

Notice to Individual(s) who have had a felony and who are changing their name(s) as part of an Application for Marriage

I. FORMS REQUIRED

If you choose to change your name through the Marriage License Application process, there will be additional forms (copies attached) required before your Marriage License can be issued!

1. NAME CHANGE NOTICE FROM CONVICTED FELON

Minnesota Statute 259.13 requires you to state whether you have been convicted of a felony since August 1, 2000. The statute also requires a person who has committed a felony, under any state or federal law on or after that date, to serve notice of the application for a name change (**Felon Name Change Notice**) on the prosecuting authority. If the felony conviction is from a Minnesota County, notice of the application must be served on the county attorney for that county, for example, if the felony conviction is from Blue Earth County, notice of the application must be served on:

Blue Earth County Attorney
410 South Fifth St
Mankato, MN 56001

If the conviction is from another state or federal jurisdiction, notice of the application must be served on the prosecuting authority and also on the Minnesota Attorney General at:

Office of the Attorney General
102 State Capitol
St. Paul, MN 55155

2. AFFIDAVIT OF SERVICE

A person requesting a name change through marriage, must also file an **Affidavit of Service** with Blue Earth County Vital Statistics as part of the application for a marriage license. The **Affidavit of Service** is filed after the **Felon Name Change Notice** has been served.

II. WAITING PERIOD

The prosecuting authority has 30 days from the date they are served with the notice of the Application to object. During this 30 day period, our office may not grant the marriage license with the name change. The parties seeking the marriage license have the choice of whether to have the license granted without the name change or to delay the issuance of the license during the 30 day period.

III. OBJECTION AND APPEAL

If objection to the name change is filed, our office may not grant the marriage license with the name requested. We can grant a license without the name change. Or, the applicant may contest the prosecutor's objection by filing a motion with the district court. At the court hearing, the applicant must prove by clear and convincing evidence that the request is not based on intent to defraud or mislead, is made in good faith, will not cause injury to a person, will not compromise public safety, or is an infringement upon a constitutional right. The parties seeking the marriage license have the choice of whether to have the license granted without the name change or to delay the issuance of the license pending the hearing if there is an objection.

***MN Statute 259.13, subdivision 1**, requires a person who committed a felony crime under any law, on or after August 1, 2000, to serve a notice of application for a name change on the prosecuting authority for the crime when seeking a name change as part of the marriage license. If the prosecuting authority is located in another state, the Attorney General must also be served.

***MN Statute 259.115**, provides that if a person who committed a felony crime under any law, on or after August 1, 2000, uses a different surname after marriage than what was used before marriage, without complying with section 259.13, is guilty of a gross misdemeanor.

***MN Statute 517.08, subdivision 1b**, provides that if a person committed a felony crime under any law, on or after August 1, 2000, is applying for a marriage license, the court administrator shall either grant the marriage license without the requested name change or delay its granting until the person: (1) certifies that 30 days have passed since the notice of name change upon the prosecuting authority, and if applicable, the Attorney General, and no objections have been made; or (2) provides a certified copy of a court granting the name change. The parties seeking the marriage license have the choice of whether to have the license granted without the name change or to delay its granting pending further action on the name change request.

NAME CHANGE NOTICE FROM CONVICTED FELON

Pursuant to Minnesota Statute 259.13
State of Minnesota * County of Blue Earth

In the Matter of the Application of:

(First) (Middle) (Last)

For a change of name to:

(First) (Middle) (Last)

To: (check all that apply)

_____ Prosecuting Authority for _____
(Print County & State where convicted-where notice must be sent)

_____ Attorney General, State of Minnesota
(Must also be served if conviction is federal or out of state)

This notice is to inform you that the Applicant has applied for a change of name in the County of Blue Earth by applying for a Marriage license with a Change of Name.

A copy of the **Marriage License Application** showing the present full legal name and the requested name is attached. Any correspondence concerning this Application should be addressed to:

Blue Earth County Vital Statistics
410 South Fifth St.
Mankato, MN 56001

This notice is served to comply with Minnesota Statute 259.13. According to this statute you have 30 days from the date of this service to file a written objection with Blue Earth County Vital Statistics.

Dated _____

Signature & Address:

Signature _____
Address _____

AFFIDAVIT OF SERVICE

Name Change Notice From Convicted Felon

State of Minnesota ** County of Blue Earth

I, _____, being duly sworn, upon oath,

state that on _____, I have served a **Name Change Notice From Convicted Felon** and with a copy of the **Marriage License Application** with change of name upon;

_____ Prosecutor _____ Minnesota Attorney General

By _____ Personal Service (handing a true and correct copy of the documents to the following person(s): _____

(Name of person to whom documents were hand delivered to)

At _____
(Street address, city and state of person whom documents were delivered)

By _____ Mail Service (mailing a true and correct copy of the documents in an envelope, depositing the envelope with sufficient postage in the US mail at the post office) in the city of _____.

The envelope was addressed as follows: _____

Name and address of person who delivered/mailed the documents

Signature _____
(Must be signed in front of a notary public)

Subscribed and sworn to before me this _____ day of _____ 20_____.

(Signature of notary public and stamp)

After 30 days have passed since the filing of this affidavit of service in the Blue Earth County Office of Vital Statistics and no objection has been filed under section 259.13. The marriage license will be issued with the name change.