

NAME CHANGES FOR MINORS IN ARKANSAS



What are the legal requirements?

To obtain a legal name change for a minor, a parent or legal guardian must file a petition for name change of the minor with the circuit court within their jurisdiction stating the reasons for the proposed change and that the name change is not for fraudulent purposes. *Arizona Code* § 9-2-101.

Where do I file and what forms should I use?

Name change petitions should be filed at the circuit court within the petitioner's jurisdiction: <https://courts.arkansas.gov/courts/circuit-courts/arkansas-judicial-circuits>

A sample name change petition can be found here:

<https://www.arlegalservices.org/files/FSNameChangeMinor.pdf>

You may want to request more than one certified copy of the name change order, since certified copies may be required to update the minor's legal name with other agencies.

Does the process require parental consent?

The process requires written and notarized consent from both parents. Even if you do not know where the other parent lives, you have to make every effort to let them know that you are filing for a name change for the child.

What will the judge consider?

Judges have a lot of discretion in granting name changes. Some may have lots of questions and want to see lots of evidence regarding the name change of the child, others may grant a name change as long as there are no objections. The judge will take into consideration the best interests of the child. This may include (1) the child's preference; (2) the effect of the change of the child's name on the preservation and development of the child's relationship with each parent; (3) the length of time the child has borne a given name; (4) the degree of community respect associated with the present and proposed names; (5) the difficulties, harassment, or embarrassment that the child may experience from bearing the present or proposed name; and (6) the existence of any parental misconduct or neglect. See *Poindexter v. Poindexter*, 360 Ark. 538 (2005).

To demonstrate that the name change is in the best interests of the child, along with the name change petition you may want to submit evidence showing the judge why this is in the child's best interest. Examples of such evidence would be letters from providers confirming

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the child's gender identity, letters from teachers, family, or friends confirming their use of preferred name, etc.

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