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This packet 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 PETITIONER FILLS OUT FORMS AND STARTS A CASE

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

Use this form:

- *Request for Name Change*

2 PUT NOTICE IN THE NEWSPAPER OR ASK THE COURT TO WAIVE NOTICE

Typically, you need to publish 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 these forms:

- *Order 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](#).



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 for:

- Cases asking the court to change your name if you have not lived in Illinois continuously for 6 months are not allowed.
- Cases where someone under age 18 is asking the court to change their name.
- Cases where 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" on page 5.
- *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 (1st 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.

You can find the all statewide forms at: ilcourts.info/forms.

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.

EXTRA HELP WITH 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 or scan the QR code to use the Easy Form.



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.

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



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 has not been pardoned, will be committing a felony under those laws by seeking a change of name during the registration period UNLESS the 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, or 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*.

COSTS AND FEES

To start or respond to most cases in Illinois, there are filings fees and other costs, including:

- **Filing Fee:** to file your forms with the circuit clerk.
- **Service Fees:** to notify the other party about the case, such as by the sheriff or publication.
- **Certified Copy Fee:** if you need certified copies from your court file.

To ask the court to waive your costs and fees, you need to fill out the *Application for Waiver of Court Fees*. The *Application* tells the judge about your income, expenses, and any public benefits you receive so they can decide if you will pay no fees or reduced fees. You also need to fill out part of the *Order for Waiver of Court Fees*. The judge will use that order to approve or deny your *Application*.

Even if your *Application* is granted, you may have to pay fees if the judge orders it later, for example because your financial situation changed. A fee waiver order is good for one year. If you still need the fee waiver after it expires, you will need to file a new *Application*.



Find fee waiver forms at: ilcourts.info/fee-waiver-forms.

After filling out your *Application for Waiver of Court Fees* and *Order for Waiver of Court Fees*:

Step 1: File it with the Circuit Clerk's office with your other court documents (more information on how to file below).

Step 2: Wait for a decision - the judge will review your *Application for Waiver of Court Fees* and decide if you have to pay any court fees.

- The judge may need more information or want to have a hearing on your *Application*. The judge will notify you if you need to provide more information or go to court.
- After the judge decides, they will fill out the *Order for Waiver of Court Fees*. This *Order* will say if you have to pay any court fees.
- The judge or the Circuit Clerk will tell you how you will get a copy of the *Order for Waiver of Court Fees*.
- If the judge decides you have to pay all or some of the court fees, you have to pay by the deadline set in the *Order for Waiver of Court Fees*. If you do not pay by the deadline, the judge may dismiss your case or find against you.

Laws covering fee waivers in civil cases: [735 ILCS 5/5-105](#), [735 ILCS 5/5-105.5](#) and [Supreme Court Rule 298](#).

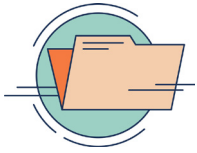
HOW TO FILE THE FORMS

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.
- 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.
- When you need to enter the filing code, look for the title of this form in the drop-down menu.
- 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.
 - You can bring your forms on paper or saved on a flash drive. The public computer will have 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. If you can't 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

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 on page 9.

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.

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.



If you have published notice, skip to **Step 3 - Get Ready for Your Court Date section.**

Get Excused from Publishing



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 3 Getting Ready and Going to Court



Ask the court to excuse you from publishing notice.

- 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 orders (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, that you have completed your sentence or you have been pardoned.
- **In Cook County (1st 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.**

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.

Your court date could be in person, by phone, or by video.

- If your court date is in person:
 - Get to the courthouse at least 30 minutes early so you have enough time to get through security.
 - 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 someone at the Circuit Clerk's office.
 - Check in with the courtroom staff and wait for your name and case number to be called.
- If your court date is by phone or video:
 - Make sure to have the call-in or login information for your court date and make sure your technology is working.
 - Follow the instructions on the court notice you received. Call the Circuit Clerk or Circuit Court, or visit their websites for specific technology instructions.
 - Start trying to log-in to your courtroom at least 15 minutes before the start time in case you have any problems with technology.
 - Follow these tips to attend court by phone or video:
ilcourts.info/AllRemoteCourtResources.

STEP 4

The Judge Makes a Decision

**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 your name 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. Equality Illinois has designed a toolkit to help people navigate name changes and gender marker corrections: equalityillinois.us/wp-content/uploads/2013/12/Equality-Illinois-Names-Change-Toolkit.pdf



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