

# AFFIDAVIT OF COMMON LAW NAME CHANGE

**Torbit v. State, 102 Md. App. 530 - Md: Court of Special Appeals 1994 provides:**

Maryland recognizes common law name changes. *Stuart v. Board of Elections*, 266 Md. 440, 446, 295 A.2d 223 (1972). As the Court of Appeals stated in *Hardy v. Hardy*, "a person may adopt any name by which he wishes to become known, as long as he does so consistently and nonfraudulently." 269 Md. 412, 415, 306 A.2d 244 (1973) (citations omitted). This fact, however, does not preclude appellant from changing his name pursuant to Maryland Rules BH70-75 and Maryland Code (1957, 1994 Repl.Vol.), Art. 16, § 123. Neither the statutory nor the common law method is to be interpreted as the exclusive manner in which a name may be changed. *Klein v. Klein*, 36 Md. App. 177, 181, 373 A.2d 86 (1977); *Hall v. Hall*, 30 Md. App. 214, 222, 351 A.2d 917 (1976). "In Maryland, a person may change his name under the common law rule or through a judicial proceeding as he desires." *Hall*, 30 Md. App. at 222, 351 A.2d 917.

STATE OF Maryland

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

Sworn and subscribed to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
[Signature of notary public]

[Name of notary public typewritten or printed]: \_\_\_\_\_

[Notary Seal]

Notary Public

My Commission expires \_\_\_\_\_