

AFFIDAVIT OF COMMON LAW NAME CHANGE

Lafin & Rand Co. v. Steytler, 146 Pa. 434, 442 (Pa. Ct. Com. Pl. 1892) provides:

The legislature in 1852 provided a mode of changing the name, but that act was in affirmance and aid of the common law, to make a definite point of time at which a change shall take effect. But **without the aid of that act** a man may change his name or names, first or last, and when his neighbors and the community have acquiesced and recognized him by his new designation, that becomes his name.

In re Harris, 707 A. 2d 225 - Pa: Superior Court 1997 provides:

A change of name statute "is to be construed consistently with and not in derogation of the common law." Eck, supra. At common law, an individual is free at any time to adopt and use any name, if such name is used consistently, nonfraudulently **and exclusively**.

54 Pa.C.S.A. § 701(b) provides:

(b) Informal change of name.--Notwithstanding subsection (a), a person may at any time adopt and use any name if such name is used consistently, nonfraudulently and exclusively.

Commonwealth of Pennsylvania)

)SS:

County of)

Before me, the undersigned notary public, this day, personally, appeared _____ to me known, who being duly sworn according to law, deposes 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 to before me this _____ day of _____, 20____.

Notary Public