitious name must be advertised one time in a newspaper in the county where the applicant's principal place of business will be located and proof of publication need not be submitted.

If a change of ownership occurs, the owner(s) of record must file a cancellation and reregistration within 30 days of the change.

Fictitious names are valid for 5 years and expire on December 31st of the fifth year.

Each fictitious name registration must be renewed between July 1 and December 31 of the expiration year to maintain registration under this act. The Division of Corporations will mail to the last reported mailing address reflected in Section 1, at least 3 months prior to its expiration date, a statement of renewal.

Any request for a certificate of status or a certified copy of a fictitious name, if other than on the initial registration, should be directed to the Division of Corporations, P.O. Box 6327, Tallahassee, FL 32314.

For information regarding fictitious names on file or to search the records call (904) 488-9000.

The nonrefundable processing fees for fictitious names are as follows:

Registration of Fictitious Name	\$50
Cancellation and Reregistration of Fictitious Name	\$50
Renewal of Fictitious Name Registration	\$50
Certified Copy of Fictitious Name Registration	\$30
Certificate of Status of Fictitious Name Registration	\$10
Search of Records	\$11
Photocopies of records on file with Department of State	\$1 per page

**Mailing Address for Registration:**

Fictitious Name Registration  
 P O Box 1300  
 Tallahassee, Florida 32302-1300  
 (904) 487-6058

APPLICATION FOR REGISTRATION OF FICTITIOUS NAME

Section 1

1. Fictitious Name to be Registered \_\_\_\_\_

2. Mailing Address of Business \_\_\_\_\_

3. County of \_\_\_\_\_

4. City of \_\_\_\_\_, Florida \_\_\_\_\_ Zip Code \_\_\_\_\_

5. FEI Number: \_\_\_\_\_

This space for office use only

Section 2

**A. Owner(s) of Fictitious Name If Individual(s) (use additional sheets if necessary):**

1. Last First M.I. \_\_\_\_\_  
Address \_\_\_\_\_  
City State Zip Code \_\_\_\_\_  
SS#: \_\_\_\_\_

2. Last First M.I. \_\_\_\_\_  
Address \_\_\_\_\_  
City State Zip Code \_\_\_\_\_  
SS#: \_\_\_\_\_

**B. Owner(s) of Fictitious Name If Corporation(s) (use additional sheets if necessary):**

1. Corporate Name \_\_\_\_\_  
Address \_\_\_\_\_  
City State Zip Code \_\_\_\_\_  
Corporate Document Number: \_\_\_\_\_  
FEI Number: \_\_\_\_\_  
 Applied for  Not Applicable

2. Corporate Name \_\_\_\_\_  
Address \_\_\_\_\_  
City State Zip Code \_\_\_\_\_  
Corporate Document Number: \_\_\_\_\_  
FEI Number: \_\_\_\_\_  
 Applied for  Not Applicable

Section 3

I (we) the undersigned, being the sole (all the) party(ies) owning interest in the above fictitious name, certify that the information indicated on this form is true and accurate. I (we) further certify that the fictitious name shown in Section 1 of this form has been advertised at least once in a newspaper as defined in chapter 50, Florida Statutes, in the county where the applicant's principal place of business is located. I (we) understand that the signature(s) below shall have the same legal effect as if made under oath. (At Least One Signature Required)

Signature of Owner \_\_\_\_\_ Date \_\_\_\_\_  
Phone Number: \_\_\_\_\_

Signature of Owner \_\_\_\_\_ Date \_\_\_\_\_  
Phone Number: \_\_\_\_\_

Section 4

**FOR CANCELLATION COMPLETE SECTION 4 ONLY:  
FOR FICTITIOUS NAME OWNERSHIP CHANGE COMPLETE SECTIONS 1 THROUGH 4:**

I (we) the undersigned, hereby cancel the fictitious name \_\_\_\_\_  
\_\_\_\_\_, which was registered on \_\_\_\_\_ and was assigned  
registration number \_\_\_\_\_

Signature of Owner \_\_\_\_\_ Date \_\_\_\_\_  
Signature of Owner \_\_\_\_\_ Date \_\_\_\_\_

Certificate of Status — \$10

Certified Copy — \$30

FILING FEE: \$50

## Instructions for Completing Application for Registration of Fictitious Name

- Section 1:** Enter in number 1 the fictitious name as it will be used when transacting business. The fictitious name to be registered cannot be the owner's proper legal name only.  
Enter the mailing address of fictitious name in number 2. This address will be used for mailing renewal application forms in 5 years. If fictitious name address changes, be sure to notify the Division of Corporations. Include apartment number and/or suite number if applicable.  
Enter in number 3 the name of the county in Florida where the principal place of business of the fictitious name is located.  
Enter in number 4 the city and zip code in Florida of the fictitious name being registered.  
Enter in number 5 the Federal Employer Identification (FEI) number if known or if applicable.
- Section 2:** Use Section A if the owner of the fictitious name is an individual. The full name and the Social Security number of the individual owner must be entered in the space provided.  
Use Section B if the owner of the fictitious name is a corporation. The Federal Employer Identification (FEI) number and the corporate document number as well as the corporate name must be entered in the space provided. If you do not have an FEI number, check off the appropriate box.
- Section 3:** At least one owner's signature is required on this application. The owner signing the form must be listed on the application or attached sheets. The signature of the owner shall have the same legal effect as if made under oath.
- 
- Section 4:** **DO NOT COMPLETE THIS SECTION WHEN INITIALLY REGISTERING A FICTITIOUS NAME WITH THE DIVISION OF CORPORATIONS OF THE DEPARTMENT OF STATE.** Complete this section only when cancelling a fictitious name registration on file with the Division of Corporations or when a change of ownership of the fictitious name has occurred.
- TO CANCEL A REGISTRATION ON FILE WITH THE DIVISION OF CORPORATIONS OF THE DEPARTMENT OF STATE:** Complete blanks for fictitious name, date filed, and registration number. At least one signature of an owner is required for cancellation of the fictitious name.
- TO CHANGE OWNERSHIP OF REGISTRATION ON FILE WITH THE DIVISION OF CORPORATIONS OF THE DEPARTMENT OF STATE:** A change of ownership is a cancellation of your registration on file with the Division of Corporations and a reregistration of the same fictitious name. Complete sections 1 through 4 to accomplish this change of ownership. An owner's signature is required in both sections 3 and 4 for cancellation and reregistration.
- 

If you wish to receive a certificate of status and/or certified copy at the time of filing of this registration, check the appropriate box at the bottom of the form. PLEASE NOTE: Certificates requested, on this application will be sent to the address in Section 1. If a certificate of status is requested an additional \$10 is due. If a certified copy is requested, an additional \$30 is due.

The registration and reregistration will be in effect until December 31 of the fifth year.

Send completed application with appropriate fees in the enclosed envelope to:

Fictitious Name Registration  
P O Box 1300  
Tallahassee, FL 32302-1300

The fee for registering a fictitious name is \$50. Please make a separate check for each filing payable to the Department of State.

**NOTE:** All fictitious names previously filed with the county clerk's office must be refiled with the Division of Corporations of the Department of State by filing this application with sections 1 through 3 completed by December 31, 1992. Readvertisement is not required.

## CHAPTER 90-267, LAWS OF FLORIDA

## Fictitious name registration.--

(1) **SHORT TITLE.**--This section may be cited as the "Fictitious Name Act."

(2) **DEFINITIONS.**--As used in this section:

(a) "Fictitious name" means any name under which a person transacts business in this state, other than his legal name.

(b) "Business" means any enterprise or venture in which a person sells, buys, exchanges, barter, deals, or represents the dealing in any thing or article of value, or renders services for compensation.

(c) "Division" means the Division of Corporations of the Department of State.

(3) **REGISTRATION.**--A person may not engage in business under a fictitious name unless he first registers the name with the division by filing a sworn statement listing:

(a) The name to be registered.

(b) The mailing address of the business.

(c) The name and address of each owner and, if a corporation, its federal employer's identification number and Florida incorporation or registration number.

(d) Certification by the applicant that the intention to register such fictitious name has been advertised at least once in a newspaper as defined in chapter 50 in the county where the principal place of business of the applicant will be located.

(e) Any other information the division may deem necessary to adequately inform other governmental agencies and the public as to the persons so conducting business.

Such statement shall be accompanied by the applicable processing fees and any other taxes or penalties owed to the state.

(4) **CHANGE OF OWNERSHIP.**--If the ownership of a business registered under this section changes, the owner of record with the division shall file a cancellation and reregistration that meets the requirements set forth in subsection (3) within 30 days after the occurrence of such change.

(5) **TERM.**--A fictitious name registered under this section shall be valid for a period of 5 years and expires on December 31 of the 5th year.

(6) **RENEWAL.**--

(a) Renewal of a fictitious name registration shall occur on or after July 1 and on or before December 31 of the expiration year. Upon timely filing of a renewal statement, the effectiveness of the name registration is continued for 5 years as provided in subsection (5).

(b) The division shall mail to the last reported mailing address of each name registration on its records, at least 3 months prior to its expiration date, a statement of renewal.

(c) If the owner of the name registration fails to file a renewal and pay the appropriate processing fees prior to December 31 of the year of expiration, the name registration expires. The division shall remove any expired or cancelled name registration from its records and may purge such registrations. Failure to receive the statement of renewal required by paragraph (b) shall not constitute grounds for appeal of a registration's expiration or removal from the division's records.

(7) **EXEMPTIONS.**--A business formed by an attorney licensed to practice law in this state, or by a person licensed by the Department of Professional Regulation, for the purpose of practicing his licensed profession need not be registered under this section, notwithstanding that it transacts business ancillary to the practice of such profession.

(8) **EFFECT OF REGISTRATION.**--Notwithstanding the provisions of any other law, registration under this section is for public notice only, and gives rise to no presumption of the registrant's rights to own or use the

name registered, nor does it affect trademark, service mark, trade name, or corporate name rights previously acquired by others in the same or a similar name. Registration under this section does not reserve a fictitious name against future use.

(9) **PENALTIES.**--

(a) If a business fails to comply with this section, the business, its members, and those interested in doing such business may not maintain any action, suit, or proceeding in any court of this state until this section is complied with. An action, suit, or proceeding may not be maintained in any court of this state by any successor or assignee of such business on any right, claim, or demand arising out of the transaction of business by such business in this state until this section has been complied with.

(b) The failure of a business to comply with this section does not impair the validity of any contract, deed, mortgage, security interest, lien, or act of such business and does not prevent such business from defending any action, suit, or proceeding in any court of this state. However, a party aggrieved by a noncomplying business may be awarded reasonable attorney's fees and court costs necessitated by the noncomplying business.

(c) Any person who fails to comply with this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(10) **POWERS OF DEPARTMENT.**--The Department of State is granted the power reasonably necessary to enable it to administer this section efficiently, to perform the duties herein imposed upon it, and to adopt reasonable rules necessary to carry out its duties and functions under this section.

(11) **FORMS.**--Registration, cancellation, and renewal shall be made on forms prescribed by the Department of State.

(12) **PROCESSING FEES.**--The Department of State shall charge and collect nonrefundable processing fees as follows:

(a) For registration of a fictitious name, \$50.

(b) For cancellation and reregistration of a fictitious name, \$50

(c) For renewal of a fictitious name, \$50.

(d) For furnishing a certified copy of a fictitious name document, \$30.

(e) For furnishing a certificate of status, \$10.

(13) **DEPOSIT OF FUNDS.**--All funds required to be paid to the Department of State pursuant to this section shall be collected and deposited into the Corporations Trust Fund.

## Chapter 90-267, Section 6

## TRANSFER OF RESPONSIBILITY FOR FICTITIOUS NAME REGISTRATION.--

(1) Nothing in this act shall be interpreted to invalidate filings made with the clerk of the circuit court of each county; however, by January 1, 1991, the responsibility for filing fictitious names is transferred to the Department of State and all such previously filed names must be refiled with the Department of State by December 31, 1992.

(2) Notice of said transfer and the timetable for refile shall be provided as follows:

(a) The clerk of the circuit court of each county shall, to the extent practicable, provide notice each year through 1992 to all parties that maintain a fictitious name filing or that maintain a license under the Local Occupational License Tax Act.

(b) The Department of State shall provide notice each year through 1992 to all entities required to file an annual report with the department.



**FLORIDA DEPARTMENT OF STATE**  
**Jim Smith**  
**Secretary of State**

**Fictitious Name Filing Section**  
**P.O. Box 6327**  
**Tallahassee, Florida 32314**

**TO:**

**§ 22.3 Notice of Intention to Register**

**NOTICE OF INTENTION TO REGISTER A FICTITIOUS NAME**

NOTICE IS HEREBY GIVEN that \_\_\_\_\_, a Florida corporation, intends to engage in business under the fictitious name of "\_\_\_\_\_" at the following principal place of business and mailing address in \_\_\_\_\_ County, Florida, and intends to register the said name pursuant to Section 865.09, Florida Statutes:

---

**§ 22.4 Letter to Newspaper to Publish Notice**

Date: \_\_\_\_\_, 19\_\_

(Newspaper name)

(Address)

Re: Fictitious Name Registration for: \_\_\_\_\_

Gentlemen:

Enclosed herein please find a Notice of Intention to Register a Fictitious Name which we would appreciate your publishing in your newspaper once pursuant to Fla.Stat. § 865.09.

Please send your proof of publication and statement to this office. Thank you for your assistance. If you have any questions, please call.

Very truly yours,

§§ 22.5–22.49 are reserved for supplementary material.

## B. CHANGE OF NAME

### § 22.50 In General

Section 68.07, Florida Statutes Annotated, allows the Circuit Courts to change the name of any person residing in Florida on the petition of that person filed in the county of residence. The petition must be verified and show that the petitioner is a bona fide resident of and domiciled in the county where the petition is filed. The name change must not be filed for an ulterior or illegal purpose and granting it must not invade the property rights of others.

A final hearing on the petition can be held immediately upon filing of the petition. In practice, the timing of the hearing depends on the calendar of the judge to whom the case is assigned.

After the final judgment is entered, the clerk sends a report of the judgment to the Florida Department of Health and Rehabilitative Services in order to update the birth record.

A husband, wife and minor child may join in one petition for change of name. When only one parent petitions for change of name of a minor child, the other parent must be served with process.

§ 22.51 Petition for Change of Name

IN THE CIRCUIT COURT FOR \_\_\_\_\_ COUNTY, FLORIDA  
CIVIL DIVISION

CASE NO. \_\_\_\_\_  
DIVISION NO. \_\_\_\_\_

IN RE: \_\_\_\_\_ }  
\_\_\_\_\_ }  
presently legally known as }  
\_\_\_\_\_ }  
Petitioner }

PETITION FOR CHANGE OF NAME

Petitioner, \_\_\_\_\_, presently legally known as \_\_\_\_\_, hereby respectfully petitions this honorable court and alleges and verifies as follows:

1. This is an action for change of name pursuant to Florida Statutes Annotated, Section 68.07.

2. Petitioner is a bona fide resident of \_\_\_\_\_ County, Florida, and is now domiciled in \_\_\_\_\_ County, Florida, having resided in \_\_\_\_\_ County, Florida, as his permanent residence and domicile continuously since \_\_\_\_\_. Petitioner owns real and personal property in \_\_\_\_\_ County, Florida, is registered to vote in \_\_\_\_\_ County, Florida, holds a Florida drivers license, and is in all other respects a resident of \_\_\_\_\_ County, Florida.

3. Petitioner was born on \_\_\_\_\_, 19\_\_, at \_\_\_\_\_, \_\_\_\_\_, as shown by the birth certificate, a copy of which is attached hereto as Exhibit "A", and was given the legal name of "\_\_\_\_\_". The name of Petitioner's father was \_\_\_\_\_, and the maiden name of Petitioner's mother was \_\_\_\_\_.

4. Petitioner has resided since birth in the following cities at the following approximate times:

5. The name of Petitioner's wife is \_\_\_\_\_. The names, ages and addresses of each child of Petitioner is as follows:

Name	Age	Address
------	-----	---------

6. Petitioner's name has never been changed before.

7. Petitioner's occupation is \_\_\_\_\_ and is employed by \_\_\_\_\_, a Florida corporation, of \_\_\_\_\_, Florida. Petitioner is and has always been the sole shareholder of that corporation, which was incorporated on \_\_\_\_\_, 19\_\_\_\_. Petitioner was previously employed by \_\_\_\_\_, a Florida corporation, of \_\_\_\_\_, Florida, and was employed there for the \_\_\_\_\_ years next preceding the filing of this Petition.

8. Petitioner has always been generally known and called by the name "\_\_\_\_\_", which is the name by which he attended public schools in \_\_\_\_\_, \_\_\_\_\_, by which he attended college at \_\_\_\_\_ in \_\_\_\_\_, \_\_\_\_\_, by which he served in the U.S. \_\_\_\_\_, by which he was married, and by which he obtained and maintains all credit cards and other business and legal relations.

9. Petitioner only recently discovered that the legal name on his birth certificate was "\_\_\_\_\_".

10. Petitioner has never been adjudicated a bankrupt.

11. Petitioner has never been convicted of a felony.

12. No money judgment has ever been entered against Petitioner.

13. This Petition is filed for no ulterior or illegal purpose and granting it will not in any manner invade the property rights of others, whether partnership, patent, good will, privacy, trademark or otherwise.

WHEREFORE, Petitioner respectfully requests that this honorable court enter its final judgment changing Petitioner's legal name from "\_\_\_\_\_" to "\_\_\_\_\_".

STATE OF FLORIDA }  
COUNTY OF \_\_\_\_\_ }

Before me personally appeared \_\_\_\_\_ presently legally known as \_\_\_\_\_ to me well known and known to me to be the person described in and who executed the foregoing Petition and acknowledged to and before me that he executed said Petition for the purposes therein

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expressed and verifies all of the facts recited therein as being true and correct to the best of his knowledge and belief.

Witness my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 19\_\_.

\_\_\_\_\_ (SEAL)

NOTARY PUBLIC  
STATE OF FLORIDA AT  
LARGE

\_\_\_\_\_ My commission expires:  
Attorney for Petitioner

§ 22.52 Final Judgment for Change of Name

IN THE CIRCUIT COURT FOR \_\_\_\_\_ COUNTY, FLORIDA  
CIVIL DIVISION  
CASE NO. \_\_\_\_\_

IN RE: }  
\_\_\_\_\_, }  
presently legally known as }  
\_\_\_\_\_, }  
Petitioner }

FINAL JUDGMENT FOR CHANGE OF NAME

This action was heard on the Petition for Change of Name filed by \_\_\_\_\_, presently legally known as \_\_\_\_\_, and the Court finding that it has jurisdiction of the subject matter and of the party, and finding that the Petitioner's legal given name by his birth certificate is \_\_\_\_\_, a copy of which birth certificate is attached to this Final Judgment, and the Court being otherwise duly advised in the premises, it is therefore

ORDERED AND ADJUDGED that Petitioner's name is hereby changed from "\_\_\_\_\_" to "\_\_\_\_\_", as if "\_\_\_\_\_" had been the legal given name of Petitioner in his birth certificate.

DONE AND ORDERED in Chambers at \_\_\_\_\_, \_\_\_\_\_ County, Florida, on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
CIRCUIT JUDGE

Copies furnished to:

§ 22.53 Letter to Client

\_\_\_\_\_, 19\_\_

Re: Name Change

Dear \_\_\_\_\_:

Enclosed please find two certified copies of the final judgment legally changing your name and an application (Form SS-5) to the Social Security Administration to effect the name change on your social security card. When you submit the application, please make sure to complete items 10c, 10d, 11 and 13. Send the application and one of the original certified copies to:

Social Security  
Attention: Account Numbers  
P.O. Box \_\_\_\_\_  
\_\_\_\_\_, Florida \_\_\_\_\_.

You will receive back your certified order in about ten (10) days and your corrected card in about three (3) weeks.

In order to change your driver's license, you must take one of the certified copies to any driver's license office along with your current license. When you present the judgment and surrender the old license, they will issue you a new license with your new name.

Enclosed please also find several forms you may want to use in changing the names on your various bank accounts, etc.

If you have any questions or if I can be of further assistance, please do not hesitate to call.

Sincerely,

Enclosures

§ 22.54 Form Letter to Change Account Name

Date: \_\_\_\_\_

Name of Institution: \_\_\_\_\_

Address of Institution: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Account Numbers: \_\_\_\_\_

To Whom It May Concern:

Please be advised that I, \_\_\_\_\_, have legally changed my name to \_\_\_\_\_ effective \_\_\_\_\_, 19\_\_\_\_. Accordingly, please change the name on the above account to reflect my new legal name and provide me with written verification that this has been accomplished.

Thank you for your attention to this matter.

Sincerely,

\_\_\_\_\_

§§ 22.55-22.89 are reserved for supplementary material.

C. MISCELLANEOUS

§ 22.90 Affidavit of True Name

STATE OF FLORIDA }  
COUNTY OF \_\_\_\_\_ }

Before me personally appeared \_\_\_\_\_, who, being duly sworn, deposes and says:

1. Affiant is \_\_\_\_\_, a resident of \_\_\_\_\_ County, Florida, and over twenty-one years of age.
2. Affiant is the wife and guardian of \_\_\_\_\_.
3. \_\_\_\_\_ is the same person designated as "\_\_\_\_\_" in that certain stock certificate of \_\_\_\_\_, Inc., stock certificate number \_\_\_\_\_, dated \_\_\_\_\_, 19\_\_\_\_.
4. This affidavit is given in order to clarify the true name and person designated in said stock certificate and may be relied upon by any person claiming by, through or under said \_\_\_\_\_ or \_\_\_\_\_ as a successor, assign or transferee of the said stock certificate.

FURTHER AFFIANT SAYETH  
NOT.

\_\_\_\_\_

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_.

\_\_\_\_\_

NOTARY PUBLIC

My commission expires: