

## **Frequently asked questions for a Minor Name Change**

### **Before proceeding you must read the Name Change e-Filing Instructions**

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1. Q. How do I prove my residency?  
A. You must show a valid picture I.D. with a current address. If your picture I.D. does not have your current address, you must provide forms that prove residency such as: A lease, rental agreement, bill of sale for purchasing a home or condo, utility bill, or any other form of information that will prove you have lived in Franklin County at least one year continuously.
2. Q. How much does it cost to change a minor's name?  
A. The cost to file a Name Change Application in the Probate Court is \$108.00 plus the cost of publication (\$30.00 through the Daily Reporter and \$50.00 through The Columbus Dispatch). Costs are to be paid by credit or debit card (online only). If you apply in person you may pay by cash or money order, personal checks are not accepted.
3. Q. Why does the Name Change have to be published in the newspaper?  
A. This is a requirement of Ohio Law.
4. Q. Who can file for a minor name change?  
A. An application can be filed for a minor by either of the minor's parents, legal guardian, or guardian ad litem.
5. Q. Why do I have to give notice to the other parent about the filing and hearing date?  
A. If a Name Change Application is being filed for a minor, both parents must be notified of the filing. The parent/applicant must be a resident of Franklin County for at least one year at the time of the filing. The law requires the consent (Form [PC-NC-21.4](#)) of both parents. If a parent does not consent, the non-consenting parent must be notified of the hearing by Certified mail through the United States Postal Service (USPS). If a parent is sent Certified mail, a certified green card must be brought back to the hearing to show it was received. If the mail is unclaimed or not signed for, the applicant must bring in the whole envelope with the green card still

attached. If it is returned unclaimed, then you send regular mail through the USPS and bring in a notice from the USPS stating it was sent regular mail.

6. Q. What if I do not know where my child's other parent is?  
A. The Law requires that you prove to the court that you made reasonable efforts to find the other parent. The court will require you to testify under oath regarding the efforts you made to find the other parent. Also an Affidavit must be filed. ([PC-NC-21.2E](#)) If valid notice is not given to the other parent and the name change is approved it is subject to reversal at a future date.
7. Q. What if I do not know who my child's father is?  
A. If a father's name is not on the Birth Certificate and he has not been legally determined to be the father then his consent is not required.
8. Q. What if I am a victim of domestic violence and I do not want my abuser to find out where my child and I live?  
A. You should seek the advice of an attorney before filing anything with this court.
9. Q. Do I need to get a new Birth Certificate for my child with the new name?  
A. You must present the certified Name Change Entry (given to you by this court after the hearing) to the health department vital statistics in the state in which the child was born. In Ohio, the Entry Changing Name from this court does not change the birth certificate; however, the certified Entry Changing Name does become part of the person's birth record. There is a list of agencies in Ohio you should provide a Certified Copy of your Entry to, the court will provide a list of these agencies to you after the hearing.
10. Q. Does changing my child's last name to my spouse's or domestic partner's name work the same as an adoption?  
A. No.
11. Q. I want to change my child's name and the father is not on the birth certificate.  
A. The Probate Court only has jurisdiction to change your child's name. You may contact the Franklin County Child Support Enforcement Agency or Juvenile Court to obtain information about filing an acknowledgement of paternity.
12. Q. I want to change my child's name and there is an incorrect father on the birth certificate.  
A. The Probate Court can change your child's name. You should contact the Franklin County Juvenile court and obtain information about filing a Complaint to Establish the Non-Existence of a Father/Child Relationship to get the correct father on the birth certificate. You may be able to change the child's last name in that process as well.
13. Q. What can I expect at the hearing?  
A. The magistrate will question the applicant and witness. They will also review the information in the case file before rendering his or her decision. If the name change is for a minor, the magistrate also will determine if both parents have consented to it. The consent of both parents is not always necessary for approval, but a magistrate will decide, after reviewing all the facts, if the name change is in the minor's best interest and is reasonable and proper. If the application is contested the parties shall come prepared for a trial.

**PROBATE COURT OF FRANKLIN COUNTY, OHIO**  
**ROBERT G. MONTGOMERY, JUDGE**

**MINOR**  
**NAME CHANGE APPLICATION INFORMATION**

Please review this packet of documents. The Probate Court clerk is not an attorney and cannot answer questions about your name change. It is required by law that you be a resident of Franklin County for at least one continuous year before you file your packet. If you have not lived in Franklin County for at least one year, your application will be dismissed and your filing fees will not be refunded.

**FILING FEES AND ALL OTHER COSTS SHALL BE PAID  
BY CREDIT/DEBIT CARD THROUGH THE  
e-FILING SYSTEM OR IN PERSON WITH CASH/MONEY  
ORDER**

Statute requires publication of the proposed name change and hearing date and time in a newspaper of general circulation in the county. You have two publication options in Franklin County, The Columbus Dispatch which costs \$50.00 or The Daily Reporter at \$30.00. You will be able to make this selection at case initiation through the e-Filing System.

The Court will select the date and time of the hearing. You may choose your preference of a Tuesday morning or a Thursday afternoon hearing. Check one of the boxes below.

- Tuesday AM  
 Thursday PM

If you are attempting to change the name of a minor, the parents of the minor, including the alleged father, must consent to the name change or receive legal notice of the name change. The parent or alleged father must receive legal notice of the filing of the name change application and the hearing that is scheduled, regardless of the amount of contact with the child or the amount of support paid.

In a minor name change, if a parent does not consent, the applicant must prove by clear and convincing evidence that the name change is in the minor's best interest. This may require witnesses and evidence to be presented at a hearing. If you have any questions as to how to present your case, you should consult with an attorney.

The papers you file must be typed or written in ink and must be legible. Illegible documents will be refused for filing. All names and addresses must be complete. Use middle names instead of middle initials. P.O. Boxes are not permitted for the applicant's address. Incorrect spellings or incorrect addresses may result in additional costs to you as well as a delay in the change of name.

**ONCE A NAME CHANGE APPLICATION HAS BEEN FILED,  
THERE WILL BE NO COURT COST REFUNDS**

**FRANKLIN COUNTY PROBATE COURT  
ROBERT G. MONTGOMERY, JUDGE**

**DOCUMENTATION REQUIRED PRIOR TO THE HEARING:**

- Scanned and filed image of birth certificate
  - Proof of parentage from a court or government agency if not on birth certificate
- Scanned and filed image of death certificate of a deceased parent
- Scanned and filed image of applicant's unexpired photo identification (government issued)
- Consent to Change Name of non-applicant parent (form [PC-NC-21.4](#))
  - Or return receipt of certified mail notice
  - Or Affidavit that non-applicant parent cannot be found (form [PC-NC-21.2E](#))
- If you are unable to scan, please bring original documentation to court for processing the day of your hearing.

**ITEMS YOU MUST BRING TO THE HEARING:**

- Proof of residency for applicant if not included on photo identification

**NAME CHANGE STATUTE**

[R.C. 2717.01]

- (A)
- (1) A person desiring a change of name may file an application in the probate court of the county in which the person resides. The application shall set forth that the applicant has been a bona fide resident of that county for at least one year prior to the filing of the application, the cause for which the change of name is sought, and the requested new name. The application shall require the applicant to state whether the applicant has been convicted of, pleaded guilty to, or been adjudicated a delinquent child for identity fraud or has a duty to comply with section 2950.04 or 2950.041 of the Revised Code because the applicant was convicted of, pleaded guilty to, or was adjudicated a delinquent child for having committed a sexually oriented offense or a child-victim oriented offense.
  - (2) Except as provided in division (A)(4) of this section, notice of the application shall be given once by publication in a newspaper of general circulation in the county at least thirty days before the hearing on the application. The notice shall set forth the court in which the application was filed, the case number, and the date and time of the hearing.
  - (3) Except as provided by division (C) of this section, upon proof that proper notice was given or that notice was waived under division (A)(4) of this section and proof that the facts set forth in the application show reasonable and proper cause for changing the name of the applicant, the court may order the change of name.
  - (4) If an applicant for a change of name submits to the court, along with the application described in division (A)(1) of this section, satisfactory proof that the publication of the

notice under division (A)(2) of this section would jeopardize the applicant's personal safety, both of the following apply:

- (a) The court shall waive the notice requirement.
  - (b) If the court orders the change of name under division (A)(3) of this section, the court shall order the records of the change of name proceeding to be sealed and to be opened only by order of the court for good cause shown or at the request of the applicant for any reason.
- (B) An application for change of name may be made on behalf of a minor by either of the minor's parents, a legal guardian, or a guardian ad litem. When application is made on behalf of a minor, in addition to the notice and proof required pursuant to division (A) of this section, the consent of both living, legal parents of the minor shall be filed, or notice of the hearing shall be given to the parent or parents not consenting by certified mail, return receipt requested. If there is no known father of the minor, the notice shall be given to the person who the mother of the minor alleges to be the father. If no father is so alleged, or if either parent or the address of either parent is unknown, notice pursuant to division (A) of this section shall be sufficient as to the father or parent.

Any additional notice required by this division may be waived in writing by any person entitled to the notice.

- (C)
- (1) The court shall not order a change of name under division (A) of this section if the person applying for a change of name or for whom the application for a change of name is made has a duty to comply with section 2950.04 or 2950.041 of the Revised Code because the applicant or the person on whose behalf the application for a change of name is made was convicted of, pleaded guilty to, or was adjudicated a delinquent child for having committed a sexually oriented offense or a child-victim oriented offense.
  - (2) The court shall not order a change of name under division (A) of this section if the person applying for a change of name or for whom the application for a change of name is made has pleaded guilty to, been convicted of, or been adjudicated a delinquent child for committing a violation of section 2913.49 of the Revised Code unless the guilty plea, conviction, or adjudication has been reversed on appeal.
  - (3) As used in this division, "sexually oriented offense" and "child-victim oriented offense" have the same meanings as in section 2950.01 of the Revised Code.

**PROBATE COURT OF FRANKLIN COUNTY, OHIO  
ROBERT G. MONTGOMERY, JUDGE**

IN RE: CHANGE OF NAME OF \_\_\_\_\_ Present Name

TO \_\_\_\_\_ Name Requested

**APPLICATION FOR CHANGE OF NAME OF MINOR**  
[R.C. 2717.01]

The applicant states that the applicant is the  parent  legal guardian  guardian ad litem of the minor and that the applicant has been a bona fide resident of \_\_\_\_\_ County, Ohio, for at least one year immediately prior to the filing of this application.

A certified copy of the minor's birth certificate will be e-Filed or brought to court prior to the hearing.

The applicant states that the name and address of the mother of the minor is:

\_\_\_\_\_  
Name  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
City State Zip

and the name and address of the father or alleged father of the minor is:

\_\_\_\_\_  
Name  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
City State Zip

Applicant states that the address of the  mother  father or alleged father is unknown and cannot with reasonable diligence be ascertained.

There is no person alleged to be the father of said minor.

The applicant states that the person for whom a change of name is being requested

- 1)  has  has not been convicted of, pleaded guilty to, or been adjudicated a delinquent child for identity fraud.
- 2)  has  has no duty to comply with R.C. 2950.04 or R.C. 2950.041 because the applicant was convicted of, pled guilty to, or was adjudicated a delinquent child for having committed a sexually oriented offense or a child-victim offense.

The applicant requests a change of name of the minor from \_\_\_\_\_  
to \_\_\_\_\_  
for the following reason: \_\_\_\_\_  
\_\_\_\_\_

The applicant states that there is reasonable and proper cause to change the minor's name, that the change of name is in the minor's best interest and that the change of name is not being done for any improper purpose, including but not limited to:

1. Avoid law enforcement authorities;
2. Obstruct any person's right of custody or visitation.

The applicant states that the applicant will cause notice of the application to be published once in a newspaper of general circulation in this county at least 30 days before the hearing on this application. In addition, notice will be given by the applicant to any non-consenting parent or alleged father, whose addresses are known, by certified mail, return receipt requested.

\_\_\_\_\_  
Attorney or Applicant (Signature)

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Telephone Number (include area code)

\_\_\_\_\_  
Attorney's Registration No.

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Telephone Number (include area code)

**PROBATE COURT OF FRANKLIN COUNTY, OHIO  
ROBERT G. MONTGOMERY, JUDGE**

IN RE: CHANGE OF NAME OF \_\_\_\_\_  
Present Name

TO: \_\_\_\_\_  
Name Requested

**ACKNOWLEDGEMENT OF APPLICANT  
SANCTIONS FOR FAILURE TO APPEAR AT HEARING**

\_\_\_\_\_ 1) The undersigned applicant acknowledges that the applicant must appear in Probate Court for the scheduled hearing, or arrange for a continuance in writing prior to the date and time of the scheduled hearing; and must pay the court costs associated with an entry continuing the hearing.

\_\_\_\_\_ 2) Applicant acknowledges that if they do not appear at the initial hearing and have not arranged for a continuance in writing prior to the date and time of the scheduled hearing, they will have only 30 days to appear and reschedule the hearing; and the applicant must pay the court costs associated with an entry continuing the hearing.

\_\_\_\_\_ 3) Applicant acknowledges that if the applicant does not appear within 30 days of the last scheduled hearing date, the case will be closed, and a new application must be filed with new publication notice and new payment of court costs.

\_\_\_\_\_ 4) The applicant states that they can read and write the English language.

\_\_\_\_\_ 5) The applicant does not understand the written English language and requests an interpreter to appear at the hearing with them. The interpreter should be able to read and write English and my language of:

\_\_\_\_\_.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant