



MONTGOMERY COUNTY CIRCUIT COURT LAW LIBRARY

50 Maryland Avenue, Rockville, MD 20850

Phone: 240-777-9120 Email: lawlibrary@mcccourt.com

Change of Name

Please refer to the Court's website for further information: montgomerycountymd.gov/circuitcourt

See:

- Maryland Rules, Rule 15-901
- Maryland Law Encyclopedia, *Names*
- Peoples' Law Library of Maryland, www.peoples-law.org/cat/family-law
- Change of Name forms can be accessed on the Maryland Judiciary website: mdcourts.gov/family/formsindex.html#domesticrelations

Maryland follows the common law with respect to the changing of names. This means that an individual can change the given name, surname, or both, by which the community knows him or her merely by using a new one, provided that the change cannot be effected for fraudulent purposes or to interfere with the rights of others. Maryland also has statutes and rules that instruct a person how to change their name by petitioning the court; however, a person may change his or her name either under the common law or through a judicial proceeding. **See:** Maryland Law Encyclopedia, Names, Section 2, Change of Name

Change of Name (Adult 18 Years or Older)

You must be age 18 or older and a resident of Montgomery County to file a Petition for Change of Name in Montgomery County Circuit Court. A Notice of the Petition must be published in a newspaper of general circulation in the county in which you reside unless the court grants a waiver of publication. The Notice is published in a newspaper to give anyone who wishes to a chance to offer the court any information that may affect the court's decision with respect to the name change petition.

The Petition for Name Change (Adult), instructions and Notice for Publication are available on the Maryland Judiciary website: mdcourts.gov/family/formsindex.html#domesticrelations (Forms DR60, DRIN60 & DR61)

You can fill out the forms on-line and print them out (or print the forms out and fill them in by hand). Follow the Instructions for Change of Name of an Adult (Form DRIN60)

Complete the Petition for Change of Name (Adult) and Notice for Publication as directed. If you have been known by any other names, you must put down all names you are known by in the petition. Keep a copy of each form for yourself.

Attach proof of your current name, such as a copy of a birth certificate, a passport, or a driver's license, or other documentary evidence of your current name (the name you want to change from). If your current name is different from the name on the document, you will need another form of identification. Keep a copy of each form for yourself.

Information regarding obtaining a copy of birth certificates can be accessed from the Maryland Department of Health website: dhmh.maryland.gov/vsa or by calling 410-764-3038.

A Notice of the Petition must be published in a newspaper of general circulation in the county in which you reside unless the court grants a waiver of publication.

The Clerk of Court's office can arrange the publication, and the newspaper will send you a bill for publication. After you pay for the publication, the newspaper will publish your notice of the petition. Once the notice is

published, proof of publication known as “Printer’s Certificate” must be filed with the court. Some newspapers will send the Certificate directly to the court, others will send the Certificate to you, and you must send the Certificate to the court for filing.

When the court receives the proof of publication, the case will be sent to the judge to sign the Decree for Change of Name. However, if someone has objected to the name change or if the judge has any questions about your petition, a hearing may be scheduled.

Alternatively, if you wish to have your petition posted in the courthouse, please ask the Clerk for the forms and request the judge to have the petition posted in the courthouse for 30 days. There is a fee for posting in the courthouse.

File the Petition and other papers with the Family Department at Montgomery County Circuit Court and pay the filing fee.

If no one has contested the change, and everything has been done properly, the judge may sign the Order for Name Change. A certified copy of the Order may be requested from the Family Department for a fee.

You will need additional copies of the Order in order to change your identification to your new name, such as on your driver’s license and social security card *before* you can change the name on your bank account, credit card, paycheck, etc.

To change your identification on your driver’s license and/or automobile title (must be done within 30 days after the issuance of the Order), contact the Maryland Department of Motor Vehicle Administration, www.mva.maryland.gov.

To change your identification on your social security card, contact the Social Security Administration, www.ssa.gov (see: FAQ section topic "Social Security Number and Card")
See: Maryland Rules, Title 15, Rule 15-901

Change of Name of Minor Child (Under 18 Years Old)

- Changing the child’s name will not change an existing child support obligation.
- If you are changing names in connection with adoption, the child’s new name must be stated in your petition for adoption. See the section below regarding adoption name changes.
- Child less than 1 year old: If the child is less than one year old, you may be able to change the child’s name **without** a court order. Refer to Maryland Code, Health-General Article, Title 4. Statistics and Records, Subtitle 2, Vital Statistics and Records, §4-214(c)(2), Amendments to Vital Records. See www.lawlib.state.md.us for access to the Maryland Code and Rules.

You may also wish to contact the Department of Mental Health, Division of Vital Statistics for information regarding correcting an error on a birth certificate: dhmh.maryland.gov/vsa/Pages/birth.aspx, 410-764-3038.

In order to file a petition to legally change the name of a minor under 18 years old:

A parent or legal guardian may file a Petition for Change of Name (Minor). The minor must be a resident of Montgomery County to file a petition in the Montgomery County Circuit Court.

The Petition for Name Change (Minor), instructions, Consent to Change of Name (DR63 or DR64), Notice for Publication and Certificate of Publication are available on the Maryland Judiciary website:

mdcourts.gov/family/formsindex.html#domesticrelations (Forms DR62, DRIN62, DR63, DR64, DR75). You can fill out the forms on-line and print them out (or print the forms out and fill them in by hand).

Attach to the signed Petition, Notice and Order for Change of Name, each signed consent and a copy of the child’s birth certificate or any other documentary evidence of the child’s current name (the name you want to

change from). Keep a copy of each form for yourself. File the Petition and other papers with the Family Department at Montgomery County Circuit Court and pay the filing fee.

Each parent and person named on the birth certificate must either sign the Name Change Petition or send a letter consenting to the name change. When the signature or the consenting letter is not provided by the parent or the person on the birth certificate, he or she must be served with a copy of the Name Change Petition and a notice from the court. In addition, if the person originally listed on the child's birth certificate is not his/her current parent, you must contact the person and obtain his/her consent. The court will check whether all these individuals and the child are in agreement with the name change.

If you have not obtained the consent of each parent, guardian, and custodian of the child, you will need to serve each person who has not consented with papers that you filed and the notice of filing the case. A notice of the request must be posted in the courthouse for 30 days or must be published in a newspaper of general circulation in the county one time. If you wish to have your petition posted in the courthouse, please ask the Clerk for the forms and request the judge to have the petition posted in the courthouse for 30 days. There is a fee for posting the notice in the courthouse.

If you wish to have your petition published in a newspaper, ask the Clerk to arrange the publication, and the newspaper will send you a bill for publication. After you pay for the publication, the newspaper will publish your notice of the petition. Once the notice is published, proof of publication known as "Printer's Certificate" must be filed with the court. Some newspapers will send the Certificate directly to the court, others will send the Certificate to you, and you must send the Certificate to the court for filing.

When the court receives the proof of publication, the case will be sent to the judge to sign the Decree for Change of Name. However, if someone has contested the name change or if the judge has any questions about your petition, a hearing may be scheduled.

If no one has contested the change, and everything has been done properly, the judge may sign the Order for Name Change. A certified copy of the Order may be requested at the Department (\$5.00 for issuing a copy and 50 cents for each page of the certified order, additional \$2.00 if mailing of the copies).

You will need additional copies of the Order in order to change the identification of the child's name on their driver's license, Maryland Department of Motor Vehicle Administration (www.mva.maryland.gov/drivers/apply/md-drivers-license.htm), birth certificate, Maryland Vital Statistics Administration (dhmh.maryland.gov/vsa), and social security card, Social Security Administration (www.ssa.gov), at the child's school, and with creditors.

The total process will take approximately 2 to 2 ½ months from the date of filing the petition to have the final decree signed.

See: Maryland Rules, Title 15, Rule 15-901

Name Change: Marriage, Divorce or Adoption

Name Change - Marriage

If you wish to change your name upon marriage, just start using a new name as soon as you are married and use your new name consistently. Change your name on all important documents and identification papers (such as a driver's license, titles, and a social security card). To change some of your papers, a certified copy of your marriage certificate may be required.

Name Change - Divorce

There are several ways to change your name (to your former name) when filing for divorce:

As part of your divorce, you can ask the court for an order to resume your maiden name. File a Petition for Change of Name (Form DR60) (mdcourts.gov/family/formsindex.html#domesticrelations) as part of your divorce.

If you have already filed for your divorce, you can amend the divorce papers within 30 days of being filed. Typically, the judge will ask you in the divorce proceeding if you want to return to your former name. Since there is no form to amend the divorce order, you may wish to contact the Family Department at the court for information regarding amending a divorce order at 240-777-9426.

In Maryland, just using your former name regularly and changing all your personal records is enough to change your name to your former name.

Name Change - Adoption

The name of an adopted child may be changed to yours by including the request of name change in your petition for adoption. See: Maryland Rule, Title 9, Rule 9-103(b)(1)(M)). See: www.lawlib.state.md.us for access to the Maryland Code and Rules.

Adoption can be a complex legal matter, and you may need an experienced attorney to handle your petition for adoption. For referrals and information about lawyers who handle adoptions, please contact the Montgomery County Bar Association Lawyer Referral Service (phone: 301-279-9100). Should you qualify under their income guidelines, they may be able to refer you to an attorney who may work for a reduced fee.