



# HOW TO CHANGE YOUR NAME

## ADULT NAME CHANGE

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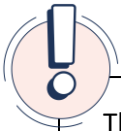
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This overview is not legal advice. It provides general instructions on how to use these forms in your court case. It cannot and does not try to cover everything that might happen in your court case. Your use of the forms does not guarantee you will be successful in court.

How a judge handles a case can vary from county to county. **Your county may have special requirements that are not covered in these instructions.** Ask the Circuit Clerk if your county has local rules and, if so, where you can get a copy.

# HOW TO CHANGE YOUR NAME

## ADULT NAME CHANGE

1

### FILL OUT AND FILE FORMS. START YOUR CASE.

To start an Adult Name Change, you begin by filling out a Request for Name Change (Adult). You will file with the circuit clerk's office in the county where you live and get a case number and a hearing date.

Use these forms:

- *Request for Name Change*

2

### PUT NOTICE IN THE NEWSPAPER OR ASK THE COURT TO WAIVE NOTICE.

Typically, you need to publish a notice in a local newspaper about your name change. But if doing so would pose a hardship to you (including a negative impact to your health and safety), you can go to court and ask the judge to let you skip that step. If you have to put notice in the newspaper, after filing your court papers and getting a hearing date, contact a local newspaper in the county you live and ask them to publish notice of your name change.

Use these forms:

- *Publication Notice of Court Date for Request for Name Change*
- *Motion to Waive Notice & Publication*

3

### GO TO COURT AND ASK THE JUDGE TO CHANGE YOUR NAME.

In court, you will be placed under oath and asked questions about why you want to change your name. Answer the judge's questions truthfully. The judge will either grant or deny your *Request*.

Use this form:

- *Order for for Name Change*

4

### CHANGE YOUR DOCUMENTS IF THE COURT APPROVES YOUR NAME CHANGE.

After the Court grants your *Request*, ask the Clerk for certified copies of your *Order for Name Change* which you can use to change your other identity documents. Nothing changes automatically so you will need to bring this *Order* to change your name on your social security card, driver's license/state ID card, and other documents.

Laws covering these forms: [735 Illinois Compiled Statutes, section 5/21-101 through section 5/21-104.](#)



# STEP 1

**FILL OUT AND FILE FORMS. START YOUR CASE.**

## ARE THESE FORMS FOR ME?

You may **use these forms to ask the court for a name change of 1 adult and their spouse.**

- To change your name, you **MUST**:
  - Be at least 18 years old; AND
  - Have lived in Illinois for at least 6 months.
- If you are seeking a name change and have been **convicted of a felony**, you **MUST** have completed your sentence or been pardoned to get a name change.
- 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.

**Do not use these forms if:**

- You have not lived in Illinois continuously for 6 months.
- Someone under age 18 is asking the court to change their name.
- An adult is asking the court to change the name of minor children requires a different form.
- 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.
- Anyone currently incarcerated in state or federal prison **cannot** get a name change.

**Forms required to start an adult name change case:**

1. *Request for Name Change (Adult)*: gives the judge the information needed to decide if you can change your name.
2. *Order for Name Change (Adult)*: court order either granting or denying your request for a name change.

Note: Make sure your current name *matches exactly* as it appears on your birth certificate to avoid any delays or issues.

**Forms that may be needed in some circumstances:**

- *Publication Notice of Court Date for Request for Name Change (Adult)*: tells the public you are asking 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, discrimination, or hardship" below.
- *Motion to Waive Notice & Publication*: if you believe that publication would put you at risk of hardship, 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 *Request for Name Change* is granted or denied.
  - **In Cook County (1<sup>st</sup> District) only**: You must e-file, as an exhibit, a photo or scanned copy of your birth certificate and a photo I.D. The exhibits must be saved as a pdf file and be in portrait orientation. If your birth certificate is in a language other than English, you must provide a certified translation of your birth certificate.

**Can I include my Spouse in my Name Change Request?**

Yes. Your spouse has to fill out the same information in the *Request for Name Change* form and follow the restrictions regarding criminal history. Any instructions we include here in this *How To* also apply to your spouse.

You can find all statewide forms online at: [ilcourts.info/forms](http://ilcourts.info/forms).

# IMPORTANT INFORMATION

- **WARNING:** Anyone who is required to register under the **Sex Offender Registration Act**, the **Murderer and Violent Offender Against Youth Registration Act**, or the **Arsonist Registration Act** in this State or a similar law in any other state and have not been pardoned, you will be committing a felony under those laws by seeking a change of name during the registration period **UNLESS** your request for legal name change is due to:

- marriage;
- religious beliefs;
- status as a victim of trafficking; OR
- gender related identity as defined by the Illinois Human Rights Act.

Anyone who is required to register under these laws and is granted a legal name change **is required to notify the law enforcement agency with whom they are registered of the name change within 3 days for sex offense, 5 days for murder/violence against youth, or 10 days for arson.**

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

- 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;
  - You are or have been a protected person under someone else's bail conditions; OR
  - You are at risk of hardship. Examples of hardship include: physical harm, discrimination, harassment, bullying, threats of violence.
- File your *Motion to Waive Notice & Publication* at the same time you file your *Request*.
- 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.
- You do not need a separate court date for your *Motion to Waive Notice and Publication*. The judge will decide on whether to grant your motion at the court date for your Request for Name Change. If the judge grants it, they will then decide whether to grant your request for a name change. If the judge does not grant your motion, you will have to publish notice and a new court date will have to be scheduled for your Request for Name Change.

# EXTRA HELP FILLING OUT THE FORMS

## Name Change Easy Form

Illinois Legal Aid Online has an Easy Form program that helps you complete your forms. Easy Forms ask simple questions and put your answers in the right places on the forms. At the end of the program, you can download or email your forms to e-file or print them.

Easy Forms are free to use. Visit [ilao.info/adult-nc-easy-form](http://ilao.info/adult-nc-easy-form) or scan the QR code to use the Easy Form.



## IL Court Help

For more information about going to court including how to fill out and file forms, call or text **Illinois Court Help** at 833-411-1121 or go to [ilcourthelp.gov](http://ilcourthelp.gov).

If there are any words or terms used in these instructions that you do not understand, please **visit Illinois Legal Aid Online** at [ilao.info/glossary](http://ilao.info/glossary). You may also find more information, resources, and the location of your local legal self-help center at [ilao.info/lshc-directory](http://ilao.info/lshc-directory).



## COSTS AND FEES

There may be costs and fees to take part in a court case. These fees and costs can include fees for filing court documents and Sheriff's fees for providing notice. Depending on the type of court case, there may be other costs and fees charged. If you cannot afford to pay costs and fees, you can ask the court to file for free or at a reduced cost by filing an *Application for Waiver of Court Fees*.

This is a separate form you can find at: [ilcourts.info/fee-waiver-forms](http://ilcourts.info/fee-waiver-forms).

# HOW TO FILE THE FORMS



## E-filing

- After you fill out your court forms, file them with the Circuit Clerk. This is done by electronic filing, called 'e-filing'. You do not have to e-file if:
  - You qualify for an exemption (see "Not E-filing" below) or
  - Your case involves a criminal matter.
- Most people e-file their forms using Odyssey eFileLL at [ilcourts.info/efile](http://ilcourts.info/efile).
- There may be fees to file your forms. See the previous Costs & Fees page for more information.
- Follow step-by-step instructions and watch videos that walk you through the steps for e-filing at [ilcourts.info/EfileHowTo](http://ilcourts.info/EfileHowTo).
- E-filing is easier on a computer. It may not work on a cell phone or tablet.
- If you do not have access to a computer or if you need help e-filing, take your completed forms to a public library or a Circuit Clerk, Appellate Clerk, or Supreme Court Clerks' office. These places offer public computers where you can e-file your forms.
  - Depending on your courthouse, you can bring your forms on paper and there may be public computers with a scanner where you can turn your paper forms into electronic files.
  - Librarians and courthouse staff may be able to help you e-file, but they cannot provide legal advice.

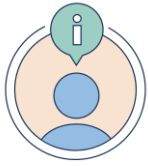


## Not E-filing

- Some people are not required to e-file, which means they can file paper forms at the courthouse or by mail. People who do not have to e-file are:
  - Inmates in prison or jail who do not have a lawyer.
  - People with a disability that keeps them from e-filing.
- You may also qualify for an exemption from e-filing if you:
  - Do not have internet or computer access in your home, and it is hard for you to travel.
  - Have trouble reading, writing, or speaking English.
  - Are filing documents in a sensitive case, such as an order of protection.
  - Tried to e-file your forms, but you were not able to because the equipment or help you needed was not available.
- To ask for an exemption from e-filing, use the form at [ilcourts.info/ExemptionCircuit](http://ilcourts.info/ExemptionCircuit). If you cannot print this form, then ask for it at your local courthouse.
  - File your *Certification for Exemption from E-Filing* form along with your other court forms at the Circuit Clerk's office or by mail.
  - Bring or send your signed court forms and at least two copies of your forms to the Circuit Clerk's office. Ask them to stamp your copies and return them to you.
  - If you need to make copies of your forms, you can do that at the Circuit Clerk's office. They may charge you a fee to make copies.
- There may be fees to file your forms. See the previous Costs & Fees page for more information. If you mail your court forms to the Circuit Clerk's office, include a stamped envelope addressed to you. The Circuit Clerk will file your forms and then send your copies back to you in the envelope.



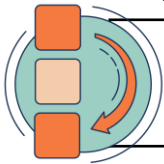
# WHAT'S NEXT



## STEP 1

### 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.
- If you are not asking the court to waive the notice by publication requirement, make sure that the court date gives you enough time to have the publication notice appear in the newspaper for the first time at least 6 weeks before the court date. You should ask for a court date at least 8 weeks after you file your Request to give the newspaper time to start the publication.



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, skip to the Going to Court Section.



## STEP 2

### PUBLISH NOTICE IN A NEWSPAPER.

- 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 and tell them you want it published once a week for three weeks. Do not send them any other court documents, the *Notice* contains all the information they need to publish.
- 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, the newspaper is not required to waive or reduce their fee for publication. You will need to file a *Motion* asking the judge to order the county to pay the cost of publication (if you are given less than a full waiver of your costs, you will be responsible for your portion of the cost of publication). A copy of the order must be given to the newspaper so that they know how much to bill the county. You can find the *Motion* form at: [ilcourts.info/forms](http://ilcourts.info/forms).
- If you're completing a name change with your spouse, each spouse has to fill out the *Publication Notice*, send both to the newspaper, and file it with the same case number.

### File Certificate of Publication

- Get a Certificate of Publication from the newspaper and file it with the court.
- After the *Notice* appears for 3 weeks, the newspaper will prepare a Certificate of Publication that will show what was published and when it was published.
- 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.

## Get Excused from Publishing

- File the *Motion to Waive Notice & Publication* with the Circuit Clerk.
- Ask for a court date for your *Motion to Waive Notice & Publication*.
- If you are requesting to waive notice for more than 1 person, a *Motion* must be filled out for each person.
- You must convince the judge that:
  - You have or have had an Order of Protection, Stalking No Contact Order, Civil No Contact Order, or 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 3

### GO TO COURT AND ASK 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)*;
  - *Order on Motion to Waive Notice and Publication* (if needed) and *Order for Name Change*;
  - Judgment for Dissolution of Marriage or Declaration of Invalidity of Marriage (if it applies);
  - Protection order (if it applies) AND
  - Other papers related to your *Request* (like papers relating to your criminal record if you have one) showing that if you have been convicted of a felony, you have completed your sentence or you have been pardoned.
  - **In Cook County (1<sup>st</sup> District) only:** If you have not e-filed your birth certificate and I.D., you should bring those to court or to your remote hearing. If your court hearing is remote (on Zoom), you should be ready to hold the birth certificate and I.D. up to the camera to show the judge.
  - If you were born outside of Illinois, some states require you to include additional information in the *Order* to change your birth records (for example the date, location of birth, and Certificate Index Number). Make sure to **check your birth state's requirements and you can include that in the Additional Information on the Proposed Order.**
- 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.





### **Make sure you know how to attend your court date.**

Your court date could be in person, by phone, or by video. If it is by phone or video, it is called a “Remote Appearance.” Call the Circuit Clerk or visit their website for more information. To find the phone number for your Circuit Clerk, visit [ilcourts.info/CircuitClerks](http://ilcourts.info/CircuitClerks).



## **STEP 4**

### **THE JUDGE MAKES A DECISION.**

- The decision is called a court order.
- If the judge needs more information to make a decision, the judge may set up another court date.
- If the judge has enough information, the judge may decide right then and fill out a court order.
  - Get a file-stamped copy of the order.
- If granted, get certified copies of the *Order* from the Circuit Clerk. You need a certified copy of the *Order* to change the children's names on records like birth certificate, social security card, and a driver's license.
- There may be a fee for the certified copies.

### **Updating records and gender on a birth certificate**

- When changing your name, you may also want to have a gender marker correction done on your birth certificate as well as update other records. For more information visit: [ilao.info/change-gender-on-id](http://ilao.info/change-gender-on-id).



## **YOU'VE COMPLETED THE STEPS OF A NAME CHANGE CASE!**