

NAME CHANGES FOR MINORS IN Maryland



What are the legal requirements?

A parent, guardian, or custodian may file a petition under oath requesting a name change with the local county circuit court. A copy of the minor's birth certificate or other documentary evidence of the minor's current name must be attached. Notice of the petition and its attachments to all parents, guardians, and legal custodians of the minor. *MD Code Ann., Maryland Rules § 15-901(b-d)*

You must publish notice of the name change request in a generally-circulated newspaper in the local county at least 15 days before the end of the objection period. *MD Code Ann., Maryland Rules § 15-901(e)*. Publication requirements differ from county to county. Check local county rules.

Where should I file the petition?

File the petition in the Circuit Court in the county where the minor resides. You can find a directory of Maryland Circuit Courts with addresses and phone numbers at: <http://www.courts.state.md.us/circuit/>

What is the process and what forms should I use?

You can find the required documents to file for a name change using the following links:

- Petition: <http://www.mdcourts.gov/family/forms/dr62.pdf>.
- Consent forms: <http://www.mdcourts.gov/family/forms/dr63.pdf> and/or at: <http://www.mdcourts.gov/family/forms/dr64.pdf>;
- Notice of Publication: <http://www.mdcourts.gov/family/forms/dr65.pdf>
- Proposed Order for Name Change: <http://www.mdcourts.gov/family/forms/ccj032.pdf>.

The filing fee is \$135 (or \$145 if represented by an attorney). Use the links below to file for a fee waiver or partial waiver.

- Request for Waiver of Prepayment of the Filing Fee: <http://www.mdcourts.gov/family/forms/dr32.pdf>
- Financial Statement Form (DR 31): <http://www.mdcourts.gov/family/forms/dr31.pdf>

After the petition is filed, the circuit court may or may not hold a hearing. *MD Code Ann., Maryland Rules § 15-901(g)*. If the court objects to the petition, then request a hearing using

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the form at <http://www.mdcourts.gov/family/forms/ccdro59.pdf>. If the court approves, then it will send a certified copy of the Order by mail.

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 the consent of parents, guardians, and legal custodians of the minor. *MD Code Ann., Maryland Rules § 15-901(d)*. Deliver required documents to the parents, guardians, and custodians in person, at the homes of such persons, or by certified mail (requesting: "Restricted Delivery"). *MD Code Ann., Maryland Rules § 2-121(a)*. If unsuccessful, then the court may order that service be given through publication and by first-class mail to the last known address of the parents, guardians, and custodians. *MD Code Ann., Maryland Rules § 15-901(d)*.

Does the process require publication?

The process does require publication. These requirements may vary slightly by county, by generally, a designated party must publish notice of the name change request in a generally-circulated newspaper in the local county at least 15 days before the end of the objection period set by the court. Publication requirements differ from county to county. In some counties, the person requesting the name change is responsible for publication; in other counties, the Clerk of the Court will arrange for publication. In either case, the person requesting the name change must pay for publication and must ensure that the court receives notice of the publication.

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. Judges may consider whether to grant a name change for a minor according to what is in the 'best interests of the child'. They typically evaluate the best interest of the child by looking at a variety of factors, which may include the child's preference (taking into consideration their age and experience), the length of time a child has used that name, the difficulties, harassment, or embarrassment a child may experience from the present or proposed name, and the motives or interests of the parent.

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 teachers, family, or

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

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