

NAME CHANGES FOR MINORS IN Ohio



What are the legal requirements?

A parent, legal guardian, or guardian ad litem must file an application with the Probate Court in the jurisdiction in which the minor resides, informing the court of the minor's name, the name the petitioner wishes the minor to adopt, and the reasons for the name change, and pay the required fee. After the court sets a hearing date, notice of the name change request and the date of the hearing must be published in a local newspaper of general circulation. The court may order the name change upon proof of publication and a showing of reasonable and proper cause for the name change. *Ohio Revised Code 2717*

Where should I file the petition?

You must file the petition in the Probate Court in the county in which the minor resides. *Ohio Revised Code 2717*

What is the process and what forms should I use?

Statewide forms are available on the website for the Supreme Court of Ohio. County specific forms may be found on the website of the applicable Probate Court. You can find county specific information on Equitas Health website here: <https://equitashealth.com/services/ohio-name-change-documents/>.

Generally, applicants must file the following documents:

- Application for Change of Name of Minor: http://www.supremecourt.ohio.gov/LegalResources/Rules/superintendence/probate_forms/nameChange/21_2.pdf
- Judgment Entry - Change of Name of Minor: http://www.supremecourt.ohio.gov/LegalResources/Rules/superintendence/probate_forms/nameChange/21_3.pdf
- Parent Consent to Name Change: https://www.supremecourt.ohio.gov/LegalResources/Rules/superintendence/probate_forms/nameChange/21_4.pdf
- Notice of Hearing on Name Change: https://www.supremecourt.ohio.gov/LegalResources/Rules/superintendence/probate_forms/nameChange/21_5.pdf
- Application to Waive Publication Requirement: https://www.supremecourt.ohio.gov/LegalResources/Rules/superintendence/probate_forms/nameChange/21_6.pdf

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Does the process require parental consent?

Consent of both living, legal parents is required or notice of a hearing is required to be given to the non-consenting parent. *Ohio Revised Code 2717*. For detailed instructions on the steps for providing proper notice to parent(s), see page 2 of the Equitas Health Name and Gender Change Guide for Minors: <https://equitashealth.com/wp-content/uploads/2018/03/Name-and-Gender-Change-Guide-Minors-February-2018.pdf>.

Does the process require publication?

You or the court must publish notice of the name change request and the date of the hearing in a local newspaper of general circulation. See your county one-pager on the Equitas Health website: <https://equitashealth.com/services/ohio-name-change-documents/>.

Publish the notice at least thirty (30) days prior to the hearing, setting forth the court in which the application was filed, the case number, and the date and time of the hearing. Publication can be waived by the Probate Court if it determines that publication would jeopardize the personal safety of the minor. The court may order the name change upon proof of publication and a showing of reasonable and proper cause for the name change. *Ohio Revised Code 2717*.

What will the judge consider?

The judge will consider whether there is reasonable and proper cause for the change of name. *Ohio Revised Code 2717*. For minors, reasonable and proper cause means the name change is in the best interests of the child. See *In re Willhite*, 85 Ohio St. 3d 28, 32 (1999); *D.W. v. T.L.*, 134 Ohio St. 3d 515, 517, 519 (2012); *Name Change of HCW*, 2019-Ohio-757 (12th Dist. 2019).

Judges have 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 typically evaluates what is in 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. This Ohio case lays out the factors: *Name Change of HCW*, 2019-Ohio-757 (12th Dist. 2019).

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

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