

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

ADULT NAME CHANGE
FREQUENTLY ASKED QUESTIONS

1. Q. How much does it cost to change my name?

A. The cost to file a Name Change Application in the Probate Court is \$128.00 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 (accepted online only). If you apply in person you may pay by cash or money order, personal checks are not accepted.

2. Q. Why do I have to publish my change of name in the newspaper?

A. This is a requirement of Ohio Law.

3. Q. What if I'm a victim of domestic violence and I do not want my abuser to find out my new name?

A. You should seek the advice of an attorney before filing anything with this court.

4. Q. What if I'm divorced, but I want to change my name to something different from my maiden name or prior married name that I once used?

A. You may file for a legal name change.

5. Q. What if I'm divorced and want to go back to my maiden name?

A. If it is written in your Final Divorce Decree that you are restored to your maiden name that is a legal name change. If it is not written in your decree, then you can apply for a legal name change in this court.

6. Q. I am becoming a U.S. citizen. Can I change my name during this process?

A. You should change your name through the citizenship process. You should make an appointment at U.S. Citizenship and Naturalization Services. Visit their website at: uscis.gov. Go to the "INFO PASS" link at the bottom of their page. You may also contact their customer service department at 1-800-375-5283.

7. Q. I am getting married and want to change my last name to my spouse's last name. Do I need to go to court?

A. Historically it has not been required to file for a legal name change due to marriage. Please visit the Social Security Administration's website: <https://faq.ssa.gov/ics/support/kbanswer.asp?QuestionID=3749>. This web address provides instruction along with links to the required forms needed to complete the process with their office. Once a new social security card is obtained you may contact your local Bureau of Motor Vehicles to obtain a new drivers license or state photo identification with your married name. With the newly issued state identification you may update your name with any other entity

8. Q. I am getting married and I want to hyphenate my last name and add my spouse's last name. Do I need to go to court?

A. The use of hyphenated names is not clear under the law. Some governmental agencies will allow use of the marriage certificate. It is suggested that you contact the Social Security Administration office in your area first to inquire about their procedures. If you change your name to a hyphenated version with this court it will be recognized by all governmental agencies.

9. Q. What should I do if I want to change my name and my gender at the same time?

A. You may apply for a legal name change through our court to change your name. You should seek legal advice regarding a gender change.

10. 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.

11. Q. If I'm in the Military or College, where is my residency?

A. Members of the military and college students can choose to keep their permanent residence in Franklin County even if they are currently living at school or stationed elsewhere.

12. Q. What can I expect at the Hearing?

A. The magistrate will question the applicant and any witness, if necessary; as well as review the information in the case file before rendering his or her decision.

13. Q. How long does the name change process take?

A. The hearing for the change of name will be set for 60-90 days after the application is filed. Please contact the clerk to verify the current wait time for a hearing.

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

**ADULT
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

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 Adult Name Change Application hearing:

- Scanned and filed image of unexpired photo identification (Government issued).
- Proof of residency if not included on photo identification.
- If you are unable to scan, please bring documentation to court for processing the day of your hearing.

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

CASE NO. _____

APPLICATION FOR CHANGE OF NAME OF ADULT
[R.C. 2717.01]

The applicant states that the applicant is an adult and has been a bona fide resident of _____
County, Ohio, for at least one year immediately prior to the filing of this application.

The applicant requests a change of name from _____
to _____

for the following reason: _____

The applicant states that there is reasonable and proper cause for the change of name, 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. Create confusion as to my identity; or
3. Avoid creditors

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 thirty (30) days before the hearing on this application.

CASE NO. _____

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.

Attorney for Applicant

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
CASE NO. _____

ADULT INFORMATION FORM

APPLICANT'S NAME: _____

PRESENT ADDRESS: _____

MARITAL STATUS: _____

AGE: _____ DATE OF BIRTH: _____ PLACE OF BIRTH: _____
City/County

APPLICANT'S NAME ON BIRTH CERTIFICATE: _____

N O T E

If married or divorced/dissolution, please provide the following information:

NAME OF FORMER/PRESENT SPOUSE: _____

ADDRESS OF ABOVE: _____

NAMES AND AGES OF CHILDREN: _____

ADDRESS OF ABOVE: _____

**PROBATE COURT OF FRANKLIN COUNTY, OHIO
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IN RE: CHANGE OF NAME OF _____
Present Name

TO: _____
Name Requested

CASE NO.: _____

**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 day, 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