



NORTH CAROLINA · GENERAL STATUTES CHAPTER 101 & § 50-12

The NC Post-Divorce Name Change Checklist

Every form. Every fee. The 25-place update list.

START HERE — THIS TAKES 30 SECONDS

North Carolina has two entirely different name change laws, and almost everyone lands in the cheap one. Answer one question:

ROUTE A

Do you want a name you already had?

Maiden name, premarriage surname, or a prior spouse's surname.

N.C.G.S. § 50-12 · \$10

ROUTE B

Do you want a name you've never legally held?

A new surname, or a different first name.

Chapter 101 · \$120 + background checks

REFERENCE

Every form, every fee

FORM / ITEM	AUTHORITY	COST
AOC-SP-600 — Application/Notice of Resumption of Former Name	§ 50-12 (divorce); § 101-8 (widowed)	\$10
Resumption requested in your own divorce complaint or counterclaim	§ 50-12(d) and (e)	\$10, paid with the divorce filing fee
AOC-SP-604 — Application for Adult Name Change	§§ 101-2, -3, -4, -5, -6	\$120 special proceeding fee
AOC-SP-607 — Affidavit of Good Character (two required, notarized)	§ 101-4	Included; notary fees vary
SBI criminal record check (Right to Review)	§ 101-5(a)(2)	Approx. \$14
FBI record check or approved Channeler	§ 101-5(a)(2)	Approx. \$18
Fingerprinting	Local law enforcement	Varies; some agencies free
AOC-SP-609 — Order on Application for Adult Name Change	§§ 101-5, -6	Issued by clerk
Certified copies of your order or decree	Clerk of Superior Court	Varies by county — order extras

DO NOT FILE THIS FORM

AOC-SP-606 (Notice of Intent to Change Name) and the 10-day courthouse posting are **no longer required**. The General Assembly repealed N.C.G.S. § 101-2(b) in S.L. 2025-54, s. 4(a), effective December 1, 2025, for all Chapter 101 applications filed on or after that date. Many online guides and downloadable packets still list this step. They are out of date.

ROUTE A · § 50-12

Resuming a former name

This is most people. One form, one clerk, ten dollars. No fingerprints, no background check, no affidavits, no posting, no hearing, and no deadline — you can do this years after your divorce.

If your divorce is not final yet

- ☐ Ask your attorney to put the resumption request in *your* complaint or *your* counterclaim for divorce, under § 50-12(d). If your spouse filed and you never responded, there is nothing on file for the court to grant.
- ☐ Budget the \$10. It is assessed under § 50-12(e) either way — it is simply collected alongside your absolute divorce filing fee. What you avoid is a second, separate proceeding.
- ☐ Confirm the name is written into the divorce decree before the file closes.
- ☐ Order extra certified copies of the decree at the same time.

If your divorce is already final

- ☐ Download **AOC-SP-600** (Application/Notice of Resumption of Former Name) from nccourts.gov.
- ☐ Confirm your divorce was an **absolute divorce**. Separation alone is not enough.
- ☐ Confirm the name you want qualifies: your maiden name; a prior deceased spouse's surname; a prior living spouse's surname if your children carry it; or, for a spouse who took a surname at marriage, the premarriage surname under § 50-12(a1).
- ☐ Fill in your former spouse's full name, and the county, state, and term or session of court where the divorce was granted.
- ☐ Sign the form in the name you are *resuming* — not your married name.
- ☐ File with the Clerk of Superior Court in the county where you live *or* where the divorce was granted. Your choice.
- ☐ Pay the \$10 fee and collect your documentation of the change.
- ☐ Order several certified copies before you leave the courthouse.

ALREADY USING YOUR OLD NAME WITHOUT FILING?

Under § 50-12(c), if you resumed one of these names after your divorce and never filed anything, submitting the application **validates** that use. You are not in trouble. Just get the record straight.

ROUTE B • CHAPTER 101

Adult name change

Only if you want a name you have never legally held. This route is real work, and the sequence matters — start the record checks before anything else.

- ☐ Order your fingerprints and both record checks first — SBI and FBI (or an FBI-approved Channeler).
- ☐ Watch the 90-day window. § 101-5(a)(2) requires the checks be conducted within 90 days of your application. Too early and you start over.
- ☐ Obtain two **AOC-SP-607** Affidavits of Good Character, signed and notarized by two citizens of your county who know your standing (§ 101-4).
- ☐ Complete **AOC-SP-604**, including the sworn statements on residency and on any outstanding tax or child-support obligations.
- ☐ If you are in the Address Confidentiality Program or are a victim of domestic violence, a sexual offense, or stalking, request that the record be kept out of the public record under § 101-2(c) — at filing, not after.
- ☐ File with the Clerk of Superior Court in your county of residence and pay the \$120 fee.
- ☐ Attend the hearing if the clerk requires one.
- ☐ Collect your **AOC-SP-609** order and certificate, and order certified copies.

TWO CHAPTER 101 RULES THAT CATCH PEOPLE

- You generally get one Chapter 101 change in your lifetime (§ 101-6(a)). Pick the name you actually want.
- A denial starts a 30-day clock to petition the resident superior court judge; an unsuccessful reconsideration means waiting 12 months to reapply (§ 101-5(f)).

UPDATE LIST

The 25-place update checklist

The order is the easy part. Reissuing your identity everywhere is the part that takes a Saturday. Work this list in order — the first two are not optional and not interchangeable.

Do #1 and #2 in this exact order. Social Security must reflect your new name before anyone else can verify it — and the NC DMV checks against the federal system. Wait 24 to 48 hours between the two, or you will be sent home. DMV also runs on a clock: you must notify them **within 60 days** of the change.

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| <p>1 ☐ Social Security Administration — Form SS-5, no fee. Do this first.</p> | <p>2 ☐ NC DMV — license or ID within 60 days; notarized DL-101.</p> |
| <p>3 ☐ U.S. passport — State Department.</p> | <p>4 ☐ IRS records — so your return matches SSA.</p> |
| <p>5 ☐ Employer HR, payroll, and direct deposit</p> | <p>6 ☐ Banks and credit unions — all accounts.</p> |
| <p>7 ☐ Credit cards and the credit bureaus</p> | <p>8 ☐ Retirement accounts — 401(k), IRA, pension, TSP.</p> |
| <p>9 ☐ Beneficiary designations — retirement and life insurance.</p> | <p>10 ☐ Life insurance policies</p> |
| <p>11 ☐ Investment and brokerage accounts</p> | <p>12 ☐ Health insurance and every provider's office</p> |
| <p>13 ☐ Auto insurance</p> | <p>14 ☐ Homeowner's or renter's insurance</p> |
| <p>15 ☐ Mortgage lender or landlord and lease</p> | <p>16 ☐ Deeds and Register of Deeds records</p> |
| <p>17 ☐ Vehicle titles and registration</p> | <p>18 ☐ Voter registration</p> |
| <p>19 ☐ Will, trust, and powers of attorney — including your health care power of attorney.</p> | <p>20 ☐ Professional and occupational licenses — and your board or bar.</p> |
| <p>21 ☐ Children's schools, daycare, and emergency contact cards</p> | <p>22 ☐ Utilities and household accounts</p> |
| <p>23 ☐ Student loans and other lenders</p> | <p>24 ☐ Military — DEERS, ID card, TRICARE, VA (if applicable).</p> |
| <p>25 ☐ USPS, subscriptions, memberships, and online accounts</p> | |

NUMBER 9 IS NOT A CHORE — IT IS AN EMERGENCY

Changing your name does nothing to your beneficiary designations. If your ex is still named on your 401(k) or life insurance, that designation controls no matter what your will says. Handle it in the same sitting.

DECIDE YOUR PATH

Do it yourself, or hand it off?

Do it yourself if...

You are resuming a former name after an absolute divorce (Route A). One form, one clerk, ten dollars.

Your file is simple: no prior legal name change, no criminal record, nothing that needs sealing.

You are comfortable using eCourts Guide & File, the free NC Courts online interview.

You have time. Route A can be same-day; Chapter 101 runs several weeks.

Call us if...

You are in Chapter 101 territory and anything is complicated.

You have a prior name change, a criminal record or unresolved charge, or a pending immigration matter.

Your file should be sealed for safety reasons under § 101-2(c).

You have outstanding tax or child-support obligations to disclose, a hard deadline, or you have already been turned away once.

One honest note on Guide & File: it is genuinely good and we would rather you use it than pay anyone to type your birthday into a box. What it will not do is tell you that you picked the wrong statute, catch a background check that is 94 days old, or spot that your file should have been sealed from the start. It formats paperwork. It does not exercise judgment, and it does not go to a hearing with you.

IF YOU ARE CHANGING YOUR NAME BECAUSE YOU ARE NOT SAFE

Call 911 in an emergency. The National Domestic Violence Hotline is available 24/7 at **1-800-799-7233** (TTY 1-800-787-3224), or text **START** to 88788. North Carolina law allows your name change record to be kept out of the public record under § 101-2(c) — tell the clerk before you file, not after.

WORKING WITH US

Our two flat fees — and the one we won't charge you

\$1,400

FLAT FEE

Full representation for a Chapter 101 adult name change. Not an hourly clock, not an estimate that grows. One number, and it includes your calls, emails, and texts. Covers preparing and filing the application and the good-character affidavits, coordinating your SBI and FBI checks so they land inside the 90-day window, filing a request to seal the record where you qualify, appearing if the clerk requires it, and delivering your certified-copy package.

\$300

FLAT FEE

Document review. You prepare your own forms and just want peace of mind before you file. Send us everything, and we review it and give you written confirmation that it is ready.

\$0

NO CHARGE

A § 50-12 resumption — we will point you at the form. If you call and it turns out you are a \$10 Route A resumption, we will tell you that on the phone. We would rather have your trust than your ten dollars.

Court costs — the \$120 filing fee, background check and fingerprinting fees, and certified copy charges — are separate and are paid to the court and the agencies, not to us.

Schedule a confidential consultation → www.capefearfamilylaw.setmore.com

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