

NAME CHANGES FOR MINORS IN Idaho



What are the legal requirements?

An adult may file an application for the name change of a minor in the district court of the county where the minor resides. This application must be signed by at least one parent. The petition must specify the place of birth and residence of the minor, the minor's present name, the name proposed, and reason for the change of the minor's name. *2017 Idaho Laws Ch. 191 (H.B. 201)*.

Where should I file the petition?

The petition must be filed in the state district court of the county of the minor's residence. *Idaho Code Ann. § 7-801*. You can find a list of these courts at: <https://isc.idaho.gov/district-courts>

What forms should I use?

The following forms must be included in the process for filing for a name change for a minor:

Petition for Name Change	Parental Consent to Name Change
Notice of Hearing On Petition	Affidavit of Service on Petition
Letter Requesting Publication	Order for Name Change

You can find each of these forms at: <https://courtselphelp.idaho.gov/name-changes>

The petition must also include the name and address of the other parent, if the petition is signed by only one parent; or the name and address of the parent(s) or grandparent(s) of the person, if the petition is signed by a guardian of the person. *2017 Idaho Laws Ch. 191 (H.B. 201)*.

You may want to request more than one certified copy of the name change order, since certified copies may be required to update the minor's legal name with other agencies.

Does the process require parental consent?

This process does require parental consent. If the petition has been filed for a minor by only one parent, and the other parent, if living, does not join in consenting to the name change, the petitioner serve notice of the time and place of the hearing on the other parent at least 30 days before the hearing. If the petition has been filed for a minor by a guardian, the

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petitioner must serve notice of the time and place of the hearing on the parent(s) or grandparent(s) at least 30 days before the hearing. *2017 Idaho Laws Ch. 191 (H.B. 201)*.

Does the process require publication?

The process does require publication. The petitioner must publish a notice of hearing of the petition signed and sealed by the court clerk for four (4) weeks in a newspaper printed in the county. If no newspaper is printed in the county, a copy of the notice of hearing must be posted at three (3) of the most public places in the county for a period designated by the court as most likely to give public notice in the county where the minor resides, and the petitioner must provide proof that such publication or posting was made before the petition will be considered. *2017 Idaho Laws Ch. 191 (H.B. 201)*.

You can find a list of newspapers suitable for publication at:

https://courtselfhelp.idaho.gov/forms/County_Newspapers_for_Name_Change_Petition_Notice.pdf

What will the judge consider?

Judges have a lot of discretion in granting name changes. Some may have lots of questions and want to see lots of evidence regarding the name change of the child, others may grant a name change as long as there are no objections. Judges may consider whether to grant a name change for a minor according to what is in the ‘best interests of the child’. They typically evaluate the best interest of the child by looking at a variety of factors, which may include the child’s preference (taking into consideration their age and experience), the length of time a child has used that name, the difficulties, harassment, or embarrassment a child may experience from the present or proposed name, and the motives or interests of the parent.

To demonstrate that the name change is in the best interests of the child, along with the name change petition you may want to submit evidence showing the judge why this is in the child’s best interest. Examples of such evidence would be letters from teachers, family, or friends confirming their use of preferred name, letters from providers confirming the child’s gender identity, etc.

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