

Checklist **Conforming a Legal Name of a Minor**

Filing Fees

Court Costs: \$200.00

* Additional costs may be incurred for certified mail service or other fees.

Requirements

An application to conform a legal name is a special proceeding separate from a name change. It 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 for a name conformity **only** if the minor has been a Belmont County resident for the past 60 days.

The Process

The documents listed below must be prepared by the applicant or attorney, and submitted to the Court for filing, along with the filing fee. Once the documents have been approved for filing by the Court, the Court will do one of the following:

- If **both natural parents' consents are provided**, the Court may dispense with a hearing and make a ruling on the application. Copies of the Judgment Entry will be mailed to the applicant upon approval.
- If **both natural parents' consents are not provided**, the Court will set the application for a formal in-person hearing. The applicant will be required to appear. The non-consenting parent will be served with notice of the hearing.

All hearings are set approximately 6 weeks from the date of filing. The Court will issue a Judgment Entry Setting Hearing and Ordering Notice, directing how service on the non-consenting parent will be performed.

- If the non-consenting parent is to be served by certified mail or by publication, the Court will issue service.
- If a parent or alleged father's whereabouts are unknown, the Court will publish notice of the hearing, at the applicant's expense, to the parent or alleged father who has not consented in a newspaper of general circulation in Belmont County, one time at least 30 days before the hearing.

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

Note: You must list the individual's full name on all paperwork (first, middle and last). No initials may be used.

Initial Filing

- Application to Conform Legal Name of Minor (Form 21.9)
- Photocopies of the following documents for the minor are required to be submitted with the application:
 - Birth Certificate
 - Driver's License/State ID Card (if any) (driver's license number, issuance date and expiration date must be redacted)
 - Social Security Card (social security number must be redacted)
 - Passport (if any)
 - Any identity document relating to the application to conform legal name
- 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)
- 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
- Waiver of Notice of Hearing and Consent to Conform Legal Name of Minor (Form 21.12)
 - Both parents of the minor must sign this waiver to dispense with a hearing on the application

If both parents' consents are not provided with the application, the following must be filed:

- Judgment Entry Setting Hearing and Ordering Notice (Form 21.11)
- Notice of Hearing on Conforming Legal Name (Form 21.13)

If Requesting the Name Conformity to be Confidential:

The law requires very specific criteria be met in order for someone to qualify for a confidential name conformity. The applicant must provide proof that it would jeopardize the applicant's or minor's personal safety to have the name conformity on the public record. Please refer to R.C. 2717.11 to determine if you meet the requirements.

In addition to the forms required for *initial filing* above, the documents listed below must also be submitted, along with any required attachments. The Judge will review all of the documents and make a determination as to whether it qualifies as a confidential name conformity. If so, the Court will contact the applicant or attorney to set a hearing, if determined necessary.

- Application to Waive Publication Requirement/Seal File and Judgment Entry Waiving Publication (Form 21.6)

PROBATE COURT OF BELMONT COUNTY, OHIO
ALBERT E. DAVIES, JUDGE

IN RE: THE NAME OF _____
Present Name

CASE NO. _____

APPLICATION TO CONFORM LEGAL NAME OF MINOR
[R.C. 2717.04, 2717.05, and 2717.13]

Applicant states that a misspelling, inconsistency, or other error of the above-named minor's legal name exists on one or more of his or her official identity documents. This Application provides the necessary information to explain the misspelling, inconsistency, or other error and the corrections needed to conform the minor's legal name on all official identity documents.

The minor has been a bona fide resident of Belmont County for at least 60 days immediately before filing this Application.

Minor's Information:

Correct current legal name: _____

Address: _____

Name at birth (if different than current name): _____

Date of birth: _____

State where birth record was issued: _____

Applicant's relationship to the minor is:

Parent Legal Guardian Legal Custodian Guardian ad Litem

The name and address of Parent 1 of the minor is:

Name

Address

City, State, Zip Code

The Waiver of Notice of Hearing and Consent of Parent 1 accompanies this Application.

Applicant states that the address of Parent 1 is unknown. Applicant has exercised all due diligence and made every reasonable effort to find the current address, but cannot locate this individual.

The name and address of Parent 2 or the alleged father of the minor is:

Name

Address

City, State, Zip Code

The Waiver of Notice of Hearing and Consent of Parent 2 or the alleged father accompanies this Application.

Applicant states that the address of Parent 2 or alleged father is unknown. Applicant has exercised all due diligence and made every reasonable effort to find the current address, but cannot locate this individual.

There is no person alleged to be the father of the minor.

The following official identity document(s) contain a misspelling, inconsistency, or other error: *[Check all that apply]*

- Birth Record
- Driver's License
- Social Security Card
- State issued Identification Card
- Passport
- Other _____

The misspelling, inconsistency, or other error on the official identity document(s) marked above is described below:

Official identity document: _____

Incorrect name that requires correction on this document: _____

Correct name that should be stated on this document: _____

Official identity document: _____

Incorrect name that requires correction on this document: _____

Correct name that should be stated on this document: _____

Check this box if more than two official identity documents are affected, and attach the information on a separate page.

The minor is one and the same person referenced in each of the official identity documents, despite the name discrepancy. But for the misspelling, inconsistency, or other error identified above, there would not be any discrepancy in the minor's chain of identity.

An Affidavit in support of this Application is attached.

All of the documentary evidence required by Local Rule or court order also accompanies this Application.

The Applicant will serve Notice of the Hearing on any non-consenting parent or alleged father as the Court requires pursuant to R.C. 2717.14.

Applicant requests the Court to issue an order conforming the minor's legal name in the manner described in this Application so the minor's legal name and chain of identity are consistent on all of his or her official identity documents.

Attorney for Applicant

Applicant's Signature

Typed or Printed Name

Typed or Printed Name

Address

Address

City State Zip

City State Zip

Telephone Number (include area code)

Telephone Number (include area code)

Attorney Registration No.

PROBATE COURT OF BELMONT COUNTY, OHIO
ALBERT E. DAVIES, JUDGE

IN RE: THE NAME OF _____
Present Name
CASE NO. _____

**AFFIDAVIT IN SUPPORT OF APPLICATION
TO CONFORM LEGAL NAME OF MINOR**
[R.C. 2717.06(A)]

STATE OF OHIO)
) SS:
COUNTY OF BELMONT)

State of Ohio, County of Belmont, SS.

The undersigned, in support of the Application to Conform Legal Name of Minor, deposes, says and verifies all of the following:

- 1) Applicant has personal knowledge of the facts stated in this Affidavit;
- 2) The minor has been a bona fide legal resident of Belmont County for a period of at least 60 days;
- 3) The Application is not being made for the purpose of evading any creditors or other obligations;
- 4) The minor is not a debtor in any currently pending bankruptcy proceeding;
- 5) All documentary evidence submitted with the Application is true, accurate and complete.

The Applicant certifies under penalty of perjury that the statements in this Affidavit are true and complete.

Date

Applicant

Sworn to before me and subscribed in my presence the _____ *day of* _____

Notary Public

Typed or Printed Name

Commission Expiration Date _____

PROBATE COURT OF BELMONT COUNTY, OHIO
ALBERT E. DAVIES, JUDGE

IN RE: THE NAME OF _____
Present Name

CASE NO. _____

JUDGMENT ENTRY CONFORMING LEGAL NAME OF MINOR
[R.C. 2717.10]

This matter came before the Court for consideration of an Application to Conform Legal Name of Minor. Upon review of all the evidence presented, the Court finds there is sufficient proof that a misspelling, inconsistency, or other error of the minor's legal name exists on the official identity document indicated below, and that reasonable and proper cause exists for issuing this order to resolve the discrepancy and to conform the minor's legal name.

Official identity document that requires correction of misspelling, inconsistency, or other error: *[Select only one document]*

- | | |
|---|---|
| <input type="checkbox"/> Birth Record | <input type="checkbox"/> Driver's License |
| <input type="checkbox"/> Social Security Card | <input type="checkbox"/> State issued Identification Card |
| <input type="checkbox"/> Passport | <input type="checkbox"/> Other _____ |

Incorrect name that requires correction on this document: _____

Correct name to be stated on this document: _____

The Court finds that, despite the name discrepancy, this official identity document identifies one and the same person as the other official identity documents. Therefore, the Court orders that minor's name on this official identity document is deemed corrected as stated above, and is conformed to be consistent with minor's other official identity documents.

The Court further orders that minor's current legal name is: _____

It is so ordered.

Date

Albert E. Davies, Probate Judge

CERTIFICATION OF JUDGMENT ENTRY

The above Judgment Entry Conforming Legal Name of Minor is a true copy of the original kept by me as custodian of the records of this Court.

Albert E. Davies, Probate Judge

(Seal)

By: _____
Deputy Clerk

Date

PROBATE COURT OF BELMONT COUNTY, OHIO
ALBERT E. DAVIES, JUDGE

IN RE: THE NAME OF _____
Present Name

CASE NO. _____

**JUDGMENT ENTRY SETTING HEARING AND
ORDERING NOTICE**
[R.C. 2717.08 and 2717.14]

The Court sets the Application to Conform Name in this case for hearing on _____, 20____
at _____ M.

The Court orders the Applicant to serve a Notice of Hearing in the following manner on all necessary parties who have not waived notice:

- By certified mail, return receipt requested
- By personal service
- By publication once in a newspaper of general circulation in this county at least 30 days before the hearing
- Other: _____

Applicant must file proof of service with the Court before the hearing.

Date

Albert E. Davies, Probate Judge

PROBATE COURT OF BELMONT COUNTY, OHIO
ALBERT E. DAVIES, JUDGE

IN RE: THE NAME OF _____
Present Name

CASE NO. _____

**WAIVER OF NOTICE OF HEARING AND CONSENT TO
CONFORM LEGAL NAME OF MINOR**
[R.C. 2717.14(D)]

The undersigned, being a parent, legal custodian or legal guardian of the minor, voluntarily waives notice of the hearing on the Application to Conform Name of Minor and consents to the Application in its entirety.

Signature

Printed Name

PROBATE COURT OF BELMONT COUNTY, OHIO
ALBERT E. DAVIES, JUDGE

IN RE: THE NAME OF _____
Present Name

CASE NO. _____

NOTICE OF HEARING ON CONFORMING LEGAL NAME
[R.C. 2717.08 and 2717.14]

Applicant gives notice that the Applicant has filed an Application to Conform Legal Name in this Court requesting the Court to resolve discrepancies in the legal name of _____ in one or more official identity documents.

A hearing on the Application will be held on _____, 20____ at _____ .M. in the Probate Court of Belmont County, Ohio located at 101 West Main Street, Saint Clairsville, Ohio 43950.

Applicant's Signature

Typed or Printed Name

Address

City State Zip

**PROBATE COURT OF BELMONT COUNTY, OHIO
ALBERT E. DAVIES, JUDGE**

IN RE: THE NAME OF _____

CASE NO. _____

**APPLICATION TO WAIVE PUBLICATION REQUIREMENT AND SEAL FILE
[R.C. 2717.11]**

Now comes _____, pursuant to R.C. 2717.11, hereby requests this Court to waive the publication requirement and order the file in the above-captioned matter be sealed. The publication of notice in a newspaper of general circulation will jeopardize the applicant's personal safety for the following reason:

Exhibit(s) attached in support of application, if any. (E.g., Police Report, Court Order or Protective Order)

Attorney for Applicant

Applicant's Signature

JUDGMENT ENTRY WAIVING PUBLICATION AND SEALING FILE

It is hereby ORDERED that the publication requirement for the Application for Change of Name is waived, and the file in the above-captioned matter be and hereby is sealed pursuant to R.C. 2717.11.

Albert E. Davies, Probate Judge