

## INSTRUCTIONS FOR CONFORMING A LEGAL NAME OF A MINOR

**Filing fees:** If no hearing is required, the deposit is \$120.00. If a hearing is required, the deposit will be \$130.00. Additional Court costs may be incurred and are due and payable prior to the issuance of the Judgment Entry.

### **Requirements:**

- An application to conform a legal name is a special proceeding separate from a name change.
- The purpose of conforming a legal name 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 to conform a legal name **ONLY if the minor** has been a Butler County resident for the past 60 days.

### **Process:**

- The application and supporting documents listed below must be prepared by the applicant or an attorney.
- An application for name conformity of a minor can only be made on behalf of a minor by a parent, legal custodian, a legal guardian, and guardian ad litem.
- Once the documents have been filed with the Court, one of the following will occur:
  1. If both natural parents' consents are provided, the Court may dispense with a hearing and make a ruling on the filed application. Copies of the Judgment Entry will be mailed to the applicant once all Court fees, if any, are paid in full.
  2. If both natural parents' consents are not provided, the Court will set the filed application for a hearing. The applicant and minor child will be required to appear before the Court.
    - If there is a valid address for the non-consenting parent, the Court will serve the non-consenting parent with a copy of the name change application, consent form, and the notice of the hearing by certified mail with a return receipt requested.
    - If 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 Butler 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 10 days prior the hearing.
- Affidavit for Unknown Address of a Parent (BCPC Form 640).
- If address is unknown for the other Parent, the Applicant shall prepare and file an unsigned consent form for the Court to serve to the other Parent.
- The time frame for each name change application varies on a case by case basis.

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

- **If both natural parents' consents are provided**, the Court may dispense with a hearing and make a ruling on the application based solely on the application and documents provided. Copies of the Judgment Entry will be mailed to the applicant once all Court costs, if any, have been paid in full.
- **If both natural parents' consents are not provided**, the Court will set the application for a formal "in-person" hearing. The applicant and minor are required to appear. The non-consenting parent will be served with a copy of the application, consent form, and notice of hearing form.
  - **If both parents' consents are not provided with the application**, the following documents must also be filed:
    - Judgment Entry Setting Hearing and Ordering Notice (Form 21.11).
    - Notice of Hearing on Conforming Legal Name (Form 21.13).
- The Court will issue a Judgment Entry Setting Hearing and Ordering Notice, direction how service on the non-consenting parent will be performed.
  - If the non-consenting parent is to be served by certified mail, the Court will issue service.
  - If 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 Butler 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 10 days prior to the hearing.

The Court reserves the right to require additional documentation be submitted to support the application to conform a legal name or hold a formal hearing on the application.

**NOTE:**

**All paperwork must be TYPED. No handwritten documents will be accepted by the Court.**

**Each form must be printed separately.**

**The Court will NOT accept notarized documents with “white-out” or correction tape.**

**The applicant MUST use their FULL NAME (i.e.: First, middle, and last name) on all filings including any suffixes (i.e.: Jr. Sr., II, III, etc....). No initials may be used.**

**All capital and lower case letter of the Applicant’s name must match the identity documents.**

**It is the applicant’s responsibility to redact all personal identifiers as this case type is public record. The Court will not redact personal identifiers.**

**Required Documents:**

1. Self-Representation Acknowledgment form (BCPC Form 638) to be filed, if applicable.
  - This form must be filed if applicant is not represented by an attorney.
2. Contact Information Form (BCPC Form 639).
3. Application to Conform Legal Name of Adult (Form 21.9).
4. Court order appointing the applicant as anything other than a natural parent, if any.
5. Certified copy of Birth Certificate.
6. Ohio Court’s Network Authorization, Waiver, and Consent (BCPC Form 641)  
The Court will perform a records check obtaining all criminal history information and background pertaining to the minor and applicant.
7. Photocopy of driver’s license/State ID card (driver’s license number, issuance date, and expiration date must be redacted).
8. Photocopy of Social Security card (social security number redacted).
9. Photocopy of passport, if any.
10. If parents’ name on minor’s birth certificate is different than their present legal name, additional documentation is required (i.e.: marriage license, etc...).

11. Any identity document relating to the application to conform legal name.
12. Affidavit in Support of Application to Conform Legal Name of Minor (Form 21.09).
  - This must be notarized by a Notary Public before being submitted for filing. Court staff cannot notarize documents).
13. Waiver of Notice of Hearing form and Consent to Conform Legal Name of Minor (BCPC Form 21.12L).
14. Judgment Entry Conforming Legal Name of Minor (Form 21.10).
  - If more than one document needs to be conformed, a separate Judgment Entry must be provided for each document.

**NOTE:** If this is not a matter of correcting legal documentation, please see “Which process is right for my situation” form located under the name change tab.