

# Montgomery County Circuit Court Law Library

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## Change of Name in Maryland

### Information Sources

- Maryland Rules: <http://www.lawlib.state.md.us/>
  - Rule 15-901, Action for Change of Name
  - Rule 9-103(b)(1)(M), Petition for Adoption
- Maryland Code: <http://www.lawlib.state.md.us/>
  - Health-General Article, §4-214(c)(2), Amendments to Vital Record
- Maryland Law Encyclopedia, *Names*
- Peoples' Law Library of Maryland: <http://www.peoples-law.org/cat/family-law>
- Change of Name Forms (Maryland Judiciary): <http://www.courts.state.md.us/family/formsindex#changenname>
- Montgomery County Circuit Court Family Department: <https://www.montgomerycountymd.gov/cct/departments/family-department.html>
- Maryland Department of Health, Division of Vital Statistics: <https://health.maryland.gov/vsa/Pages/birth.aspx>
- Social Security Administration: <https://www.ssa.gov/>
- Maryland Department of Motor Vehicle Administration: <https://www.mva.maryland.gov>
- Montgomery County Bar Association Lawyer Referral Service: <https://www.barmont.org/page/24> or (301)-279-9100

### What is a name change?

In Maryland, it is possible to change one's name in two ways: through use or through the courts. "Through use," an individual can change their given name, surname, or both by using a new one, provided that the change is not made for fraudulent purposes or to interfere with the rights of others. A person may also change their name through a legal petition to the court, and there are statutes and rules to provide guidance for adults, minors, and special circumstances like marriage, divorce, and adoption.

## Circuit Court Process for Adults and Minors

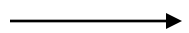
Adult Court Process	Minor Court Process
<ol style="list-style-type: none"><li>1. Proceed to the following chart if the name change is related to marriage or divorce.</li><li>2. Follow instructions (CC-DRIN) on the Maryland Judiciary website to complete the Petition for Name Change (CC-DR-060) and the Notice of Publication (CC-DR-061).<ol style="list-style-type: none"><li>a. Include all names that you have previously used. Keep a copy of each form for yourself.</li></ol></li><li>3. Attach proof of your current name, such as a copy of a birth certificate, passport, or driver's license.</li><li>4. Prepare the Notice of Publication which must be published in a newspaper of general circulation in your county of residence unless the court grants a Waiver of Publication.<ol style="list-style-type: none"><li>a. The Family Department can arrange the publication and the newspaper will send you a bill. The newspaper will publish your notice upon payment.</li></ol></li><li>5. Once the notice is published, a Certificate of Publication (CC-DR-075) must be filed with the court.</li></ol>	<ol style="list-style-type: none"><li>1. Proceed to the following chart if the name change is related to adoption.</li><li>2. A parent or legal guardian may complete a Petition for Change of Name (Minor). The minor must be a Montgomery County resident to file a petition in this court.<ol style="list-style-type: none"><li>a. Follow instructions (CC-DRIN) on the Maryland Judiciary website to complete the Petition for Name Change (Minor) (CC-DR-062), Consent to Change of Name (CC-DR-063), Notice of Publication (Minor) (CC-DR-065), and the Certificate of Publication (CC-DR-075).</li><li>b. For a child under one, you may be able to change the child's name without a court order. Contact the Maryland Department of Health, Division of Vital Statistics to correct a birth certificate error.</li></ol></li><li>3. Each person named on the birth certificate must either sign the Name Change Petition or write a letter consenting to the name change.</li></ol>

## Adult Court Process (Continued)

- a. 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.
6. When the court receives the Certificate, the case will go to the judge to sign the Decree for Change of Name.
  - a. If someone has objected to the name change or if the judge has any questions about your petition, a hearing may be scheduled.
7. Alternatively, if you wish to have your petition posted in the courthouse, please ask the Family Department for the forms, request the judge to have the petition posted in the courthouse for 30 days, and pay the posting fee.
8. File the Petition and other papers with the Family Department at and pay the filing fee.
9. If no one has contested the change, the judge may sign the Order for Name Change.
  - a. A certified copy of the Order may be requested from the Family Department for a fee.
10. You will need additional copies of the Order to change your identification (e.g. driver's license, social security card) to your new name before changing the name on your bank account, credit card, paycheck, etc. You may also need additional forms of documentation depending on the agency. To change your name on your:
  - a. Birth certificate, contact the Maryland Department of Health.
  - b. Social security card, contact the Social Security Administration.
  - c. Driver's license, contact the Maryland Department of Motor Vehicles. An updated social security card may be required.
  - d. To change some of your papers, a certified copy of your marriage certificate may be required.

## Minor Court Process (Continued)

- a. When the signature or the letter is not provided by person(s) on the birth certificate, he or she must be served with a copy of the Name Change Petition and a notice from the court.
- b. If the person originally listed on the child's birth certificate is not his/her current parent, you must contact this person and obtain consent. The court will check whether all these individuals and the child agree with the name change.
- c. 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 the papers that you filed and the notice of filing.
4. Attach to the Notice, Order for Change of Name, each signed consent, and a copy of the child's birth certificate or other documentary evidence of the child's current name to the signed Petition.
  - a. Keep a copy of each form for yourself.
5. Prepare the Notice of Publication which must be published in a newspaper of general circulation in your county of residence unless the court grants a Waiver of Publication.
  - a. The Family Department can arrange the publication and the newspaper will send you a bill. The newspaper will publish your notice upon payment.
  - b. Once the notice is published, a Certificate of Publication must be filed with the court. Some newspapers will send the Certificate directly to the court, others will send it to you, and you must send it to the court for filing.
6. Alternatively, if you wish to have your petition posted in the courthouse, please ask the Family Department for the forms, request the judge to have the petition posted in the courthouse for 30 days, and pay the posting fee.
7. File the Petition and other papers with the Family Department and pay the filing fee.
  - e. When the court receives the certificate, the case will go to the judge to sign the Decree for Change of Name. If someone has objected to the name change or if the judge has any questions about your petition, a hearing may be scheduled.
8. If no one has contested the change, the judge may sign the Order for Name Change. A certified copy of the Order may be requested at the Family Department for a fee.
9. You may need additional copies of the Order to change the child's name on their driver's license, birth certificate, social security card, at the child's school, and with creditors. You may also need additional forms of documentation depending on the agency.



# Circuit Court Processes for Special Circumstances

Marriage	Divorce	Adoption
<ol style="list-style-type: none"><li>1. Start using a new surname as soon as you are married and use your new name consistently.</li><li>2. Change your name on all important documents and identification papers using the following information. You may also need additional forms of documentation depending on the agency. For:<ol style="list-style-type: none"><li>a. Birth certificate, contact the Maryland Department of Health.</li><li>b. Social security card, contact the Social Security Administration.</li><li>c. Driver's license, contact the Maryland Department of Motor Vehicles. An updated social security card may be required.</li><li>d. To change some of your papers, a certified copy of your marriage certificate may be required.</li></ol></li></ol>	<ol style="list-style-type: none"><li>1. To resume using your former surname, file a Petition for Change of Name (Form DR-060) as part of your divorce.<ol style="list-style-type: none"><li>a. Using your former name regularly and changing all your personal records is sufficient.</li></ol></li><li>2. If you have already filed for your divorce, you can amend the divorce papers within 30 days of filing. Typically, the judge will ask you in the divorce proceeding if you want to return to your former name.<ol style="list-style-type: none"><li>a. Since there is no official form to amend the divorce order, you may wish to contact the Family Department or Law Library for information.</li></ol></li></ol>	<ol style="list-style-type: none"><li>1. The surname of adopted child may be changed to yours by requesting a name change in your Petition for Adoption.</li><li>2. Adoption can be a complex legal matter and you may need an experienced attorney to handle your petition for adoption.<ol style="list-style-type: none"><li>a. To locate low-cost adoption lawyers, please contact the Montgomery County Bar Association Lawyer Referral Service. If you qualify under their income guidelines, they may be able to refer you to an attorney who may work for a reduced fee.</li></ol></li></ol>

Last updated: April 2021