

Name Change (Adult)

Illinois Legal Aid Online provides a guided interview at www.illinoislegalaid.org that will ask you a series of questions related to this topic and then the program will complete the forms for you. It is free to use.

Odyssey Guide and File also offers you a similar guided interview at www.guideandfile.com that will ask you a series of questions related to this topic. The program will complete the forms for you and help you e-file. It is free to use.

Getting Started

Request for Name Change (Adult)

IMPORTANT: This getting started guide and the instructions are not legal advice. They are only meant to help you learn how to change your name as an adult. Your use of the forms does not guarantee you will be successful in court.

To learn how to fill out the forms and file them with the court, read the *HOW TO CHANGE YOUR NAME (for an Adult)* instruction sheet and the instructions on the forms.

Names of forms:	Required forms: <ul style="list-style-type: none">• <i>Request for Name Change (Adult)</i>• <i>Order for Name Change (Adult)</i> Optional forms depending on the facts in your case: <ul style="list-style-type: none">• <i>Publication Notice of Court Date for Request for Name Change (Adult)</i>• <i>Motion to Waive Notice & Publication</i>• <i>Order on Motion to Waive Notice & Publication</i>
Purpose of the forms:	To ask the court for a name change. You do not have to file a <i>Request for Name Change</i> if your name has been changed by a court order (for example, divorce judgment) or by a valid marriage certificate. You would need to file a <i>Request</i> if your divorce judgment does not address changing your name.
Types of cases the forms CAN be used for:	Cases asking the court to change the name of 1 adult only.
Types of cases the forms CANNOT be used for:	<ul style="list-style-type: none">• Cases asking the court to change your name if you are less than 18 years old are not allowed.• Cases asking the court to change your name if you have not lived in Illinois continuously for 6 months are not allowed.• Cases asking the court to change the name of more than 1 adult.• Cases asking the court to change the name of minor children require a different form.
Special information or papers needed to complete the forms:	Papers relating to your criminal record if you have one. A criminal record may prevent the court from changing your name.
Statutes covering the forms:	735 Illinois Compiled Statutes , section 5/21-101 through section 5/21-104.
Where to find the forms and instruction sheet:	http://www.illinoiscourts.gov/Forms/approved/ .
For more information:	Read the <i>HOW TO CHANGE YOUR NAME (for an Adult)</i> instruction sheet that comes with these forms. You may also find more information, resources, and the location of your local county self help center at: www.illinoislegalaid.org/legal-information/adult-name-change .

HOW TO CHANGE YOUR NAME (for an Adult)

Who can ask the court for a name change?

To change your name, you **MUST**:

- Be at least 18 years old; AND
- Have lived in Illinois for at least 6 months.

You **CAN NOT** change your name if you have been convicted of:

- A felony and have not been pardoned or you finished your sentence less than 10 years ago;
 - Certain Class 4 felony cannabis convictions under the Cannabis Control Act, [720 ILCS 550/4 or 550/5](#) may not be a barrier to changing your name. You should speak with a lawyer if you have a cannabis conviction to see if you are eligible to have that conviction vacated and expunged.
- Identity theft or aggravated identity theft and have not been pardoned; OR
- Felony or misdemeanor: criminal sexual abuse when the victim at the time is under 18 years of age, sexual exploitation of a child, indecent solicitation of a child, or indecent solicitation of an adult, or any other offense that requires you to register as a sex offender, and have not been pardoned.

I have just gotten married or divorced, do I need to file a *Request for Name Change*?

- You do not have to file a *Request for Name Change* if your name has been changed by a court order (for example, divorce judgment) or by a valid marriage certificate.
- You will need to file a *Request for Name Change* if your divorce judgment does not give you permission to return to the use of your former or maiden name. You will not need to give Publication Notice.

What forms do I need to fill out to change my name?

- ***Request for Name Change***: gives the court the information needed to decide if you can change your name. A person who knows you must also sign the form.
- ***Publication Notice of Court Date for Request for Name Change***: tells the public you are asking the court to change your name and is published in a newspaper for 3 weeks.
 - Do not use if you think publication would put you at risk. See "**Special note for victims of domestic violence, stalking, sexual assault, or discrimination**" to the right.
 - Do not use if you have received a Judgment for Dissolution of Marriage or Declaration of Invalidity of Marriage and you are asking to

change your name back to your former or maiden name.

- ***Order for Name Change***: is used by the judge to say your *Request for Name Change* is granted or denied.

Other forms you may need depending on the facts in your case:

- ***Motion to Waive Notice & Publication***: if you believe that publication would put you at risk of physical harm or discrimination, use this INSTEAD OF *Publication Notice of Court Date for Request for Name Change*. (See "**Special note**" below about when to file your *Motion*). If your *Motion* is granted, you do not have to publish notice of your request.
- ***Order on Motion to Waive Notice & Publication***: is used by the judge to say your *Motion to Waive Notice and Publication* is granted or denied.

What costs will I need to pay to change my name?

- **Filing Fee**: to file your forms with the Circuit Clerk.
- **Publication Fee**: to put your notice in the newspaper.
- **Certified Copy Fee**: if your name change is granted and you need certified copies of the court order.
- If you cannot afford to pay the filing fee, you can ask the court to file for free or at a reduced cost by filing the Application for Waiver of Court Fees found at illinoiscourts.gov/Forms/approved/.

Special note for victims of domestic violence, stalking, sexual assault, or discrimination:

- You might not have to publish your name change request in a newspaper. You can file a *Motion to Waive Notice & Publication* if one of the following is true:
 - You have or have previously had an Order of Protection, Stalking No Contact Order, Civil No Contact Order, or Protective Order issued in someone else's criminal case (your *Motion to Waive Notice & Publication* must be filed at the same time you file your *Request*);
 - You are or have been a protected person under someone else's bail conditions (your *Motion to Waive Notice & Publication* must be filed at the same time you file your *Request*); OR
 - You are at risk of harm or discrimination (your *Motion to Waive Notice & Publication* may be filed at any time).
- If you or a member of your household are at risk of domestic violence, stalking, or sexual assault, you do not have to disclose your address and you can use an alternative address on these forms.

What do I do after I fill out the forms?

Step 1: File the forms with the court where you live.

- Find the courthouse in the county where you live: illinoiscourts.gov/circuitcourt/circuitmap/map1.asp
- You must electronically file (e-file) court documents unless (1) you are an inmate in a prison or jail and you do not have a lawyer, (2) you have a disability that keeps you from e-filing, or (3) you qualify for an exemption from e-filing.
 - You will qualify for an exemption if: (1) you do not have internet or computer access at home and it would be difficult for you to travel to a place where you could use a computer; or (2) you have trouble reading or speaking in English.
 - If you qualify for an exemption, fill out a *Certification for Exemption from E-Filing* found here: illinoiscourts.gov/Forms/approved/default.asp.
 - File the original and 1 copy of your forms and the *Certification*, with the Circuit Clerk's office in person or by mail.
- To e-file, create an account with an e-filing service provider.
 - Visit efile.illinoiscourts.gov/service-providers.htm to select a service provider. Some service providers are free while others charge a processing fee. For instructions on how to e-file for free with Odyssey eFileIL, see the self-help user guides here: illinoiscourts.gov/CivilJustice/Resources/Self-Represented_Litigants/self-represented.asp
- If you do not have access to a computer or if you need help e-filing, take your form to the Circuit Clerk's office where you can use a public computer terminal to e-file your forms.
 - You can bring your forms on paper or saved on a flash drive.
 - The terminal will have a scanner and computer that you can use to e-file your forms.

Step 2: Ask for a court date.

- Ask the Circuit Clerk if you have to schedule a court date or if one will be scheduled automatically.
- If you need to schedule the court date, ask the Circuit Clerk how to do so. The Circuit Clerk may schedule the court date or you may have to speak with other court staff.

You may ask the court to waive the notice and publication requirement if:

- You believe that publishing notice will put you at risk of physical harm or discrimination; OR
- You have or have previously been granted a protective order.

If this applies, skip Step 3 and Step 4 and follow Step 5.

Skip Step 3, Step 4, and Step 5 and go to Step 6 if you have received a Judgment for Dissolution of Marriage or Declaration of Invalidity of Marriage and you are asking to change your name back to your former or maiden name.

Step 3: Publish your *Publication Notice of Court Date for Request for Name Change* in a newspaper in the county where you live once a week for 3 weeks in a row.

- Contact a newspaper in your county and set up publication of the notice.
- If there is no newspaper in your county, contact a convenient newspaper published in Illinois.
- Give a copy of the *Publication Notice of Court Date for Request for Name Change* to a newspaper.
- The *Notice* must appear in a newspaper for the first time at least 6 weeks before your court date.
- Newspapers may charge you a publication fee.
- If you have an *Order for Waiver of Court Fees* giving you a full or partial fee waiver in your court case, the newspaper is not required to waive or reduce your fee for publication. You will need to file a *Motion* asking the court to order the county to pay the cost of publication. You can find the *Motion* form at: illinoiscourts.gov/Forms/approved/.

Step 4: Get a Certificate of Publication from the newspaper and file it with the court.

- After the *Notice* appears in a newspaper for 3 weeks, get a Certificate of Publication from the newspaper.
- Ask the newspaper how you will get the Certificate. The newspaper will either:
 - Send the Certificate directly to the Circuit Clerk;
 - Mail the Certificate to you; OR
 - Tell you to pick up the Certificate in person.
- File the Certificate of Publication with the Circuit Clerk before your court date.
- If the newspaper sends the Certificate directly to the Circuit Clerk, make sure it arrives before your court date and ask the newspaper to send you a copy.

Skip Step 5 and go to Step 6 if you have published notice.

Step 5: Ask the court to excuse you from publishing notice.

- File the *Motion to Waive Notice & Publication* with the Circuit Clerk.
- Ask for a court date for your *Motion to Waive Notice & Publication*.
- You must convince the judge that:
 - You have or have had an Order of Protection, Stalking No Contact Order, Civil No Contact Order, Protective Order issued in someone else's criminal case;
 - You are or have been a protected person under someone else's bail conditions; OR
 - Publication would put you at risk of physical harm or discrimination.
- You should gather and make copies of documents you want the judge to see. If you want the judge to hear from other people, those people will have to come to court and be witnesses.
- Go to your court date. Bring your evidence and a completed *Order on Motion to Waive Notice & Publication*.

Step 6: Go to your court date to ask the court to change your name.

- Bring these items with you to court:
 - Photo I.D.;
 - Stamped copies of: *Request for Name Change*, *Publication Notice of Court Date for Request for Name Change (if it applies)*, and *Certificate of Publication (if it applies)*;
 - Proposed *Order for Name Change*;
 - Judgment for Dissolution of Marriage or Declaration of Invalidity of Marriage (if it applies) AND
 - Other papers related to your *Request* (like papers showing that at least 10 years have passed since completion and discharge of your sentence).
- Get to the courthouse at least 30 minutes early.
- Go to the courtroom number listed on your court form.
- If your forms do not have a courtroom number, look for a list of cases at the courthouse or ask the Circuit Clerk.
- Check in with the courtroom staff and wait for your name and case number to be called.
- You may be placed under oath, answer the judge's questions truthfully.
- The judge will either GRANT or DENY your *Request*. The judge will write this on the *Order* and sign it.
- If GRANTED, get certified copies of the *Order* from the Circuit Clerk. You need a certified copy of the

Order to change your name on records like your birth certificate, social security card, and a driver's license.

- There may be a fee for the certified copies.

STATE OF ILLINOIS, CIRCUIT COURT _____ COUNTY	REQUEST FOR NAME CHANGE (ADULT)	<i>For Court Use Only</i>
Instructions ▼ Directly above, enter the county name where you will file this case. Enter your current name. DO NOT enter a Case Number, the Circuit Clerk will add it.	Request of: _____ Your current name (<i>First, middle, last name</i>)	_____ Case Number

In 1 , enter your complete current name.
In 2 , enter the new full name you would like.

I ask the court to enter an order to change my name, and I state:

1. My current name is:

First Middle Last
2. I wish my name to be changed to:

First Middle Last
3. My address is listed at the end of this *Request*.
4. I have lived continuously in Illinois for at least 6 months beginning: _____
Date
5. My birth date is: _____
Date
6. My place of birth is: _____
City County State/Province Country
7. I **have** **have not** been adjudicated or convicted of a felony or misdemeanor in Illinois or any other state for which a pardon has not been granted.
8. I **do** **do not** have an arrest for which charges have not been filed.
9. I **do** **do not** have a pending felony or misdemeanor charge.
10. I **have** **have not** been convicted of or placed on probation for a crime which requires me to register as a sex offender in Illinois or any other state.
11. I **have** **have not** been convicted of or placed on probation for identity theft or aggravated identity theft in Illinois or any other state.
12. I **have** **have not** been convicted of or placed on probation for a felony in Illinois or any other state.

In 4 , enter the date you started living in Illinois.
In 5 , enter your date of birth
In 6 , enter the city, county, state, and country where you were born.
In 7-9 , check the boxes that apply to your criminal history.
In 10, 11, and 12 check whether you have or have not been convicted or put on probation for the crime listed.
If you checked "have" in 10 or 11 and have not been pardoned, <u>the court cannot give you a name change.</u>
If you checked "have" in 12 and have not been pardoned or have not completed your probation or sentence over 10 years ago, the court may not give you a name change.

NOTE

This section must be filled out by someone else, not by you.

Witness: Enter your full name.

Under the Code of Civil Procedure, [735 ILCS 5/1-109](#), making a statement on this form that you know to be false is a Class 3 Felony.

Witness: Sign and print your name.

Witness: Enter your complete address and telephone number.

VERIFICATION BY WITNESS

I, _____
First Middle Last

certify that what is stated above and on the *Request for Name Change (Adult)* is true and correct to the best of my knowledge and belief. I understand that making a false statement on this form is perjury and has penalties provided by law under [735 ILCS 5/1-109](#).

Witness Signature

Street Address

Print or Type Name

City, State, Zip

Telephone

STATE OF ILLINOIS, CIRCUIT COURT _____ COUNTY	ORDER FOR NAME CHANGE (ADULT)	<i>For Court Use Only</i>
Instructions ▼	Request of: _____ Your current name (<i>First, middle, last name</i>)	_____ Case Number
Directly above, enter the county name where the case was filed.		
Enter your current name.		
Enter the case number given to you by the Circuit Clerk.		

DO NOT check any boxes on this form. The judge will check the correct boxes at the hearing.

The Court reviewed your *Request for Name Change* and finds:

- The Court has jurisdiction.
- Correct Notice was done by newspaper publication.
 In this Newspaper: _____
 On these Dates: _____
- Notice requirement was waived.
- Notice not required. Petitioner has received a Judgment for Dissolution of Marriage or Declaration of Invalidity of Marriage and is resuming use of their former or maiden name.
- The statements made in the *Request for Name Change* meet the statutory requirements.
- The statements made in the *Request for Name Change* **do not** meet the statutory requirements.

IT IS ORDERED:

- The *Request for Name Change* is GRANTED.

The name of:

First *Middle* *Last*

is changed to:

First *Middle* *Last*

- The *Request for Name Change* is DENIED.
 The *Request* is denied for the following reasons: _____

ENTERED:

Judge

Date

Enter your current full name.

Enter the new full name you would like.

DO NOT enter the Judge and Date. The judge will sign here.

STATE OF ILLINOIS, CIRCUIT COURT _____ COUNTY	MOTION TO WAIVE NOTICE & PUBLICATION (REQUEST FOR NAME CHANGE)	<i>For Court Use Only</i>
Instructions ▼	REQUEST OF: _____ <i>(First, middle, last name)</i>	_____ Case Number
Directly above, enter the county name where you will file this case.		
Enter the name of the person requesting the name change.		
DO NOT enter a Case Number, the Circuit Clerk will add it.		

You can only use this form if:

- you believe that notice or publication will put the person whose name would be changed at risk of physical harm or discrimination; OR
- you have or have previously been granted a protective order.

In **3**, check all boxes that apply. If none apply to you, you cannot use this form.

If you check **3a**, describe how notice or publication would put you at risk.

1. I am filing a *Request for Name Change* for myself or my children.
2. I am seeking a waiver of the notice and publication requirement.
3. I need this waiver because *(check 3a or 3b and all other boxes that apply)*:
 - a. notice and publication of the name change would put the person whose name would be changed at risk of physical harm and/or discrimination because:

If you check **3b**, also check which type of orders you have or had to protect you.

Attach copies of the orders and any other documents that support your claim to this *Motion*.

- b. I have or did have protection granted by:
 - Order of Protection;
 - Stalking No Contact Order;
 - Civil No Contact Order;
 - Protective Order in someone else's criminal case;
 - Been a protected person under someone else's bail conditions; OR
 - Similar protective order in another state: _____

