

# AFFIDAVIT OF COMMON LAW NAME CHANGE

**Isom v. CIR. COURT OF TENTH JUDICIAL CIR., 437 So. 2d 732 - Fla: Dist. Court of Appeals, 2nd Dist. 1983** states:

At common law a person could adopt another name at will, absent a fraudulent, criminal, or wrongful purpose. Moskowitz v. Moskowitz, 118 N.H. 199, 385 A.2d 120 (1978). The codification of this common law right was intended primarily to aid the individual's right to a name change at will, giving the advantage of a public record to document the change. 57 Am.Jur.2d Name § 11; In re Application of Knight, 36 Colo. App. 187, 537 P.2d 1085 (1975); 79 A.L.R.3d 559. In keeping with the common law tradition, **in Florida** a person **may adopt a name other than his or her own** as long as no fraudulent or wrongful purposes are involved. See Adoption of Long, 56 So.2d 450 (Fla. 1952).

**Kreuter v. United States, 201 F. 2d 33** further states:

In the absence of a statutory prohibition, a person, **without abandoning his real name**, may adopt or assume a name, and he *may use such assumed name to identify himself in the transaction of his business, the execution of contracts and the carrying on of his affairs.*

STATE OF Florida

ss.}

COUNTY OF \_\_\_\_\_

\_\_\_\_\_, previously known as \_\_\_\_\_, affirms the following:

1. I am currently \_\_\_ years of age, I was born on the \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_
2. My birth records and other legal documents have the name(s) of:  
\_\_\_\_\_
3. I have since changed my name to \_\_\_\_\_ **at will** under the Common law.
4. I have not changed my name for any fraudulent purpose or to avoid criminal prosecution.
5. I am making this Affidavit in order to aid appropriate agencies in correcting or adjusting my records.

\_\_\_\_\_  
Current Signature in new name

\_\_\_\_\_  
Previous signature in old name

STATE OF FLORIDA

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_

(NOTARY SEAL)

\_\_\_\_\_  
\_\_\_\_\_, Notary Public

Personally Known \_\_\_\_\_ OR Produced Identification \_\_\_\_\_ Type of Identification Produced \_\_\_\_\_