

Instructions Conforming a Legal Name of a Minor

It is suggested that you review the attached information sheet on Name Change, Conformity, or Birth Certificate Correction to determine which process is right for your situation. Our court staff will offer as much assistance as possible. However, our court staff cannot offer legal advice or answer legal questions. If you have questions as to which process will best suit your situation, you should seek the advice of an attorney.

Filing Fees:

Court Costs: \$124.00

* Additional costs may be incurred for certified mail service or publication

Requirements:

An application to conform a legal name is a special proceeding separate from a name change. It is solely to correct misspellings, inconsistencies or errors on one or more official identity documents evidencing a person's current legal name.

You may apply for a name conformity **only** if the minor has been a Pike County resident for the past 60 days.

The Process:

The documents listed below must be prepared by the applicant or attorney and submitted with the filing fee to the Court by mail or in person during normal business hours. Once the documents have been approved for filing by the court staff, you will be given a receipt for the filing fee, and the Court will do one of the following:

- o If **both natural 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.
- o If **both natural parents' consents are not provided**, the Court will set the application for a formal in-person hearing. You will be contacted by phone for instructions, and you will be required to appear. The non-consenting parent will be served with notice of the hearing.

All hearings are set approximately 6 weeks from the date of filing. The Court will issue a Judgment Entry Setting Hearing and Ordering Notice, directing how service on the non-consenting parent will be performed.

- o If the non-consenting parent is to be served by certified mail, the Court will issue service;
- o In the non-consenting parent will be served by publication, personal service or other method of service pursuant to Civ. R. 73, **the applicant will be responsible** for taking the notice to a newspaper of general circulation in Pike County for publication or making arrangements for other service as directed pursuant to the Judgment Entry Setting Hearing and Ordering Notice. Proof of service must be filed with the Court at least 7 days prior to the hearing.

The Court reserves the right to require additional documentation be submitted to support the name conformity, require a criminal background check, or hold a formal hearing on the application.

Note: *All paperwork must be typed. PDF fillable forms can be downloaded from the Court's website at www.pikecountypjcourt.com. If you do not have access to a printer, then forms may be completed in ink. Please print LEGIBLY. You must list the individual's full name on all paperwork (first, middle and last). No initials may be used.*

Initial Filing:

- Self-Representation Acknowledgment *If applicable*
 - o This form **must** be filed if applicant is not represented by an attorney.
- Application to Conform Legal Name of Minor (Form 21.9)
- Photocopies of the following documents for the minor are required to be submitted with the application:
 - o Birth Certificate
 - o Driver's License/State ID Card (if any) (driver's license number, issuance date and expiration date must be redacted)
 - o Social Security Card (social security number must be redacted)
 - o Passport (if any)
 - o Any identity document relating to the application to conform legal name

- Affidavit in Support of Application to Conform Legal Name of Minor (Form 21.09)
 - o This must be notarized by a Notary Public. If you need a member of the court staff to notarize this affidavit, please bring this into the court unsigned and bring your driver's license or State issued ID with you.
- Judgment Entry Conforming Legal Name of Minor (Form 21.10)
 - o If more than one document needs to be conformed, a separate Judgment Entry must be provided for each document
- Waiver of Notice of Hearing and Consent to Conform Legal Name of Minor (Form 21.12)
 - o 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:

- Judgment Entry Setting Hearing and Ordering Notice (Form 21.11)
- Notice of Hearing on Conforming Legal Name (Form 21.13)

If Requesting the Name Conformity to be Confidential:

The law requires very specific criteria be met in order for someone to qualify for a confidential name conformity. The applicant must provide proof that it would jeopardize the applicant's personal safety to have the name conformity 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 as a confidential name conformity. 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)
- Order Granting Confidentiality of Proceeding (Form 21.06)

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
- I was not born in Ohio, and I have an error or misspelling on my birth certificate
- My child was not born in Ohio and has an error or misspelling on their birth certificate
- I was born in Ohio, but the name on my birth certificate doesn't match the name I have used all of my life
- I was in a common law marriage with no marriage certificate to document my name change
- The name I currently use is a name on one or more of my official identity documents

Birth Correction

- I was born in Ohio and I have an error or misspelling on my birth certificate
- I was born in Ohio and one of my parent's names is misspelled or my birth date is incorrect on my birth certificate
- My child was born in Ohio and one of the names is misspelled or the birth date is incorrect on my child's birth certificate
- The error on my or my child's birth certificate is a true error, not a desired change or alternate spelling acquired following birth

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 the Probate Court or 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 PIKE COUNTY, OHIO
Paul Price, Judge

IN RE:

CASE NO. _____

SELF-REPRESENTATION ACKNOWLEDGMENT
[Local Rule 75.1]

I acknowledge that I have read, understand, and agree with all of the following statements:

1. The Court strongly recommended that I hire an attorney to represent me in this case. Contrary to the Court's recommendation, I have chosen to proceed with this case on my own without the assistance of an attorney.
2. I have the time, knowledge, and ability to handle all aspects of this case correctly without assistance from the Court or any other person.
3. The Court and its Deputy Clerks are prohibited by law from assisting me with any aspect of this case, including without limitation determining what forms I am required to file and how to complete those forms.
4. The Court and its Deputy Clerks cannot provide me with any information regarding how to properly handle this case beyond the information on the Court's website, www.pikecountypjcourt.com.
5. I am responsible for understanding and correctly applying those portions of the Ohio Revised Code, Rules of Superintendence for the Courts of Ohio, Pike County Probate Court Local Rules of Practice, and all other rules, regulations, policies, and case law that relate to this case.
6. The Court will hold me to the same standards that apply to attorneys and persons represented by attorneys in similar probate proceedings.
7. If I do not fulfill my responsibilities in this case properly and in a timely manner, I will be subject to the compliance policies outlined in the Pike County Probate Court Local Rules.
8. I have a duty to act fairly, honestly, impartially, and in the mutual best interest of all persons or entities that may have an interest in this case. I also have a duty to not do anything in my self-interest that is detrimental or harmful to others.
9. I may be personally liable to any person or entity that suffers financial damages as a result of anything I do in this case that does not comply with the legal requirements that apply to this case.
10. If I violate anything in this Self-Representation Acknowledgement, the Court may terminate my authority to proceed further with this case or may require that I must be represented by an attorney to continue with this case.

Applicant

Typed or Printed Name

Address

City State Zip

Telephone Number (include area code)

Email Address

PROBATE COURT OF _____ COUNTY, OHIO
_____, JUDGE

IN RE: THE NAME OF _____
(Present Name)
TO _____
(Requested Conformed Legal Name)
CASE NO. _____

APPLICATION TO CONFORM LEGAL NAME OF MINOR
[R.C. 2717.04, 2717.05, and 2717.13]

Applicant states that a misspelling, inconsistency, or other error of the above-named minor's legal name exists on one or more of his or her official identity documents. This Application provides the necessary information to explain the misspelling, inconsistency, or other error and the corrections needed to conform the minor's legal name on all official identity documents.

The minor has been a bona fide resident of this county for at least 60 days immediately before filing this Application.

Minor's Information:

Present name: _____

Address: _____

Name at birth: _____

Date of birth: _____

State where birth record was issued: _____

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.

Applicant states that the address of Parent 1 is unknown. Applicant has exercised all due diligence and made every reasonable effort to find the current address but cannot locate this individual.

The name and address of Parent 2 or the alleged father of the minor is:

CASE NO. _____

Typed or Printed Name

Typed or Printed Name

Address

Address

City State Zip

City State Zip

Telephone Number (include area code)

Telephone Number (include area code)

Email Address

Email Address

Attorney Registration No. _____

PROBATE COURT OF _____ COUNTY, OHIO
_____, JUDGE

IN RE: THE NAME OF _____
(Present Name)
TO _____
(Requested Conformed Legal Name)
CASE NO. _____

**AFFIDAVIT IN SUPPORT OF APPLICATION
TO CONFORM LEGAL NAME OF MINOR**
[R.C. 2717.06]

State of Ohio }
County of _____ } SS
}

The undersigned, in support of the Application to Conform Legal Name of Minor, deposes, says, and verifies the following.

Check all that apply:

- Applicant has personal knowledge of the facts stated in this Affidavit;
- The minor has been a bona fide legal resident of this county for a period of at least 60 days;
- The Application is not being made for the purpose of evading any creditors or other obligations;
- The minor is not a debtor in any currently pending bankruptcy proceeding;
- All documentary evidence submitted with the Application is true, accurate, and complete.

The Applicant certifies under penalty of perjury that the statements in this Affidavit are accurate and complete.

Date

Applicant

Sworn to before me and subscribed in my presence the _____ day of _____

Notary Public/Deputy Clerk

Typed or Printed Name

Commission Expiration Date _____

PROBATE COURT OF _____ COUNTY, OHIO
_____, JUDGE

IN RE: THE NAME OF _____
(Present Name)

TO _____
(Requested Conformed Legal Name)

CASE NO. _____

JUDGMENT ENTRY CONFIRMING LEGAL NAME OF MINOR
[R.C. 2717.10]

This matter came before the Court for consideration of an Application to Conform Legal Name of Minor. Upon review of all the evidence presented, the Court finds there is sufficient proof that a misspelling, inconsistency, or other error of the minor's legal name exists on the official identity document indicated below, and that reasonable and proper cause exists for issuing this order to resolve the discrepancy and to conform the minor's legal name.

Official identity document(s) that requires conformity of misspelling, inconsistency, or other error:

- | | |
|---|---|
| <input type="checkbox"/> Social Security Card | <input type="checkbox"/> Driver's License |
| <input type="checkbox"/> Passport | <input type="checkbox"/> State-issued Identification Card |
| <input type="checkbox"/> Other _____ | |

Name that needs conformed on document(s): _____

Conformed legal name that should be stated on the document(s): _____
First Middle Last

The Court finds that, despite the name discrepancy, this official identity document identifies one and the same person as the other official identity documents. Therefore, the Court orders that minor's name on this official identity document is conformed as stated above to be consistent with minor's other official identity document(s).

The Court further orders that minor's conformed legal name is: _____
First Middle Last

It is so ordered.

Date _____, Probate Judge

CERTIFICATION OF JUDGMENT ENTRY

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

(Seal)

_____, Probate Judge

By: _____
Deputy Clerk

Date

PROBATE COURT OF _____ COUNTY, OHIO
_____, JUDGE

IN RE: THE NAME OF _____
(Present Name)
TO _____
(Requested Conformed Legal Name)
CASE NO. _____

**JUDGMENT ENTRY SETTING HEARING AND
ORDERING NOTICE**
[R.C. 2717.08 and 2717.14]

The Court sets the Application for Change of Name in this case for hearing on _____, 20__
at _____ M.

The Court orders the Applicant to serve a Notice of Hearing in the following manner on all necessary parties who have not waived notice:

- By certified mail, return receipt requested
- By personal service
- By publication once in a newspaper of general circulation in this county at least 30 days before the hearing
- Other: _____

Applicant must file proof of service with the Court before the hearing.

Date

_____, Probate Judge

PROBATE COURT OF _____ COUNTY, OHIO
_____, JUDGE

IN RE: THE NAME OF _____
(Present Name)
TO _____
(Requested Conformed Legal Name)
CASE NO. _____

CONSENT TO NAME CONFORMITY
[R.C. 2717.14]

The undersigned _____

[check one of the following 2 capacities by which your consent is given]

- Parent
 Alleged Father

hereby waives notice of the hearing on the Application to Conform Legal Name and consents to the conformed legal name of: _____

to _____

as proposed in the Application.

Sworn to before me and signed in my presence this _____ day of _____, 20____.

Deputy Clerk/Notary Public

PROBATE COURT OF _____ COUNTY, OHIO
_____, JUDGE

IN RE: THE NAME OF _____
(Present Name)
TO _____
(Requested Conformed Legal Name)
CASE NO. _____

NOTICE OF HEARING ON CONFORMING LEGAL NAME
[R.C. 2717.08 and 2717.14]

Applicant gives notice that the Applicant has filed an Application to Conform Legal Name in this Court requesting the Court resolve discrepancies in the legal name of _____
First Middle Last
in one or more official identity documents.

A hearing on the Application will be held on _____, 20____, at _____ M. in the Probate Court of _____, County, Ohio located at _____.

Applicant's Signature

Typed or Printed Name

Address

City State Zip

Email Address

Note to Publisher: The above legal notice including the caption is to be published once in its entirety. Costs are to be paid by applicant and an Affidavit of Publication is to be furnished to applicant.