

INTRODUCTION

In 54 Pa.C.S. § 704, the law provides:

(a) General rule.--Any person who is a party in a divorce action may, at any time prior to or subsequent to the entry of the divorce decree, resume any prior surname used by him or her by filing a written notice to such effect in the office of the prothonotary of the county in which the divorce action was filed or the decree of divorce was entered, showing the caption and docket number of the proceeding in divorce.

INSTRUCTIONS

1. At the top of the “Notice of Intention”, write the Plaintiff’s name on the line above the word “Plaintiff” and the Defendant’s name on the line above the word “Defendant”. (Just as they appear on the Complaint.) Write your case number on the blank line after “No.”.
2. On the blank line after the words “Notice is hereby given that I”, write your name.
3. On the next blank line, after the word “the”, write the word “Plaintiff” or “Defendant”, depending on which party you are in the divorce action.
4. Depending on the timing of your Notice, that is, whether you are changing to a prior surname **before** the decree is entered or **after** the decree is entered, put a check mark in front of the appropriate statement and write the corresponding date. That is, if you are filing the notice before the decree is entered, choose the first option and write the date the Complaint was filed; if you are filing the notice after the decree is entered, choose the second option and write the date the decree in divorce was granted.
5. Write the surname you intend to resume on the blank line after the words “hereby elect to resume the prior surname of”.
6. Write the date at the bottom, next to the word “Date” and sign the form twice on the lines provided, once using your current surname and again using your resumed surname, as marked.
7. Make one copy of the Notice. Take the original and the copy to the Prothonotary’s office.
8. The Prothonotary will file-stamp both, keeping the original and returning the copy to you for your records. You may now begin using the prior surname given in the Notice.

_____, : IN THE COURT OF COMMON PLEAS OF
Plaintiff : LYCOMING COUNTY, PENNSYLVANIA
vs. : CIVIL ACTION - LAW
: IN DIVORCE
_____, :
Defendant : NO. _____

NOTICE OF INTENTION TO RESUME PRIOR SURNAME
PURSUANT TO TITLE 54 Pa.C.S. Section 704

Notice is hereby given that I, _____, the
_____ in the above-captioned case in which a
_____ Complaint in Divorce was filed on _____ or
_____ Decree in Divorce was granted on _____,
hereby elect to resume the prior surname of _____.

Date: _____

Signature using your current name

Signature using name being resumed