

Name Change, Name Conformity, or Birth Correction: Which process should I use?

A Probate Court process may be able to help you in these situations:

Name Change	<ul style="list-style-type: none">• I want to change all or part of my minor child's name to a new name• I want to change all or part of my name to a new name• I want to change my last name, but not as a part of a recent marriage• I am divorced and want to go back to my name before marriage, and I did not already change my name during the divorce
Name Conformity	<ul style="list-style-type: none">• The name I use is already on at least one official identity document• My name does not match on all my official identity documents• A name mismatch on my official identity documents is preventing me from getting a driver's license• Examples of official identity documents: birth certificate, Social Security card, driver's license, passport, marriage certificate, and/or divorce decree
Birth Correction	<ul style="list-style-type: none">• There is a true mistake on my or my minor child's Ohio birth certificate, not a just a desired change or a different spelling used after birth• I want to change the gender marker on my or my minor child's Ohio birth certificate

If your situation is not described above, please talk to an attorney before starting any legal action regarding your name.

A Probate Court process cannot help with the situations below, because these situations are generally outside of Probate Court jurisdiction. We recommend that you contact the Ohio Department of Health or an attorney to help you in these situations.

Situations that Probate Court Cannot Correct	<ul style="list-style-type: none">• I want to add or remove a parent on my or my minor child's birth certificate• I want paternity testing to prove that the father on my child's birth certificate is not the biological father• My spouse when my child was born is not the biological parent, and I want to correct my child's birth certificate
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PROBATE COURT OF FRANKLIN COUNTY, OHIO
JEFFREY D. MACKEY, JUDGE

MINOR NAME CHANGE INFORMATION

How to file:

- Name change cases must be e-filed, unless confidential. (See next page.)
- To request an account and e-file, go to <https://efile.franklincountyoh.tyberacloud.net/>.
- Follow the instructions posted on the court's website at <https://probate.franklincountyohio.gov/PBCT-website/media/Documents/E-Filing/eFiling-Name-Change-Guide.pdf>

Filing fees:

- \$120.00 is the normal cost for most name changes.
- \$60.00 is the extra fee for publication, if needed. (See next page.)
- Fees must be paid online at the time of filing. The court will contact you if you have unpaid costs.

General legal requirements:

- The minor must be a Franklin County resident at least 60 days before filing.
- You can apply to change a minor's name if you are the minor's legal parent, legal guardian, legal custodian, or guardian ad litem.
- **Both** parents of the minor must agree to the name change. If not, a hearing and/or additional costs for publication may be needed.

General process:

- Fill out, sign, and submit the starting documents. (See below.)
 - List the minor's **full** name (first, middle, last) on all documents. Do **not** use initials.
- If there is a problem with the documents you submitted, the court will reject the documents and explain the problem (such as a missing form or a missing signature).
- After the court can accept and file your documents:
 - If the court needs more information, the court will ask you for more documents, set a hearing, and/or conduct a criminal background check.
 - A hearing is always needed if:
 - You do not know the location of a parent of the minor.
 - The minor does not have a father.
 - You do not have written consent from **both** parents.
 - If there is written consent from **both** parents, the court may be able to grant the name change without a hearing. The court will mail you copies of the approved Judgment Entry.
- If a hearing is needed:
 - The court will issue an Entry that schedules the hearing and orders how the nonconsenting parent(s) must be notified.
 - If you do not attend the hearing, the name change will not be granted.

Necessary starting documents:

- Always file:
 - **Form 21.2**, Application and Affidavit for Change of Name of a Minor.
 - This form **must** be signed in front of a notary public.
 - Photocopy of the minor's **birth certificate**.
 - Photocopy of your (the applicant's) **driver's license** or state ID.

- Sometimes file:
 - **Form 21.4**, Waiver of Notice of Hearing and Consent to Change Name or to Conform Name of Minor.
 - The parent who submitted the name change application does **not** need to also sign this form.
 - Use this form if both legal parents agree to the name change.
 - This form **must** be signed in front of a notary public.
 - Unless you submit this form as written proof that **both** legal parents agree to the name change, a hearing will be needed.
 - **Form 21.2E**, Affidavit Regarding Location of Nonconsenting Parent(s) or Alleged Father.
 - Use this form if:
 - There is no alleged or legal father of the minor; and/or
 - You cannot find the location of any parent who has not signed Form 21.4.
 - This form **must** be signed in front of a notary public before you submit it.
 - **Other**
 - In certain situations, a form may tell you to attach other forms or documents (search results, death certificates, prior name change documents, etc.)
 - Submit these other documents at the same time as the rest of your starting documents.

Notice by publication:

- Parents have the right to know about an application to change a minor's name.
 - Parents still have the right to notice even if they do not visit the minor or pay child support.
 - Without proper notice, a nonconsenting parent could be able to undo a name change.
- Sending notice by publication should be used as a last resort. Publishing notice is proper **only** if:
 - The minor does not have a known legal or alleged father; and/or
 - After trying all reasonable methods, you cannot find a nonconsenting parent to notify them.
- Use **Form 21.2E** to tell the court how you tried to find the nonconsenting parent(s).
 - The court will ask you questions about your efforts at the name change hearing.
 - If court believes you did not use reasonable diligence, the court may order you to make more efforts.
- If you requested publication, but you know or could have found out how to contact the nonconsenting parent(s):
 - Publication is no longer proper notice.
 - The court will require that you contact the nonconsenting parent(s), usually by certified mail.
 - Publication costs **cannot** be refunded.

Confidential name changes:

- A name change can only be confidential if you prove that open records would jeopardize your personal safety or the safety of the minor. Confidential name changes are **rare**.
- A parent has the right to know about a name change for their child even if the filings are confidential.
- A confidential name change cannot be e-filed. You must submit all documents for a confidential name change in paper format.
- To ask for a confidential name change, please file **Form 21.6**. Motion for Confidentiality of Proceeding, with the starting documents listed above.
 - You **must** attach a police report, a court order such as a protective order, or other evidence showing the need for confidentiality.
 - If the court needs more information, the court will contact you to schedule a hearing.

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

IN THE NAME CHANGE OF _____
Present Legal Name

TO _____
Name Requested

CASE NO. _____

APPLICATION AND AFFIDAVIT FOR CHANGE OF NAME OF A MINOR

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

STATE OF OHIO, COUNTY OF FRANKLIN:

I, the name change applicant, being first duly sworn and cautioned according to law, hereby state the following:

Request for an Interpreter. If a hearing is needed, **[Check one]**

- No one in this case needs an interpreter.
- We will need an interpreter who speaks the language _____. I understand that the court will pay the interpreter.

Attached Documents. The attached documents support this Application. These documents are true, accurate, and complete. **[Check all that apply, and file the documents]**

Documents required in all cases:

- My driver's license/other government-issued photo identification
- The minor's birth certificate

Other common documents:

- The minor's driver's license/other government-issued photo identification
- Previous court orders or immigration documents changing the minor's name
- If the birth certificate does not list a second parent, any records declaring who the child's second parent is and/or ordering child support
- If I am the minor's court-appointed guardian/custodian, the court records appointing me

Relationship. I am the **[check one]** Parent Legal Guardian Legal Custodian Guardian ad Litem of the minor.

Name Change. I want to change the minor's name from _____
to _____ for the following reason:

- The minor's gender identity
- Other **[explain in detail]:** _____

Parent 1. One of the minor's parents is: **[check one]**

- Me. **[skip the rest of "Parent 1" and go to "Parent 2"]**
- A legal parent. **[fill in information below]**

Parent 1's Full Name: _____

Street Address: _____

City, State, Zip Code: _____

[Check whichever apply]

- Parent 1 has signed a notarized Waiver and Consent to Change Name (Form 21.4). **[file Form 21.4]**
- Parent 1 does **not** consent to the name change, because:
- Parent 1 is deceased. **[file death certificate]**
 - Parent 1 will not sign a Waiver and Consent to Change Name. After the court schedules a hearing, I will need to notify Parent 1 by certified mail and file proof of notice.
 - I do not know and cannot find the address of Parent 1. I will explain to the court how I tried to find Parent 1. **[file Form 21.2E]** After the court schedules a hearing, I will have to pay for publication.

Parent 2. The other parent of the minor is: **[check one]**

- Unknown. There is no legal father, and Parent 1 does not allege that someone is the father. I understand that a hearing is needed, and the court will publish notice. **[skip the rest of "Parent 2" and go to "Other Information"]**.
- A legal parent. **[fill in information below]**
- Alleged to be the father of the minor. **[fill in information below]**

Parent 2's Full Name: _____

Street Address: _____

City, State, Zip Code: _____

[Check whichever apply]

- Parent 2 has signed a notarized Waiver and Consent to Change Name (Form 21.4). **[file Form 21.4]**
- Parent 2 does **not** consent to the name change, because:
- Parent 2 is deceased. **[file death certificate]**
 - Parent 2 will not sign a Waiver and Consent to Change Name (Form 21.4). After the court schedules a hearing, I will need to notify Parent 2 by certified mail and file proof of notice.
 - I do not know and cannot find the address of Parent 2. I will explain to the court how I tried to find Parent 2. **[file Form 21.2E]** After the court schedules a hearing, I will have to pay for publication.

Other Information. All of the following information is true:

- The minor has lived in Franklin County, Ohio, for at least 60 days.
- I am not applying for this name change to avoid creditors or any other obligations.
- The minor is not a debtor in any currently pending bankruptcy proceeding.
- The minor has not been convicted of, pleaded guilty to, or been adjudicated a delinquent child for identity fraud.
- The minor does not have a duty to comply with R.C. 2950.04 or 2950.041 because the minor 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.

Certification. I have personal knowledge of all facts stated in this Application and Affidavit. I certify under penalty of perjury that the statements in this Application and Affidavit are true and complete.

Attorney (if any)

Applicant's Signature

Typed or Printed Name

Typed or Printed Name

Street Address

Street Address

City, State, Zip Code

City, State, Zip Code

Telephone Number (include area code)

Telephone Number (include area code)

Email Address

Email Address

Attorney Registration No.

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

Notary Signature

Typed or Printed Name

Commission Expires

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

IN THE NAME CHANGE OF _____
Present Legal Name

TO _____
Name Requested

CASE NO. _____

**AFFIDAVIT REGARDING LOCATION OF
NONCONSENTING PARENT(S) OR ALLEGED FATHER**

STATE OF OHIO, COUNTY OF FRANKLIN:

I, the undersigned applicant, being first duly sworn and cautioned according to law, hereby state as follows:

[Complete whichever section(s) apply]

Unknown father. The minor named above does not have a legal father. I do not know the identity of any alleged father for the minor.

Unable to find nonconsenting parent(s). I do not know, and cannot find out, the location of at least one legal or alleged parent of the minor. The person(s) I cannot find is/are named _____

I have truly tried to find the person(s) named above, using the efforts described below.

Social media searches (results attached):

- Facebook Twitter/X Instagram SnapChat TikTok LinkedIn
 Other: _____

Website searches (results attached):

- www.truepeoplesearch.com www.anywho.com
 LexisNexis public records internet white pages/telephone directories
 Other website/engine: _____

Public records searches (results attached):

- marriage records police/sheriff records clerk of court filings
 municipal court filings state inmate search
 other: _____

Asked individuals how to contact the person(s)

These individuals I asked for contact information are:

relatives of the person(s) (parents, siblings, aunts/uncles, cousins, etc.).

known friends or acquaintances of the person(s).

other: _____

Other steps, including dates and descriptions (supporting documents attached):

I understand the search methods described above are not exhaustive.

I understand that the court will decide if I have exercised reasonable diligence depending on the circumstances of this case, subject to continuing review.

I understand that if I can find out where a parent is, but I choose not to, publication is not proper notice.

- The court may require me to make more efforts to find a nonconsenting parent and to provide proper notice another way.
- A nonconsenting parent who does not get proper notice might be able to undo a name change.
- If I paid for publication, and the court learns that publication is not proper notice, I cannot get a refund.

General Certification. I have personal knowledge of all facts stated in this Affidavit. I certify under penalty of perjury that the statements in this Affidavit are true and complete.

Applicant's Signature

Typed or Printed Name

Sworn to before me with oath or affirmation administered and signed in my presence on _____.

This notarial certificate is a jurat under Ohio Law.

Notary Signature

Typed or Printed Name

Commission Expires

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

IN THE NAME CHANGE OF _____
Present Legal Name

TO _____
Name Requested

CASE NO. _____

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

I, the undersigned, am a parent, legal guardian, or legal custodian of the minor named above.

I freely and voluntarily waive notice of the hearing on the application to change or conform the name of the minor.

I consent to the application to change or conform the name of the minor.

Signature

Typed or Printed Name

Relationship to Minor

Sworn to before me and signed in my presence on _____

Notary Signature

Typed or Printed Name

Commission Expires