

# NAME CHANGES FOR MINORS IN Missouri



## What are the legal requirements?

The parent or next friend of the minor may file a Petition for Change of Name by Parent with the circuit court in the county where the minor lives. MO. Rev. Stat. § 527.270 (2016) and MO. Supreme Court Rule § 52.02. The petition must include written consent of each known parent or provide a non-consenting parent(s) with notice of the name change hearing. MO. Supreme Court Rule § 95.03. After the change of name is granted, the petitioner must publish notice of the change in a newspaper at least once a week for three consecutive weeks, unless the publication requirement is waived. MO. Rev. Stat. § 527.290.1 (2016) and MO. Supreme Court Rule § 95.05.

## Where should I file the petition?

File the petition in the circuit court in the county where the minor lives. MO. Rev. Stat. § 527.270 (2016). You can find your local court here: <http://www.courts.mo.gov/#findacourt>

## What forms should I use and what is the process?

You can find the required documents using the following links:

- Confidential Case Filing Information Sheet-Domestic Relations:  
<https://www.courts.mo.gov/file.jsp?id=34053>
- Petition for Change of Name: <https://www.courts.mo.gov/file.jsp?id=71354>
- Parent's Appointment as Next Friend: <https://www.courts.mo.gov/file.jsp?id=97433>
- Consent to Minor Child Name Change (for non-petitioning parent):  
<https://www.courts.mo.gov/file.jsp?id=71356>
- Request for Service by Publication: <https://www.courts.mo.gov/file.jsp?id=56561>
- Judgment for Change of Name of Minor Child:  
<https://www.courts.mo.gov/file.jsp?id=97434>
- Request for Publication after Hearing: <https://www.courts.mo.gov/file.jsp?id=108248>
- Notice of Hearing (if you need to serve a non-consenting parent):  
<https://www.courts.mo.gov/file.jsp?id=94293>

The filing fee varies by county. Use this link to file for a fee waiver or partial waiver: <https://www.courts.mo.gov/file.jsp?id=62133>. Use this link to file for a waiver of the publication fee: <https://www.courts.mo.gov/file.jsp?id=108248>.

The court will notify you of a hearing date, likely by mailing a Notice of Hearing. The next friend and minor must appear at the hearing. After the hearing, the petitioner must publish the order of name change.

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?**

Both known parents must provide consent to the name change and to the person appointed as next friend if not a parent.

If consent is not or cannot be obtained, then service must be made on the non-consenting parent that provides notice of the hearing not less than 30 days prior to the date of the hearing. Service must include the Petition and the Notice of Hearing, and the Notice of Hearing must be provided to the clerk of the court to prove that service was made.

If the minor desires an adult other than a parent to file the necessary forms on the minor's behalf, then (a) if the minor is at least 14 years old, then the minor and adult must petition the court to appoint the adult as the next friend of the minor or (b) if the minor is younger than 14 years old, then the petition to appoint the adult as next friend must be made by a relative or friend of the minor. MO. Supreme Court Rule § 52.02(c).

## **Does the process require publication?**

After the hearing, the petitioner must publish notice of the name change at least once a week for three (3) consecutive weeks in a newspaper of general circulation in the county where the minor lives. The petitioner must also submit proof of notice with the circuit court within 10 days after the date of the last publication. The petitioner must pay the fee for publication (fee varies by county) unless qualified to have the fee waived.

However, publication of the name change is not required if the minor is the victim of a crime of domestic violence or is a victim of child abuse.

## **What will the judge consider?**

The judge will consider that whether the desired name change is proper and not detrimental to the interests of any other person. MO. Rev. Stat. § 527.270 (2016) and MO. Supreme Court Rule § 95.04.

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

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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, the court may want to see evidence showing why this is in the child’s best interest. Examples of such evidence would be letters from teachers, family, or friends confirming their use of preferred name, letters from providers confirming the child’s gender identity, etc.