



ADMINISTRATIVE RULES OF MONTANA

23.3.179 ESTABLISHMENT OF NAME OTHER THAN THE NAME THAT APPEARS ON THE PRIMARY SOURCE DOCUMENT

- (1) When an applicant wants to establish a name other than the name that appears on the primary source document, the individual shall present one of the listed documents proving the name change. There must be evidence of the name change on the presented document.
- (2) An applicant shall submit one of the following documents by a government agency or court to prove a name change because of a marriage, common law marriage, or domestic partnership:
 - (a) marriage license;
 - (b) certificate of marriage;
 - (c) declaration of marriage;
 - (d) domestic partnership registration; or
 - (e) an equivalent documentation of marriage or domestic partnership from the issuing government jurisdiction.
- (3) The department cannot accept an affidavit of common law marriage to prove a name change.
- (4) An applicant shall submit one of the following documents to prove a name change because of a divorce or dissolution from a court of competent jurisdiction:
 - (a) dissolution of marriage decree;
 - (b) divorce decree; or
 - (c) an equivalent documentation of a dissolution.
- (5) An applicant shall submit one of the following documents to prove a name change by other means:
 - (a) court order from a court of competent jurisdiction granting a name change;
 - (b) certificate of naturalization issued by DHS, Form N-550 or Form N-570; or
 - (c) certificate of citizenship issued by DHS.
- (6) All documents presented must be certified by the issuing agency.

Implementing statute(s): 61-5-128, 61-5-129, MCA

History: NEW, 2018 MAR p. 1956, Eff. 10/6/18.