

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

MINOR NAME CHANGE

How to Apply for a Name Change of a Minor

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

All applicants are encouraged to file online

1. PAPER: If you are not able to complete an online, complete the forms attached and return to the court.

Mail: Franklin County Probate Court
373 S. High Street, 22nd Floor
Columbus, Ohio 43215

Dropoff: Franklin County Probate Court Drop Box
Lobby of 369 S. High Street
Columbus, Ohio 43215

Filing Fees:

Court Costs: \$128.00, by certified check or money order only

How to pay: 1. Filing ONLINE: Credit Card

2. Filing by MAIL or DROPOFF: Money Order payable to the Franklin County Probate Court

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

Requirements:

The Minor must be a Franklin County Resident for at least 60 days prior to filing.

The Process:

The documents listed below must be prepared by the applicant or attorney and submitted to the Court for filing, along with the filing fee. Once the documents have been approved for filing by the Court, the Court will do one of the following:

- If both legal parents' consents 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' consents 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 explaining the applicant's diligent efforts to locate the parent. Form 21.2E 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 for Change of Name of Minor (Form 21.2)
 - This must be notarized by a Notary Public before being submitted for filing (Court staff cannot notarize documents)
- Photocopy of minor's Birth Certificate
- Photocopy of applicant's Driver's License or State ID (if any)
- 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 Change:

The law requires very specific criteria be met in order for someone to qualify for a confidential name change. The applicant must provide proof that it would jeopardize the applicant's or minor's personal safety to have the name change 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 to be a confidential name change. 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)

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

IN RE: CHANGE OF NAME 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)

SS:

The Applicant, being first duly sworn and cautioned according to law, states the following with respect to the minor for whom the change of name is sought:

Applicant requests a change of name of the minor from _____
 to _____

Request for an Interpreter

If this Applicant, or any party to this matter, requires an interpreter, the Court will make arrangements for an interpreter to attend scheduled hearings. There is no cost to the Applicant or party for the interpreter's services at the scheduled hearing. **[Check One:]**

- No interpreter needed.
- Interpreter needed for the following language: _____

All of the following documents accompany this application:

- REQUIRED: Photocopy of minor's Birth Record
- REQUIRED: Photocopy of applicant's Government Issued Identification
- Photocopy of minor's Government Issued Identification (if any)
- If the Applicant is a Court Appointed Guardian or Custodian, copy of the Court Appointment documents.
- Copy of death certificate of any of the Minor's deceased parents

The reason for requesting this name change is:

- Gender Identity
- All other (provide detailed reason for all other name changes): _____

Applicant's relationship to the minor is:

- Parent
- Legal Guardian
- Legal Custodian
- Guardian ad Litem

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.
- Parent 1 is deceased and Applicant has attached a photocopy of Parent 1's death certificate.
- 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.
- Parent 2 is deceased and Applicant has attached a photocopy of Parent 2's death certificate.
- The address of Parent 2 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 Applicant further states the following:

- 1) Applicant has personal knowledge of the facts stated in this Affidavit;
- 2) The minor has been a bona fide legal resident of this county for a period of at least 60 days;

- 3) The Application is not being made for the purpose of evading any creditors or other obligations;
- 4) The minor is not a debtor in any currently pending bankruptcy proceeding;
- 5) The minor has not been convicted of, pleaded guilty to, or been adjudicated a delinquent child for identity fraud and 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;
- 6) All documentary evidence submitted with the Application is true, accurate, and complete.
- 7) The Applicant will serve Notice of the Hearing on any non-consenting parent or alleged father as the Court requires pursuant to R.C. 2717.14.

The Applicant certifies under penalty of perjury that the statements in this Application 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

Telephone Number (include area code)

Typed or Printed Name

Attorney's Registration No.

Address

City, State, Zip Code

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:

- Facebook Twitter Instagram SnapChat
- TikTok LinkedIn 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
FOR MINOR NAME CHANGE
[R.C. 2717.08 AND 2717.14]

The Court sets the Application to Change 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 CHANGING NAME OF MINOR
 [R.C. 2717.09]

Upon the Application for Change of Name of Minor, the Court finds that all parties entitled to notice either have waived notice of hearing and consented to the Application or were properly served and failed to object to the Application. The Court further finds that the Application is properly supported by documentation and by the Applicant's Affidavit required by R.C. 2717.06. The Court further finds that Applicant has provided sufficient proof that the facts in the Application show reasonable and proper cause for changing the minor's name as requested.

Therefore, the Court orders that the minor's name be changed as follows:

Minor's name at birth: _____

Minor's current name: _____

Minor's new name: _____

Minor's date of birth: _____

State where birth record was issued: _____

Signature Page Attached

Jeffrey D. Mackey
 Probate Judge

CERTIFICATION OF JUDGEMENT ENTRY

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

Jeffrey D. Mackey
 Probate Judge

By: _____
Deputy Clerk

Date: _____