

# AFFIDAVIT OF COMMON LAW NAME CHANGE

**West Virginia Code §2-1-1 provides:**

The common law of England, so far as it is not repugnant to the principles of the constitution of this state, shall continue in force within the same, except in those respects wherein it was altered by the general assembly of Virginia before the twentieth day of June, eighteen hundred and sixty-three, or has been, or shall be, altered by the Legislature of this state.

**PETITION FOR CHANGE OF NAME OF HARRIS, 236 SE 2d 426 - W Va: Supreme Court of Appeals 1977 provides:**

The common-law rule was that a person could change his or her name **without legal proceedings** provided there was no fraudulent purpose in doing so.

STATE OF West Virginia

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 to before me on this \_\_\_\_\_ of \_\_\_\_\_, in the year 20\_\_\_\_\_,  
by \_\_\_\_\_.

\_\_\_\_\_  
(notary signature)

(seal)