

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

ADULT 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.
- Fees must be paid online at the time of filing. The court will contact you if you have unpaid costs.

General legal requirements:

- You must be a Franklin County resident at least 60 days before filing.

General process:

- Fill out, sign, and submit the starting documents. (See below.)
 - List your **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 to get more information, and/or conduct a criminal background check.
 - 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.
 - If you do not attend the hearing, the name change will not be granted.

Necessary starting documents:

- Always file:
 - **Form 21.1**, Application and Affidavit for Change of Name of an Adult.
 - This form **must** be signed in front of a notary public.
 - Photocopy of your **birth certificate**.
 - Photocopy of your **driver's license** or state ID.
- Sometimes file:
 - If your current legal name is not the name on your birth certificate, also file documents to explain how your name has changed.
 - Examples: marriage abstract, prior name change entry, divorce decree, immigration documents, etc.

Confidential name changes:

- A name change can only be confidential if you prove that open records would jeopardize your personal safety. Confidential name changes are **rare**.

- 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 AN ADULT

[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:

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
- My birth certificate

Other common documents:

- Marriage abstracts or divorce decrees changing my name
- Other court orders or records to explain my past name changes

Name Change. I want to change my name from _____

to _____ for the following reason:

- Return to my surname before marriage/"maiden name"
- My gender identity
- Other **[explain in detail]:** _____

Other Information. All of the following information is true:

- I have 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.
- I am not a debtor in any currently pending bankruptcy proceeding.
- I have not been convicted of, pleaded guilty to, or been adjudicated a delinquent child for identity fraud.
- I do not have a duty to comply with R.C. 2950.04 or 2950.041 because I 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)

Typed or Printed Name

Street Address

City, State, Zip Code

Telephone Number (include area code)

Email Address

Attorney Registration No.

Applicant's Signature

Typed or Printed Name

Street Address

City, State, Zip Code

Telephone Number (include area code)

Email Address

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