

AFFIDAVIT OF COMMON LAW NAME CHANGE

IN THE MATTER OF APPLICATION OF XIANGJING ZHAN TO CHANGE NAME OF HONGHONG ZHAN, NJ: Appellate Div. 2012 provides:

The common law allows name changes **without judicial approval and without a public record of the change**. Absent a criminal or fraudulent purpose, an adult can "legally and properly change his or her name **at will and without need of judicial approval simply by using the desired name in ordinary life**." Matter of Bacharach, 344 N.J. Super. 126, 130 (App. Div. 2001). The name change statute provides a more formal means to adopt a new name and "provides a definitive and swift procedure for public recordation." Id. at 130-31.[1] However, the statute is to be construed **in light of the common law and does not abrogate it**. Id. at 131; Egner v. Egner, 133 N.J. Super. 403, 406 (App. Div. 1975); Application of Lawrence, 133 N.J. Super. 408, 411 (App. Div. 1975).

STATE OF New Jersey

ss.}

COUNTY OF _____

I, _____, previously known as _____, being duly sworn, make this my affidavit and state:

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 to before me on _____, 20__ by _____

(SEAL)

My commission expires: _____

Notary Signature

Date