

HOW TO CHANGE CHILDREN'S NAMES

Who can ask the court for a name change?

The person asking to change the children's names **MUST**:

- Be at least 18 years old; AND
- Have lived in Illinois for at least 6 months.

The person asking to change children's names **MUST** also have one of the following relationships with the children:

- Be the parent with custody;
- Be a guardian with legal custody; OR
- The children have lived in your home for 3 years and are recognized as your adopted children.

Special note for people who have orders allocating parental responsibilities:

As of January 1, 2016, courts in Illinois no longer award child custody. Instead, the law requires the court to assign "parental responsibilities," including significant decision making responsibilities and parenting time. If your divorce or family case was decided after January 1, 2016, most judges probably will only allow you to bring a name change request if you are a parent who has been given significant decision-making responsibilities.

You **CANNOT** change the name of a child if the child has been convicted of:

- A felony and has not been pardoned or they finished their sentence less than 10 years ago; OR
- Identity theft or aggravated identity theft and has not been pardoned; OR
- Felony or misdemeanor: criminal sexual abuse when the victim at the time is under 18 years of age, sexual exploitation of a child, indecent solicitation of a child, indecent solicitation of an adult, or any other offense that requires the child to register as a sex offender and the child has not been pardoned.

Special note for victims of domestic violence, stalking, sexual assault, or discrimination:

- You can ask the judge to change your children's names without notifying the other parent or publishing the request in a newspaper. If you believe that giving the other parent notice or that publishing notice will put the person whose name would be changed at risk of physical harm or discrimination, you may file a *Motion to Waive Notice & Publication*.
- You do not have to disclose your address if you or a member of your household are at risk of domestic violence, stalking, or sexual assault. You can use an alternative address on these forms.

What forms do I need to fill out to change the children's names?

- Required forms

Request for Name Change (Minor Children): gives the court the children's current and proposed new names. A person who knows you must also sign the form as a witness.

- **Request for Name Change - Child Information:** gives the court the information needed to decide if you can change each child's name. Complete one for each child.
- **Notice of Court Date Request for Name Change (Minor Children):** tells any parents whose parental rights have not been terminated and any person who has physical custody of the children that you are asking to change the children's names. (Do not use if you think publication would put the person whose name would be changed at risk. See "special note for victims" to the left.)
- **Order for Name Change (Minor Children):** is used by the judge to approve or deny your *Request for Name Change (Minor Children)*. Complete one for each child.
- Other forms you may need depending on the facts in your case
 - **Request for Name Change - Additional Children:** use ONLY if you are trying to change the names of more than 4 children. If you are asking to change the names of more than 4 children, give the court the children's current and proposed new names.
 - **Request for Name Change - Additional Parent:** use ONLY if there is more than one other parent or person who is not the parent with physical custody of the children. Do not include yourself. Tells the court each person's name and whether they agree with the name change.
 - **Publication Notice of Court Date for Request for Name Change (Minor Children):** use instead of *Notice of Court Date Request for Name Change (Minor Children)* ONLY if you do not know the location of the parents whose parental rights have not been terminated. Tells the public you are asking the court to change the children's names and is published in a newspaper for 3 weeks. (Do not use if you think publication would put the person whose name would be changed at risk. See "special note for victims" to the left.)
 - **Motion to Waive Notice & Publication:** if you believe that notice or publication would put the person whose name would be changed at risk of physical harm or discrimination, use this INSTEAD OF the *Notice of Court Date Request for Name Change (Minor Children)* and *Publication Notice of Court Date for Request for Name Change (Minor Children)*.
 - **Order on Motion to Waive Notice & Publication:** is used by the judge to say your *Motion to Waive Notice & Publication* is granted or denied.

- How to give notice by USPS Certified Mail with return receipt (green card).
 - Mail a copy of your forms to each person who will get notice by USPS Certified Mail and return receipt requested (green card).
 - When you receive the return receipt (green card) back, make a copy for yourself, file the original with the Circuit Clerk, and have the Clerk file stamp your copy.
 - If the letter is returned to you as undeliverable, but you know the person's location, you will need to serve your forms by service of process by sheriff. If you do not know the person's location you should go to Step 4.
- How to Serve by Sheriff
 - You have to put the court date on the *Notice*.
 - Staple a *Notice* to the front of the copy of your forms that will go to each person who will get notice.
 - In person or by mail, ask the sheriff in the county where the person to be served lives to serve your *Notice* and your forms.
 - In Person
 - Bring copies of your *Notice* and your forms to the sheriff's office in the county where the person to be served lives.
 - Pay the sheriff's fees for each *Notice* OR give the sheriff a copy of your *Order for Waiver of Court Fees* (if you have one) to not be charged a fee.
 - By Mail
 - Mail copies of your *Notice* and your forms to the sheriff's office in the county where the person to be served lives.
 - Include the *Letter to the Sheriff* found at: <http://www.illinoiscourts.gov/Forms/approved/>
 - Include a self-addressed and stamped envelope for the sheriff to mail the Affidavit of Service to you.
 - Pay the sheriff's fees for each *Notice* OR mail the sheriff a copy of your *Order for Waiver of Court Fees* (if you have one) to not be charged a fee.
 - If the other parent or person who is not the parent with physical custody of the children does NOT live in the same county or state where the case was filed:
 - Get the name, address, and telephone number of the sheriff for the county or the state where the other parent or person who is not the parent with physical custody of the children lives.
 - Call the sheriff in that county or state to find out:
 - If it is the correct sheriff's department for the address where you want the other parent or person who is not the parent with physical custody of the children to be served;
 - The address where you should bring or mail your *Notice* and forms;
- The number of copies of your *Notice* and forms to bring or send; AND
- The sheriff's fees for service and if they will honor your *Order for Waiver of Court Fees* (if you have one).
- Confirm the sheriff served your forms on the other parent or person who is not the parent with physical custody of the children.
 - After the sheriff serves the other parent or person who is not the parent with physical custody of the children with your court forms, they will fill out an Affidavit of Service and file it with the Circuit Clerk OR mail it to you.
 - If the sheriff files the completed Affidavit of Service directly with the Circuit Clerk, call the Circuit Clerk to find out if it has been filed. If it has been filed, ask the Circuit Clerk how to get a copy.
 - If the sheriff mails the completed Affidavit of Service to you, make a copy for yourself, file the original with the Circuit Clerk, and have the Clerk file stamp your copy.
 - If the sheriff was not able to serve the other parent or person who is not the parent with physical custody of the children, ask them why. You should try to fix the problem and ask the sheriff to try to serve the other parent or person who is not the parent with physical custody of the children again.

Skip Step 4 and Step 5 and go to Step 6 if you have given notice to the other parent or person who is not the parent with physical custody of the children under Step 3.

Step 4: Publish your *Publication Notice of Court Date for Request for Name Change (Minor Children)* in a newspaper in the county where you live once a week for 3 weeks in a row.

- Contact an Illinois newspaper in your county and set up publication of the *Notice*.
- If there is no newspaper in your county, contact a convenient newspaper published in Illinois.
- Give a copy of the *Publication Notice of Court Date for Request for Name Change (Minor Children)* to a newspaper.
- The *Notice* must appear in a newspaper for the first time at least 6 weeks before your court date.
- Newspapers may charge you a publication fee.
 - If you have a fee waiver in your court case, the newspaper is not required to waive your fee for publication. You will need to file a *Motion* asking the court to order the county to pay the cost of publication. You can find the *Motion* form at: <http://www.illinoiscourts.gov/Forms/approved/>.

Step 10: The judge makes a decision.

- The decision is called a court order.
- If the judge needs more information to make a decision, the judge may set up another court date. Make sure you understand what information is needed and get it before the new court date.
- If the judge needs to think about it more, the judge may let you know the decision later by mailing a court order or at another court date.
- If the judge has enough information, the judge may decide right then and fill out a court order.
 - Get a file-stamped copy of the order.
- If GRANTED, get certified copies of the *Order* from the Circuit Clerk. You need a certified copy of the *Order* to change the children's names on records like birth certificate, social security card, and a driver's license.
- There may be a fee for the certified copies.

<p style="text-align: center;">STATE OF ILLINOIS, CIRCUIT COURT</p> <p style="text-align: center;">_____ COUNTY</p>	<p>REQUEST FOR NAME CHANGE (MINOR CHILDREN)</p>	<p><i>For Court Use Only</i></p>
<p>Instructions ▼</p> <p>Directly above, enter the county name where you will file this case.</p> <p>Enter the name of the person asking the court to change the names of minor children.</p> <p>DO NOT enter a Case Number, the Circuit Clerk will add it.</p>	<p>REQUEST OF:</p> <p>_____</p> <p style="text-align: center;"><i>First, Middle, Last Name</i></p> <p>TO CHANGE NAMES OF MINOR CHILDREN</p>	<p>_____</p> <p style="text-align: center;">Case Number</p>

In 1, enter the current first, middle, and last name of the children and the new first, middle, and last name that you would like for the children.

In 1, if you have more than 4 children, list additional children on the *Request for Name Change - Additional Children* form and check the box.

I ask the court to enter orders to change the names of the minor children listed below, and state:

1. Names.

	Current Name of Minor Child	Proposed New Name of Minor Child
a.		
b.		
c.		
d.		

I am requesting name changes for more than 4 children. I have attached a *Request for Name Change – Additional Children* form.

2. I have attached a *Request for Name Change - Child Information* form for each child.

- Yes
- No

3. I have lived continuously in Illinois for at least 6 months. I started living in Illinois on:

Date

In 2, complete a *Request for Name Change - Child Information* form for each child and attach it to this *Request for Name Change (Minor Children)*.

In 3, enter the date you started living in Illinois. You must have lived in Illinois for 6 months before you can file this *Request*.

STATE OF ILLINOIS, CIRCUIT COURT _____ COUNTY	REQUEST FOR NAME CHANGE - CHILD INFORMATION	<i>For Court Use Only</i>				
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Instructions ▼</td> </tr> <tr> <td style="padding: 2px;">Directly above, enter the county name where you will file this case.</td> </tr> <tr> <td style="padding: 2px;">Enter the name of the person asking the court to change the names of minor children.</td> </tr> <tr> <td style="padding: 2px;">DO NOT enter a Case Number, the Circuit Clerk will add it.</td> </tr> </table>	Instructions ▼	Directly above, enter the county name where you will file this case.	Enter the name of the person asking the court to change the names of minor children.	DO NOT enter a Case Number, the Circuit Clerk will add it.	<p>REQUEST OF:</p> <p>_____</p> <p style="text-align:center;"><i>First, Middle, Last Name</i></p> <p>TO CHANGE NAMES OF MINOR CHILDREN</p>	<p>_____</p> <p style="text-align:center;">Case Number</p>
Instructions ▼						
Directly above, enter the county name where you will file this case.						
Enter the name of the person asking the court to change the names of minor children.						
DO NOT enter a Case Number, the Circuit Clerk will add it.						

In 1a, enter the complete current name of 1 minor child whose name you wish to change. This should be the full name of the child listed on their birth certificate.

In 1b-c, enter the child's date and place of birth.

In 1d, if disclosing the child's address would put the child or a member of the household at risk, you may use another address. That address must be one at which you can receive mail about the case.

In 2, select your relationship to the minor child. If your relationship is not listed, you cannot ask the court to change the name of the child.

If you checked "has" in 3a or 3b and the child has not been pardoned, the court cannot give you a name change.

If you checked "has" in 3c and the child has not been pardoned or has not completed probation or sentence over 10 years ago, the court may not give you a name change.

1. I am providing the following information about the minor child:

a. Name:

First Middle Last

b. Date of birth is: _____

Date

c. Place of birth: _____

City County State/Province Country

d. Address is: _____

Street, Apt # City State ZIP

I am using an alternative address because disclosing my address would put the child or a member of the household at risk.

2. My relationship to the child is:

- parent with custody/parental decision making responsibility; OR
- guardian with legal custody; OR
- the child has lived in my home for 3 years and is recognized as my adopted child.

3. I am providing the following information about the child's criminal history:

- a. The child has has not been convicted of or placed on probation for a crime which requires them to register as a sex offender in Illinois or any other state.
- b. The child has has not been convicted of or placed on probation for identity theft or aggravated identity theft in Illinois or any other state.
- c. The child has has not been convicted of or placed on probation for a felony in Illinois or any other state.

STATE OF ILLINOIS, CIRCUIT COURT _____ COUNTY	NOTICE OF COURT DATE REQUEST FOR NAME CHANGE (MINOR CHILDREN)	<i>For Court Use Only</i>
Instructions ▼ Directly above, enter the county name where you will file this case. Enter the name of the person asking the court to change the names of minor children. Enter the Case Number given by the Circuit Clerk.	REQUEST OF: _____ <i>First, Middle, Last Name</i> TO CHANGE NAMES OF MINOR CHILDREN	_____ Case Number

You can only use this form if you know the location of the person to whom you will be giving notice.

In 1a, enter the date and time of your court date.
The Circuit Clerk will give you the date and time when you file your *Request*.

In 1b, enter the address of the court and courtroom number.

In 2, enter the date you sent this form to the other parent or legal guardian. It must be at least 10 days before your court date.

YOU HAVE THE RIGHT TO COME TO THE COURT DATE AND OBJECT TO YOUR NAME CHANGE.

1. Court Date Information

- a. Date _____, 20____ Time _____ a.m. p.m.,
- b. Address: _____
Street Address City County

Courtroom : _____

2. I sent this Notice, Request for Name Change (Minor Children), and Request for Name

Change-Child Information on: _____, 20____
Date

To:

Name: _____
First Middle Last

Address: _____
Street, Apt # City State ZIP

- By: Certified Mail with return receipt (green card)
 Service of process by sheriff

Name: _____
First Middle Last

Address: _____
Street, Apt # City State ZIP

STATE OF ILLINOIS, CIRCUIT COURT _____ COUNTY	PUBLICATION NOTICE OF COURT DATE FOR REQUEST FOR NAME CHANGE (MINOR CHILDREN)	<i>For Court Use Only</i>
Instructions ▼ Directly above, enter the county name where you will file this case. Enter the name of the person asking the court to change the names of minor children. DO NOT enter a Case Number, the Circuit Clerk will add it.	REQUEST OF: _____ <i>First, Middle, Last Name</i> TO CHANGE NAMES OF MINOR CHILDREN	_____ Case Number

For help completing the publication process see Step 4 on *How to Change Children's Names*.

Publication is not necessary if both parents, confirmed on birth certificate, agree to the name change or have been given notice. There will be a court date on a *Request for Name Change (Minor Children)* for these children:

In 1, enter the current first, middle, and last name of the children and the new first, middle, and last name that you would like for the children.

1.		Current Name of Minor Child	Proposed New Name of Minor Child
	a.		
	b.		
	c.		
	d.		

If you have more than 4 children, list additional children on the *Request for Name Change - Additional Children* form and check the box.

I am requesting name changes for more than 4 children. I have attached a *Request for Name Change - Additional Children* form.

In 2a, enter the date and time of your court date that the Circuit Clerk gives you. Make sure the date is at least 8 weeks after the date you file this form with the Circuit Clerk.

2. Court Date Information

a. Date: _____, 20____ Time: _____ a.m. p.m.,

b. Address: _____
Street Address
City
County

Courtroom : _____

In 2b, enter the address of the court and courtroom number.

/s/
 Your Signature

If you are completing this form on a computer, sign your name by typing it. If you are completing it by hand, sign and print your name.

 Print Your Name

STATE OF ILLINOIS, CIRCUIT COURT COUNTY _____	ORDER FOR NAME CHANGE (MINOR CHILDREN)	<i>For Court Use Only</i>
Instructions ▼ Directly above, enter the name of the county where the case was filed. Enter the name of the person asking the court to change the names of minor children. Enter the Case Number given by the Circuit Clerk or leave this blank if you do not have one.	REQUEST OF: _____ <i>First, Middle, Last Name</i> TO CHANGE NAMES OF MINOR CHILDREN	_____ Case Number

If you are changing the name of more than 1 minor, you need to fill out an *Order* for each child.

DO NOT check any boxes on this form. The judge will check the correct boxes at the court date.

The Court reviewed your Request for Name Change (Minor Children) and finds:

- The Court has jurisdiction.
- Correct notice was provided.
- The notice requirement was waived.
- The name change is in the best interest of the child.
- The name change is not in the best interest of the child.

IT IS ORDERED:

- The *Request for Name Change (Minor Children)* is **GRANTED**.

The name of:

First *Middle* *Last*

is changed to:

First *Middle* *Last*

- The *Request for Name Change (Minor Children)* is **DENIED**.
The *Request for Name Change (Minor Children)* is denied for the following reasons:

ENTERED:

Judge

Date