

RESUMING A PRIOR SURNAME DURING OR AFTER A DIVORCE

If you filed your divorce complaint in Lehigh County, you may resume a prior surname (i.e. maiden name or surname used during a prior marriage) before **or** after the divorce decree is entered.

If you plan to file, but have **not yet** filed a Divorce Action in Lehigh County, you must do so in order to file the Notice to Resume Prior Surname.

In general, the Pennsylvania process of resuming a maiden name or surname used during a prior marriage is controlled by the Pennsylvania Statute, **Divorcing and Divorced Person May Resume Prior Name**, 54 Pa.C.S.A. § 704.

Divorcing and Divorced Person May Resume Prior Name

(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.

(b) Foreign decrees.--Where a divorced person has been the subject of a decree of divorce granted in a foreign jurisdiction, a certified copy of such foreign divorce decree may be filed with the prothonotary of the county where the person resides and, thereafter, the notice specified in subsection (a) may be filed with reference to such decree.

Credits

1982, Dec. 16, P.L. 1309, No. 295, § 2, effective in 90 days. Amended [2000, Nov. 22, P.L. 689, No. 92, § 1](#), effective in 60 days; [2005, July 5, P.L. 54, No. 18, § 1](#), effective in 60 days [Sept. 6, 2005].

Divorce Filed in or Granted by the Court in Lehigh County

If you have already filed or already been granted a Divorce Decree and wish to resume a prior surname complete the following:

Section 1 Form Preparation

- ☐ Complete and print one (1) copy
 - ☐ Lehigh County Notice to Resume Prior Surname

Section 2 Notarizing and E-filing

NOTE: If you do not have a scanner, you may have the Notice to Resume Prior Surname Notarized and E-filed at the Clerk of Judicial Records as described in **Option 1**.

Option 1 Notarizing and E-filing at the Lehigh County Courthouse

- ☐ Take the following items to the Civil window at the Clerk of Judicial Records located in room 122 of Lehigh County Courthouse:
 - ☐ Completed, **but unsigned**, Lehigh County Notice to Resume Prior Surname form
 - ☐ Your Photo ID
 - ☐ Cash or Credit/Debit Card to cover Miscellaneous filing fee, Notary fee and certified copy; no personal checks will be accepted
- ☐ Give paperwork to the Clerk
- ☐ Pay all filing fees.

NOTE: For an additional \$1.00 per page conversion fee, the Civil Clerk will E-file your documents for you at the window when you pay, then you may skip the Kiosk.

- ☐ Proceed to Kiosk to E-file original documents. Follow instructions from the Clerk to have your Lehigh County Notice to Resume Prior Surname notarized and filed

Option 2 E-filing from your personal computer

Notary

- ☐ Take your completed, **but unsigned**, Lehigh County Notice to Resume Prior Surname form to a Notary Public to have your signature notarized.
- ☐ Take your Photo ID
 - ☐ Be prepared to pay that Notary a fee.

E-filing

For full registration and filing instructions, please review the Independent Filer Instructions and OFS Civil Guidelines documents under the Self-Help section of <https://efilepa.tylertech.cloud/OfsEfsp>

- ☐ Scan your Notarized Notice to Resume Prior Surname to .pdf
- ☐ Log into your OFS account <https://pennsylvania.tylertech.cloud/ofswb>
- ☐ Choose "File into Existing Case" from the Filer Dashboard.
 - ☐ Select filing code. After selecting the filing code, you will be able to upload the scanned pdf document.
 - ☐ Confirm your payment information.
 - ☐ Submit the filing to the review queue.

Divorce Filed in or Granted by another County Court in Pennsylvania

Please contact the Clerk or Prothonotary of the county in which the divorce action was filed or the decree of divorce was entered. You must file the resumption of prior name notice in the county where your divorce is pending or your Decree was entered. Some counties may provide forms.

Divorce Decree Granted by a Court from Different State

Section 1 Certified Copy of your Divorce Decree

- ☐ Obtain a certified Copy of your Divorce Decree

Section 2 Form Preparation

- ☐ Complete and print one (1) copy
 - ☐ Lehigh County Notice to Resume Prior Surname

Section 3 E-Filing

- ☐ Take the following items to the Civil window at the Clerk of Judicial Records located in room 122 of Lehigh County Courthouse:
 - ☐ Completed, **but unsigned**, Lehigh County Notice to Resume Prior Surname form
 - ☐ Certified Copy of the Divorce Decree from the other state
 - ☐ Your Photo ID
 - ☐ Cash or Credit/Debit Card to cover Miscellaneous filing fee, Notary fee and certified copy; no personal checks will be accepted
- ☐ Give paperwork to the Clerk
- ☐ Pay all filing fees.

NOTE: For an additional \$1.00 per page conversion fee, the Civil Clerk will E-file your documents for you at the window when you pay, then you may skip the Kiosk.

- ☐ Proceed to Kiosk to E-file original documents. Follow instructions from the Clerk to have your Lehigh County Notice to Resume Prior Surname notarized and filed