

Name Change, Name Conformity or Birth Certificate Correction: Which process is right for my situation?

Change of Name

- I want to change all or part of my name to a new name
- I want to change all or part of my child's name
- I want to change my last name and I did not recently get married
- I want to restore my maiden name following a divorce and I did not choose to do it when the divorce was pending

Name Conformity

- My name does not match on one or more of my official identity documents (Birth Certificate, Social Security Card, Driver's License, Passport, Marriage Certificate, or Divorce Decree)
- An inconsistency in my name is prohibiting me from getting a driver's license
- The name I currently use is a name on one or more of my official identity documents

Birth Correction

- The error on my or my minor child's Ohio birth certificate is a true error, not a desired change or alternate spelling acquired following birth
- I would like to change the gender marker on my or my minor child's Ohio birth certificate

Situations Probate Court Cannot Correct

- I want to add or remove a parent from my child's birth certificate
- I want to add or remove a parent from my birth certificate
- I want paternity testing to prove the father on my child's birth certificate is not the biological father
- I was married at the time my child was born, but my husband is not my child's biological father and I want to correct my child's birth certificate

If the situation regarding your name is not referenced in one of these sections, you should contact an attorney before commencing any legal action regarding your name. The situations described that Probate Court cannot correct are generally matters outside of Probate Court's jurisdiction. It is recommended that you contact the Ohio Department of Health or an attorney to assist you in these types of situations.

PROBATE COURT OF FRANKLIN COUNTY, OHIO
JEFFREY D. MACKEY, JUDGE

CONFORMING A LEGAL NAME OF A MINOR

How to Apply for a Minor's Name Conform Order

ONLINE: Go to "efiling.franklincountyohio.gov" to request an account and apply to conform your name online.

INSTRUCTIONS: Please click [here](#) for instructions on how to e-File a name change or name conformity case.

Filing Fees: \$128.00

Court Costs:

How to pay: Filing ONLINE: Credit Card

**If consents from both legal parents are not presented with the initial filing,
additional court costs may be incurred for publication.**

An application to conform a legal name is a special proceeding separate from a name change. It is solely to correct misspellings, inconsistencies or errors on one or more official identity documents evidencing a person's current legal name. The Minor must be a Franklin County Resident for at least 60 days prior to filing.

The Process:

The documents listed below must be submitted to the Court for filing, along with the filing fee. Once the documents have been accepted for filing by the Court, the Court will do one of the following:

- If both legal parents' consent are provided, the Court may dispense with a hearing and make a ruling on the application. Copies of the Judgment Entry will be mailed to the applicant upon approval.
- If both legal parents' consent are not provided, the Court will set the application for a videoconference hearing. The applicant will be required to appear. The applicant must provide notice of the hearing by certified mail to the non-consenting parent(s).
- If there is no alleged father, the application will be set for hearing and notice of the hearing will be completed by publication in a newspaper of general circulation. Additional fees for publication will apply.
- If the location of either parent cannot be determined with reasonable diligence, the application will be set for hearing and notice of the hearing will be completed by publication in a newspaper of general circulation. The Applicant must complete an affidavit (Form 21.2E) explaining the applicant's diligent efforts to locate the parent. Additional fees for publication will apply.

If the matter is set for hearing, the Court will issue an Entry Setting Hearing and Ordering Notice, directing how service on the non-consenting parent will be performed.

The Court reserves the right to require additional documentation be submitted to support the applicant's name change or hold a hearing on the application. The Court may conduct an independent criminal background check.

Note: You must list the Minor's full name on all paperwork (first, middle and last). No initials may be used.

Initial Filing:

- ☐ Notarized Application to Conform Legal Name of Minor (Form 21.9)
This must be notarized by a Notary Public before being submitted for filing (Court staff cannot notarize documents)
- ☐ Photocopies of the following official government records must be provided with all name conform filings:
 - Birth record of the minor (required)
 - Government issued identification card of the Applicant (required)
- ☐ Photocopies of the following official government records showing the need to conform or supporting the conform which may include some or all of the following:
 - Social Security card
 - Parents' marriage record
 - Parents' divorce decree
 - Passport
 - Any identity document relating to the application to conform legal name
- ☐ Notarized Waiver of Notice of Hearing and Consent to Change of Name of Minor (Form 21.4)
 - Both parents of the minor must sign this waiver to dispense with a hearing on the application

If the both parents' consents are not provided with the application, the following must be filed:

- ☐ Affidavit regarding whereabouts of the parent or alleged father (Form 21.2E)

If Requesting a Confidential Name Conform Order:

The law requires very specific criteria be met in order for someone to qualify for a confidential name conformity. The applicant must provide proof that it would jeopardize the applicant's or minor's personal safety to have the name conformity on the public record. Please refer to R.C. 2717.11 to determine if you meet the requirements.

In addition to the forms required for initial filing above, the documents listed below must also be submitted, along with any required attachments. The Judge will review all of the documents and make a determination as to whether it qualifies as a confidential name conformity. If so, the Court will contact the applicant or attorney to set a hearing, if determined necessary.

- ☐ Motion for Confidentiality of Proceeding (Form 21.6)

APPLICATION AND AFFIDAVIT TO CONFORM LEGAL NAME OF MINOR

[R.C. 2717.04, 2717.05, AND 2717.13]

The name and address of Parent 1 of the minor is:

Name: _____

Address: _____

City, State, Zip Code: _____

- ☐ The Waiver of Notice of Hearing and Consent of Parent 1 accompanies this Application.
- ☐ Applicant states that the address of Parent 1 is unknown. Applicant has attached to this application Form 21.2E explaining the Applicant's due diligence and reasonable efforts to find the current address of Parent 1.

The name and address of ☐ Parent 2 or ☐ the alleged father of the minor is:

Name: _____

Address: _____

City, State, Zip Code: _____

- ☐ The Waiver of Notice of Hearing and Consent of Parent 2 or the alleged father accompanies this Application.
- ☐ Applicant states that the address of Parent 2 or the alleged father is unknown. Applicant has attached to this application Form 21.2E explaining the Applicant's due diligence and reasonable efforts to find the current address of Parent 2.
- ☐ There is no known father and the identity of the alleged father is unknown.

The following official identity document(s) contain a misspelling, inconsistency, or other error. Photocopies of all official identity documents checked below must be filed with the application: [Check all that apply]

- | | |
|---|---|
| <input type="checkbox"/> Birth record | <input type="checkbox"/> Driver license |
| <input type="checkbox"/> Social Security card | <input type="checkbox"/> State issued identification card |
| <input type="checkbox"/> Passport | <input type="checkbox"/> Other: _____ |

The misspelling, inconsistency, or other error on the official identity document(s) marked above is described below:

Official identity document: _____

Incorrect name that requires correction on this document: _____

Correct name that should be stated on this document: _____

Official identity document: _____

Incorrect name that requires correction on this document: _____

Correct name that should be stated on this document: _____

- ☐ Check this box if more than two official identity documents are affected, and attach the information on a separate page.

CASE NO. _____

The Applicant certifies under penalty of perjury that the statements in this Applicant and Affidavit are true and complete.

Applicant's Signature

Typed or Printed Name

Address

City, State, Zip Code

Telephone Number (include area code)

E-mail

Sworn to before me, with oath or affirmation administered, and signed in my presence this _____ day of _____, 20 _____. This notarial certificate is a jurat under Ohio Law.

Notary Signature

Notary Printed Name

Commission Expires

_____ Complete Below if the Applicant is Represented by an Attorney _____

Attorney for Applicant

Typed or Printed Name

Address

City, State, Zip Code

Telephone Number (include area code)

Attorney's Registration No.

PROBATE COURT OF FRANKLIN COUNTY, OHIO
JEFFREY D. MACKEY, JUDGE

IN RE: CHANGE OF NAME OF _____
Present Name
TO _____
Name Requested
CASE NO. _____

**WAIVER OF NOTICE OF HEARING AND CONSENT TO CHANGE NAME OR
TO CONFORM NAME OF MINOR**
[R.C. 2717.14(D)]

The undersigned, being a parent or legal guardian of the minor, voluntarily waives notice of the hearing on the Application to Change Name of Minor and consents to the Application in its entirety.

Signature

Printed Name

Relationship to Minor: _____

Sworn to before me, with oath or affirmation administered, and signed in my presence this _____ day of _____, 20 _____. This notarial certificate is a jurat under Ohio Law.

Notary Signature

Notary Printed Name

Commission Expires

PROBATE COURT OF FRANKLIN COUNTY, OHIO
JEFFREY D. MACKEY, JUDGE

IN RE: CHANGE OF NAME OF _____
Present Legal Name

TO _____
Name(s) to be Conformed

CASE NO. _____

**AFFIDAVIT REGARDING LOCATION OF NON-CONSENTING PARENT(S)
OR ALLEGED FATHER**

STATE OF OHIO, COUNTY OF FRANKLIN, SS:

_____, being first duly sworn according to law, state that:
Print Affiant's Name

☐ There is no legal father and the identity of the alleged father is unknown.

For all other non-consenting parents or an alleged father, complete all of the following:

☐ _____ is/are the parent(s) or alleged father of
_____, minor, and that said person's whereabouts is unknown
and cannot with reasonable diligence be ascertained.

I have taken the following actions to ascertain the whereabouts of the parent or alleged father of the minor (complete with details including dates and descriptions and attach supporting documents):

The Applicant must make diligent efforts to locate the parents or alleged father. In addition to the Applicant's written explanation above, the Applicant is expected to search or inquire with the following and attach results of the search: Social Media:

- | | | | |
|-----------------------------------|-----------------------------------|---------------------------------------|-----------------------------------|
| <input type="checkbox"/> Facebook | <input type="checkbox"/> Twitter | <input type="checkbox"/> Instagram | <input type="checkbox"/> SnapChat |
| <input type="checkbox"/> TikTok | <input type="checkbox"/> LinkedIn | <input type="checkbox"/> Other: _____ | |

Internet Searches:

- ☐ Internet White Pages
- ☐ Public Records at LexisNexis.com
- ☐ Ohio Offender Search at: appgateway.drc.ohio.gov/OffenderSearch
- ☐ Municipal Court records/public filings

Family Contacts:

- ☐ Parent or siblings of Alleged Father or Parent

I understand that this is a non-exhaustive list which is subject to review at the time of the hearing on the application.

Applicant's Signature

Applicant's Printed Name

Sworn to before me, with oath or affirmation administered, and signed in my presence this _____ day of _____, 20 _____. This notarial certificate is a jurat under Ohio Law.

Notary Signature

Notary Printed Name

Commission Expires

PROBATE COURT OF FRANKLIN COUNTY, OHIO
JEFFREY D. MACKEY, JUDGE

IN RE: CHANGE OF NAME OF _____
Present Name

TO _____
Name Requested

CASE NO. _____

**ENTRY SETTING HEARING, NOTICE OF HEARING,
AND ORDERING NOTICE TO CONFORM MINOR'S NAME**
[R.C. 2717.08 AND 2717.14]

The Court sets the Application to Conform Name, filed by _____

(the Applicant), for hearing on the _____ day of _____ 20 _____, at _____ o'clock ____ m.

The Court orders the Applicant to serve this Notice of Hearing in the following manner on all necessary parties who have not waived notice:

- ☐ By certified mail, return receipt requested. The return receipt must be filed before the hearing. If certified mail is "refused" the applicant may mail this Notice by regular mail, with a certificate of mailing from the post office for the outgoing, regular mail. The "refused" certified mail notice and the certificate of mailing must be filed before the hearing. See Form 21.2E if the non-consenting parent's address is unknown.
- ☐ By publication once in a newspaper of general circulation in this county at least 30 days before the hearing. Additional charges will apply.
- ☐ Other: _____

Applicant must file proof of service with the Court before the hearing.

The Hearing will be conducted by videoconference. See attached Exhibit A for further details.

Signature Page Attached

Jeffrey D. Mackey
Probate Judge

PROBATE COURT OF FRANKLIN COUNTY, OHIO
JEFFREY D. MACKEY, JUDGE

IN RE: CHANGE OF NAME OF _____
Present Name
 TO _____
Name Requested
 CASE NO. _____

ENTRY CONFORMING LEGAL NAME OF MINOR

[R.C. 2717.10]

This matter came before the Court for consideration of an Application to Conform Legal Name of Minor. Upon review of all the evidence presented, the Court finds there is sufficient proof that a misspelling, inconsistency, or other error of the minor's legal name exists on the official identity document indicated below, and that reasonable and proper cause exists for issuing this order to resolve the discrepancy and to conform the minor's legal name.

Official identity document that requires correction of misspelling, inconsistency, or other error:

☐ Birth Record

Incorrect name that requires correction on this document: _____

Correct name to be stated on this document: _____

☐ Driver's License

Incorrect name that requires correction on this document: _____

Correct name to be stated on this document: _____

☐ Social Security Card

Incorrect name that requires correction on this document: _____

Correct name to be stated on this document: _____

☐ State issued Identification Card

Incorrect name that requires correction on this document: _____

Correct name to be stated on this document: _____

☐ Passport

Incorrect name that requires correction on this document: _____

Correct name to be stated on this document: _____

CASE NO. _____

☐ Other _____

Incorrect name that requires correction on this document: _____

Correct name to be stated on this document: _____

The Court finds that, despite the name discrepancy, this official identity document identifies one and the same person as the other official identity documents. Therefore, the Court orders that minor's name on this official identity document is deemed corrected as stated above, and is conformed to be consistent with minor's other official identity documents.

It is so ordered.

Signature Page Attached

Jeffrey D. Mackey
Probate Judge

CERTIFICATE OF JUDGMENT ENTRY

The above Judgment Entry Conforming Legal Name of Minor is a true copy of the original kept by me as custodian of the records of this Court.

(Seal)

Jeffrey D. Mackey
Probate Judge

By: _____
Deputy Clerk

Date: _____