

# MIAMI COUNTY PROBATE COURT

(www.co.miamicountyohio.gov)

## CHECKLIST: CHANGE OF NAME FOR ADULT

- Forms must be typewritten or printed legibly in ink
- Names must be completed in full (include complete name, first-middle-last, on all documents)
- There may be additional requirements based upon the specific circumstances in the case
- Filing a Change of Name *WILL CHANGE THE NAME ON THE BIRTH CERTIFICATE*

### INITIAL FILINGS / REQUIREMENTS:

- Court cost due at time of filing (Local Rule 58.1). There may be additional court cost due during the name change process.
- **Form 21.0 – Application for Change of Name of Adult** (R.C. 2717.02 & 2717.03, 2717.16)
  - Applicant must be a resident of Miami County, Ohio for at least sixty (60) days immediately before filing the application.
  - Applicant's driver's license or state I.D. is to be presented at the time of filing.
  - Original or certified copy of the applicant's birth certificate is to be provided at the time of filing.
- **Form 21.01 – Affidavit in Support of Application for Change of Name of Adult** (RC 2717.06)
- **Form 21.03 – Judgment Entry Setting Hearing and Ordering Notice** (RC 2717.08 & 2717.14)
  - Will only be used if a hearing is scheduled.
  - If a hearing is scheduled, the Entry will be mailed to the applicant or their attorney. The applicant and their attorney must appear at the hearing.
- **Form 21.5 – Notice of Hearing on Change of Name** (RC 2717.08, 2717.14)
  - Will only be used if a hearing is scheduled by the Court.
  - If a hearing has been scheduled, the court will coordinate the publication with a newspaper.
- **Form 21.6 Application to Waive Publication Requirement and Seal File, IF APPLICABLE**, (R.C. 2717.11)
  - Must attach documentation / satisfactory proof that open records of the name change or publication of the hearing notice would jeopardize the applicant's personal safety.
- **Form - Entry Setting Hearing**
  - Only necessary if Form 21.6 - Application to Waive Publication Requirement and Seal File is filed.

- **Form 45D - Confidential Disclosure of Personal Identifiers** (SupR 45(D), LR 45)
  - Only to be used when personal identifiers are omitted from a case document.
- **Form - Request for Interpreter**
  - Only necessary if there is need for a foreign language or a deaf interpreter at the hearing.

**HEARING REQUIREMENTS:**

- **Form - Motion to Continue Hearing**
  - Additional costs may be required.
- **Form 21.1 – Judgment Entry – Change of Name of Adult** (RC 2717.09)
  - The attorney of record or the applicant will receive certified copies of the Judgment Entry if the name change is approved.
  - The Judgment Entry for Change of Name *will change the applicant's name on their birth certificate.*

**ADDITIONAL INFORMATION:**

- If the applicant was born in Ohio, the Court will send a certified copy of the Judgment Entry for Change of Name to: Ohio Department of Health, Columbus, Ohio. After they record the applicant's new information (it may take up to 2 weeks) the applicant may obtain a new birth certificate from any Public Health Department in Ohio.
- If the applicant was born in Ohio, any questions regarding updating the applicant's birth record should be directed to the customer service team at the Bureau of Vital Statistics, (614) 466-2531 or email [VitalStat@odh.ohio.gov](mailto:VitalStat@odh.ohio.gov).
- If the applicant was born outside the state of Ohio, the applicant will need to send a certified copy the Judgment Entry for Change of Name to the Department of Vital Statistics for that state or country. The applicant will need to check the proper procedure in that state or country for obtaining a new birth certificate.

**NOTES**

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## 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.