

**GEAUGA COUNTY PROBATE COURT
JUDGE TIMOTHY J. GRENDALL**

CHECKLIST – NAME CHANGE AND LEGAL NAME CONFORMITY (ADULT)

These instructions are provided as a public service of the Geauga County Probate Court, are intended as a guideline only, and are not legal advice. Depending on the circumstances of each case, additional steps may be required that are not listed below. The clerks are not attorneys and therefore cannot answer legal questions or assist you in completing the forms or deciding which forms apply to your situation. The documents that you file must be typewritten or legibly handwritten, and completed in their entirety. The clerks may refuse for filing illegible or incomplete documents. The Court recommends that you obtain legal advice from your attorney or obtain assistance from the Court's Help Center before preparing and filing any forms. You may make an appointment with the Help Center by calling 440-226-7339. If you decide to proceed without assistance from your attorney or from the Court's Help Center, then you should read the Probate Information Sheet titled "Name Change and Legal Name Conformity," Geauga Probate Local Rule 78.15, and R.C. Chapter 2717 before taking any action:

Initial Considerations

- Applicant Residency Requirement. The applicant of an application to change the name or to conform a legal name must have resided in that county for at least 60 days before the filing of the application.¹
- Venue. An application to change name or to conform legal name must be filed in the county where the person, whose name to be changed or legal name to be conformed, resides.²
- Avoidance of Creditors. A probate court will not order a change of legal name or to conform the legal name of an adult if (1) the application is made for the purpose of evading any of the adult's creditors or other obligations or (2) the adult is a debtor in any currently pending bankruptcy proceeding.
- Criminal Prohibitions. The Court will not order a name change if the adult (1) has a duty to comply with the reporting requirements of R.C. 2950.04 or 2950.041 regarding a sexually-oriented offense or a child-victim offense; or (2) has been convicted of or has pleaded guilty to a crime regarding identity fraud as set forth in R.C. 2913.49.
- Criminal Background Check.³ The Court may order a criminal background check and the applicant will pay the related cost.

Filing Requirements – Name Change

1. Form 21.0 - Application for Change of Name of Adult
2. Form 21.01 – Affidavit in Support of Application for Change of Name of Adult
3. Form 21.1 - Judgment Entry Changing of Name of Adult

¹ See R.C. 2717.03 and R.C. 2717.05

² R.C. 2717.02 and 2717.04

³ R.C. 2717.19

4. Form 21.14 – Release for Criminal Background Check
5. If needed, then Form 21.6A - Application to Waive Publication and Seal File and Judgment Entry, depending upon the judgment entry that you seek (together with all supporting documents proving the need for confidentiality and safety such as a police report, a court order, including a civil protection order, or other similar documents (e.g., letters, emails, text messages) – only if the applicant (including the minor) has a concern for personal safety and desires to have the court records sealed or a waiver of hearing notice.
6. Official Identity Documents⁴ (Geauga Probate Local Rule 78.15(A))
 - Certified copy of your birth certificate (the long form showing city, county and state of birth)
 - [if not represented by an attorney] (i) photocopy of your drivers license or other government-issued photo I.D. card (redact identification numbers) and (ii) evidence of your current mailing address (e.g., recent utility bill, bank statement account, property tax bill, voter registration card)
 - Photocopy of your social security card (redact social security number)
7. Court Cost Deposit – unless indigent, arrange for payment of the court cost deposit. See the “Probate Court Costs” on the Court’s website. See additional note below regarding indigent applicant.

OR

Filing Requirements – Legal Name Conformity

1. Form 21.7 – Application to Conform Legal Name of Adult
2. Form 21.07 – Affidavit in Support of Application to Conform Legal Name of Adult
3. Form 21.8 – Judgment Entry Conforming Legal Name of Adult
4. Form 21.12 - Notice of Hearing on Conforming Legal Name (Clerk will insert the hearing date information)
5. Form 21.14 – Release for Criminal Background Check
6. If needed, then Form 21.6B - Application to Waive Publication and Seal File and Judgment Entry, depending upon the judgment entry that you seek (together with all supporting documents proving the need for confidentiality and safety such as a police report, a court order, including a civil protection order, or other similar documents (e.g., letters, emails, text messages) – only if the applicant (including the minor) has a concern for personal safety and desires to have the court records sealed or a waiver of hearing notice.

⁴ See definition of Official identity document in R.C. 2717.01(D)

7. Official identity documents (Geauga Probate Local Rule 78.15(A))

- Certified copy of your birth certificate (the long form showing city, county and state of birth)
- [if not represented by an attorney] (i) photocopy of your drivers license or other government-issued photo I.D. card (redact identification numbers) and (ii) evidence of your current mailing address (e.g., recent utility bill, bank statement account, property tax bill, voter registration card)
- photocopy of your social security card (redact social security number)
- photocopy of marriage license(s) (if any)
- photocopy of divorce decree(s) (if any)
- photocopy of passport (if any)
- photocopy of all other documents for which legal name conformity is sought

8. Court Cost Deposit – unless indigent, arrange for payment of court cost deposit. See the “Probate Court Costs” on the Court’s website. See additional note below regarding indigent applicant.

Additional Notes (applicable for both Name Change Proceeding and Legal Name Conformity Proceeding)

1. Hearing and Notice.⁵ Typically, the Court will not set the matter for hearing, whether the matter is “name change” or “conformity of legal name.” However, the Court may order a hearing if the Court determines that the application presents any irregularities or issues, or if the Court determines that the legal interests of another party may be adversely affected by the proceeding. If the Court sets the matter for hearing, then (except as provided in the next paragraph) the Clerk will notify all interested persons of the date and time of the hearing. If ordered by the Court, the Clerk will publish that notice on the Court’s website or by publication in the News-Herald newspaper at least 30 days before the hearing,⁶ and the costs will be charged to the applicant.
- Confidentiality. With respect to either an application to change name or an application to conform the legal name, if for reasons of the applicant’s personal safety the applicant desires a court order that (a) dispenses with a notice of hearing (including a notice by newspaper publication) or (b) seals the court records, then the applicant shall prepare and file either (i) Form 21.6A - Application to Waive Publication and Seal File and Judgment Entry if the matter is for a name change, or (ii) Form 21.6B – Application to Waive Publication and Seal File and Judgment Entry if the matter is conforming legal name. Moreover, file with that application all supporting documents such as a police report, a court order, including a civil protection order, or other similar documents (e.g., letters, emails, text messages).
 - Personal Identifiers. - see Geauga Probate Local Rule 57.2(C). Do not insert protected personal identifiers (e.g., social security number, drivers license number) into a court document. If ordered by the Court, prepare and file SC Form 45(D) - Confidential Disclosure of Personal Identifiers. Moreover, redact all personal identifiers from submitted Official identity documents (e.g., drivers license number, state I.D. number, social security number, etc.)(see Geauga Probate Local Rule 78.15(D)).
 - Indigent. If the applicant is Indigent and prepares and files form GCPF 65.0 Financial Disclosure Affidavit together with the filing, then the Clerk will permit the filing without payment of the court cost security deposit; provided however that if the Court disapproves that form, then the applicant

⁵ See Geauga Probate Local Rule 78.15(B)(1).

⁶ R.C. 2717.14(C)

must pay the security deposit no later than 30 Calendar Days after the court order of disapproval. (See Geauga Probate Local Rule 58.2(A)).

- Prohibition of Action to Conform Legal Name (see R.C. 2717.18). The Court shall not conform a legal name in lieu of:
 - correction of a birth record under R.C. 3705.15; or
 - changing a legal name to a name that is not used in any existing Official identity document.