

AFFIDAVIT OF COMMON LAW NAME CHANGE

Nebraska Revised Statute 49-101 provides:

So much of the common law of England as is applicable and not inconsistent with the Constitution of the United States, with the organic law of this state, or with any law passed or to be passed by the Legislature of this state, is adopted and declared to be law within the State of Nebraska.

Nebraska Revised Statute 60-4,120 provides:

(2) If any person changes his or her name because of marriage or divorce or by court order **or a common-law name change**, he or she **shall** apply to the department for a replacement operator's license or state identification card and furnish proof of identification in accordance with section 60-484.

Simmons v. O'BRIEN, 272 NW 2d 273 - Neb: Supreme Court 1978 provides:

Change of name statutes **do not abrogate or supersede the common law** but affirm the common-law right and afford an **additional method** by which name change may be effected as a matter of public record. Piotrowski v. Piotrowski, 71 Mich. App. 213, 247 N.W.2d 354.

STATE OF Nebraska

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

Subscribed and (sworn) (affirmed) before me: this _____ day of _____, 20 _____. (Month) (Year)

Signature of Notary Public

^Affix Official Notary Seal^