

**NAME CHANGE APPLICATION INFORMATION
FOR ADULT**

FORMS MUST BE TYPED

Visit the website at

www.mcoho.org/probate

THE JUDGE AND THE EMPLOYEES OF THE PROBATE COURT MAY NOT ENGAGE IN THE PRACTICE OF PROBATE LAW IN ANY WAY. THIS INCLUDES THE GIVING OF LEGAL ADVICE OR ASSISTANCE IN THE PREPARATION OF LEGAL DOCUMENTS. THESE FORMS MAY NOT MEET ALL OF THE REQUIREMENTS IN EACH CASE. IT IS THE APPLICANT'S RESPONSIBILITY TO SEE THAT ALL FORMS MEET THE REQUIREMENTS IN EACH CASE.

THE APPLICANT **MUST** BE A RESIDENT OF MONTGOMERY COUNTY FOR A MINIMUM OF ONE (1) CONTINUOUS YEAR BEFORE AN APPLICATION FOR A NAME CHANGE CAN BE FILED. **IF THE APPLICANT HAS NOT LIVED IN MONTGOMERY COUNTY FOR AT LEAST ONE YEAR, YOUR APPLICATION WILL BE DISMISSED AND THE FILING FEE WILL NOT BE REFUNDED.**

*****IMPORTANT INFORMATION*****

THE APPLICANT MUST ATTEND THE HEARING

FORMS MUST BE TYPED

BCI background check must be performed on your CURRENT LEGAL NAME not the name you are changing it to. The Court must receive it prior to the hearing date or your hearing will not take place.

Court Filing Fee and Publication Fee:

Approximately \$202.00 depending on forms actually filed.

FORMS OF PAYMENT TO E-FILE A NEW CASE:

If the case is E-Filed at the Court:

Cash, money order made payable to the Montgomery County Probate Court, or by American Express, MasterCard, Discover or Visa credit or debit cards. ***NO PERSONAL CHECKS ARE ACCEPTED***

If the case is E-Filed from your home or office:

****All major credit cards or Electronic or ACH check****

All costs must be paid at the time the application is filed with this Court. These costs are subject to change without notice.

There may be additional costs for certified copies of the entry on the day of the hearing.

Necessary Documents:

- Picture Identification Card of Applicant (to be presented at the hearing)

Necessary Forms:

- Application For Name Change Of Applicant/Entry Setting Hearing (Form 21.0)
- Notice Of Hearing On Change Of Name (Form 21.5)
- Judgment Entry - Change Of Name (Form 21.1)
- Magistrate's Decision (Form 21.1.1)

STEP ONE: Complete your BCI Background

- To request a background check, you must visit a provider in this state and ask for a Request for a Background Check. You must complete the Request and submit it to the provider.
- The fee for a background check is typically \$30 - \$40. Many providers require that you pay this fee in cash.
- The Request for a Background Check will ask where you would like your background check to be mailed. Please answer that you would like for your background check to be mailed to:

Montgomery County Probate Court
41 North Perry Street, Second Floor
Dayton, Ohio 45422

- Your background check should arrive at the Probate Court within 3 – 30 days. When it arrives, it will be filed in your case.
- You may file your application before **or** after the Probate Court receives your background check. However, please keep in mind that the Court cannot grant your application until it has received your background check. You may call the Court at 937-225-4640 to ask whether it has received your background check.

STEP TWO: Complete the Forms

The Applicant's present legal name and the name requested must be filled in at the top of each form.

PLEASE MAKE SURE THAT THE REQUESTED NAME IS WRITTEN THE SAME WAY ON EACH PAGE AND IT IS SPELLED EXACTLY HOW YOU WANT IT. Once the forms have been filed, you cannot change the name without submitting another application and an additional filing fee.

Application for Change of Name of Applicant and Journal Entry Setting Hearing and Ordering Notice (Form 21.0)

1. Fill in the present name and requested name of the applicant.
2. The applicant must state a reason for the name change.
3. Mark the appropriate box and complete the information by initialing (hand written initials only).
4. The applicants and attorney's signatures, printed names, addresses and telephone numbers must be filled in.
5. If applicant does not have an attorney, the attorney information section is left blank.

Notice of Hearing of Change of Name (Form 21.5)

1. Fill in the present name and requested name of the applicant.
2. The applicant's signature, printed name, and address must be filled in.
3. The clerk will fill in the information on the hearing date and time.

Judgment Entry – Change Name of Applicant (Form 21.1)

1. Fill in the present name and requested name of the applicant.
2. Fill in the applicant's present name, date of birth, place of birth and requested name.

Magistrate's Decision –Change of Name (Form 21.1.1)

1. Fill in the present name and requested name of the applicant.
2. Fill in the applicant's name at birth, date of birth and place of birth.
3. Fill in the applicant's present name and requested name.

STEP THREE: Filing the Forms

1. Bring the completed forms to the clerk's counter on the 2nd Floor of the Montgomery County Courts Building, 41 N. Perry St., Dayton, OH 45402.
NOTE: If you need the Court's assistance for E-Filing your paperwork, you will need to arrive no later than 3:30 p.m. If you arrive after 3:30 your paperwork will only be reviewed. You will need to come back down to the Court to pay the costs due and to have the papers eFiled.
2. The Clerk will check the forms and then send you across to the Magistrate's office to have your forms reviewed by a Magistrate. If the forms are approved for filing, the Magistrate will sign the Entry Setting Hearing.
3. Bring the signed entry and other forms back to the clerk for processing.

OR

1. E-File remotely from your home or office

http://www.mcoho.org/government/courts/common_pleas_court_-_probate_division/efiling.php

STEP FOUR: Paying Court Costs and Setting the Hearing

1. Court Filing Fee and Publication Fee are approximately \$202.00 depending on what forms are actually filed.
2. **If the case is E-Filed at the Court:** Cash, money order made payable to the Montgomery County Probate Court, or by American Express, MasterCard, Discover or Visa credit or debit cards. ***NO PERSONAL CHECKS ARE ACCEPTED***
3. **If the case is E-Filed from your home or office:**
** All major credit cards or Electronic or ACH check
4. The clerk will set a hearing date approximately 8 weeks away, complete and timestamp the Notice of Hearing of Change of Name.
5. The Court will FAX the Notice of Hearing of Change of Name to THE COX MEDIA GROUP OHIO (Dayton Daily News) for the publication process.

STEP FIVE: Publication

THE STATE OF OHIO REQUIRES THAT ALL HEARINGS FOR LEGAL NAME CHANGES BE PUBLISHED ONE (1) TIME, THIRTY (30) DAYS PRIOR TO THE DATE OF THE HEARING.

1. The Court will fax the Notice of Hearing on Change of Name to THE COX MEDIA GROUP OHIO (Dayton Daily News) for the publication process to begin.

COX MEDIA GROUP OHIO (DAYTON DAILY NEWS) IS A PRIVATE PUBLICATION COMPANY THAT HAS NO CONNECTION TO THIS COURT.

STEP SIX: THE HEARING

1. Name change hearings are held in Court Room 2 on the 2nd floor of the Montgomery County Courts Building, 41 N. Perry St., Dayton, OH on Wednesday afternoons.
2. Please arrive for your hearing at least 10 minutes prior to your scheduled hearing time. The applicant must present their picture identification card at this time.
3. The hearing will take approximately 10 to 15 minutes. After the Magistrate signs the entry changing the applicant's name, he will send you across to the clerk's counter to file the signed entry.
4. The clerk will ask how many certified copies of the entry you need and charge accordingly. Certified copies of the entry are \$2.25 each.
5. You may need a certified copy of the entry to change your name on business and personal records that are listed in your prior name. Business records may include but are not limited to social security records, agency or governmental records, school records, medical provider records, creditor records and financial records.
6. If you are adding the new name to your birth record YOU will need to contact the Bureau of Vital Statistics in the state of birth. If you were born in Ohio you can forward your request, a certified copy of the court order, and any required fee (currently \$21.50 subject to change) to: Ohio Department of Health, Vital Statistics Division, P.O. Box 15098, Columbus, Ohio 43215-0098. There may also be a local bureau of vital statistics in some jurisdictions. Some states may actually change the birth record to reflect the new name and some states may attach a copy of the name change order to the existing birth record.

11/14/2017