

Can an adult change his or her name?

Yes, usually. In Indiana, a person over the age of 18 can generally get his or her name changed by a court. It is actually not necessary to get a court order for a name change; an adult can simply begin using a new name as long as the person is not trying to get away from creditors or criminal problems. However, you can get a court order for a name change if you want to. Some people prefer to get a court order to make it easier to change your name with agencies.

I am an adult and I want to change my name. My parents do not want me to. Can they stop me?

No. They could try to come into court and state their objections, but the law does not give the parents of an adult the right to object to an adult's name change.

Are there times when I cannot change my name?

Yes. You CANNOT get your name changes if you are confined to a department of correction facility (prison). You also cannot get your name changed if you are trying to hide from creditors or from criminal problems.

If you have had a felony conviction within 10 years of the time you want to change your name, you will have to do extra notifications when you file your petition for a name change.

How do I change my name in court?

First, you will need to file a name change petition in the circuit court in the county where you live. (You can get a Petition for Name Change at www.in.gov/judiciary/selfservice.)

Second, you have to publish a notice of name change in a local newspaper for three weeks. This “tells the world” of your plan to change your name.

Approximately 30 days after the proper notice in the paper has been done, the court will have a hearing. You do not have to give the court a reason for your name change. However, the court is not absolutely required to give you the name change, so it might be better if you did have a reason for the court.

What newspaper should I use to publish my notice?

You should use the newspaper that is most widely published in the county where you file the petition. If there is no newspaper in that county, you should use the newspaper in adjoining county. You can call the local county clerk to ask

what newspaper is typically used for publishing legal notices.

What extra notifications are required if I have a criminal past?

You always have to do the basic notice to your local newspaper. If you have had a felony conviction in the last ten years, you also must notify the sheriff and prosecutor of the county where you live, and the Indiana criminal history records department.

What happens after the court orders my name to be changed?

If the court grants the name change, the court will give you a decree of name change, certified by the clerk of the court. This your proof of the name change. Once your name has been changed, you will need to notify government agencies (particularly the Social Security Administration), your employer, your creditors and other agencies and businesses that you deal with.

Can I change my child's name?

You can ask the court to change your child's name. You need to file a name change petition in court, and tell the

court why you want your child's name change. You will not need a parent's agreement in some situations (for example, if the parent has abandoned the child, or has failed to support the child for least one year).

The other parent must be notified of the filing of the name change petition (in addition to the notice published in the local newspaper). Even if you do not need a parent's agreement, you still need to notify the parent of the name change petition.

The court will be guided by the best interests of the child when deciding whether or not to change a child's name. The court may consider factors such as:

- ◆ Whether the child has a lot of records in one name (such as school or medical records);
- ◆ Whether the child has siblings who would have a different name;
- ◆ Whether the child is well known in the community by a certain last name;
- ◆ The child's wishes, if the child is old enough to tell the judge his wishes.

Note: If the child was born outside of a marriage, the court can change the child's name in a paternity action (if a paternity action is filed). The parents would not have to file a separate name change case. If a name change is requested in a paternity

action, the court will decide whether it is in the child's best interests to have his name changed.

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NAME CHANGE

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