

PROCEDURE FOR A LEGAL NAME CHANGE

DE KALB COUNTY CIRCUIT COURT
Sycamore, Illinois

PROVIDED BY THE OFFICE OF
MAUREEN A. JOSH
CLERK OF THE CIRCUIT COURT

PROCEDURE FOR A NAME CHANGE

The following instructions will assist you in changing your name or your child's name in DeKalb County. The samples provided are to be used only as a guide in creating your own forms. The New Case Information Sheet may be obtained at the time of filing at the DeKalb County Circuit Clerk's Office, DeKalb County Courthouse, Room 202, Sycamore, Illinois 60178. A copy of Chapter 96 of the Illinois Revised Statutes is included for your information.

1. A notice of publication (see sample) must be published in a newspaper located in the town where you reside. This is done to show publicly your intent to apply for a name change. This notice will be published in the paper for a period of three (3) weeks and will be published at least six (6) weeks prior to your court date.
2. On the court date you have selected, you will file with the Circuit Clerk's Office your Petition for Change of Name, a New Case Information Sheet, and a Certificate of Publication (provided by the publisher after publication). A filing fee of \$80.00 must be paid at the time of filing. The court hearing will be at 9:30 a.m. on a Monday, Tuesday or Thursday.
3. In Court your Petition for Change of Name and the proposed Decree for Change of Name is presented to the Judge. If the Judge approves, the order will be signed.
4. If the change of name involves a minor, notice provisions of 735 ILCS 5/21-103 and 735 ILCS 56/21-104 must be met. (not attached)
5. The Court may require the identification of all interest persons in the case of a minor.

Change of Name
Act of February 25, 1874

Proceedings – Parties. Change of Name.

If any person, being a resident of this State, and having resided therein 6 months desires to change his/her name, and to assume another name by which to be afterwards called and known, such person may file a petition in the circuit court of the county wherein he or she resides praying for such relief, and upon its appearing to the court that the conditions hereinafter mentioned have been complied with, and there appearing no reason why the prayer should not be granted, the court, by an order to be entered of record, may direct and provide that the name of such person shall be changed in accordance with the prayer should not be granted, the court, by an order to be entered of record, may direct and provide that the name of such person shall be changed in accordance with the prayer in the petition. The filing of a petition in accordance with this Section shall be the sole and exclusive means by which any person committed under the laws of this State to a penal institution may change his/her name and assume another name. A petitioner may include his or her spouse and his or her adult unmarried children with their consent, and his or her minor children where it appears to the court that same is for their best interest, in his or her petition and prayer and the court's order shall then include such spouse and children. Whenever any minor has resided in the family or any person for the space of 3 years, and has been recognized and known as an adopted child in the family of such person, the application herein provided for may be made by the person having such minor in his or her family.

Such an order shall only be entered as to a minor if the court finds by clear and convincing evidence that the change is necessary to serve the best interest of the child. In determining the best interest of a minor child under this Section, the Court shall consider all relevant factors including:

1. The wishes of the child's parents, and any person acting as a parent who has physical custody of the child.
2. The wishes of the child and the reasons therefore. The Court may interview the child in chambers to ascertain the child's wishes with respect to the change in name. Counsel shall be present at the interview unless otherwise agreed upon by the parties. The Court shall cause a court reporter to be present who shall make a complete record of the interview instantaneously to be part of the record in the case.
3. The interaction and interrelationship of the child with his or her parents or persons acting as parents who have physical custody of the child, stepparents, siblings and step-siblings or any other person who may significantly affect the child's best interest.
4. The child's adjustment to his or her home, school and community.

Amended by P.A. 84-1301, P2, eff. Aug. 19, 1986.

P.A. 84-1301 incorporated the amendment of P.A. 84-320 (sww P1, Ill. Rev. Stat. 1985).

LEGAL NOTICE

IN THE CIRCUIT COURT FOR THE SIXTEENTH JUDICIAL CIRCUIT
DE KALB COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:
(Your present name),
FOR CHANGE OF NAME

PUBLIC NOTICE is hereby given that on _____, _____, at 9:30 A.M., at the DeKalb County Courthouse, 133 West State Street, Sycamore, Illinois, 60178 in the courtroom occupied by the presiding judge, _____ will file his/her petition requesting that his/her name be changed from _____ to _____ pursuant to the statute in such case made and provided. Any persons interested in said request for change of name may appear at said time and place, if they so desire.

Your present name

Address

**IN THE CIRCUIT COURT FOR THE SIXTEENTH JUDICIAL CIRCUIT
DE KALB COUNTY, ILLINOIS**

IN THE MATTER OF THE PETITION OF _____)
)
) NO. _____)
_____)

PETITION FOR CHANGE OF NAME

TO THE HONORABLE JUDGE OF THE CIRCUIT COURT:

Your petitioner _____ respectfully shows that he/she is a resident of the State of Illinois, and has resided in the County of DeKalb in said State, for more than six months prior to the filing of this petition; that he/she desires to change his/her name, according to the provisions of the Statute in such case made and provided, and now, in that behalf, respectfully shows that he/she now bears the name of: _____ and is known and called by this name; that he/she desires to assume the name of: _____ by which he/she may be hereafter known and called. That his/her respective place of nativity and age is as follows: _____.

That he/she has resided in the State of Illinois for _____ years last past. That he/she has given notice of this, his/her intended application by publication in _____, a newspaper published in DeKalb County of general circulation, for three successive weeks, a copy of which published notice, with the certificate of the publisher thereon, is hereto annexed and made a part of this petition.

WHEREFORE, your Petitioner prays, the premises being considered, that his/her name be changed from its present form to _____ as provided by Statute, and that he/she hereafter be known and called by the last aforesaid name, and that he/she has such other or future relief in the premises as this Honorable Court shall seem meet, according to law.

Attorney for Petitioner

Petitioner (Print Name)

Attorney Number

Address

Address

City/State/Zip

Telephone

STATE OF ILLINOIS) SS AFFIDAVIT
COUNTY OF DE KALB))

_____ being duly sworn on oath deposes and says that he/she is acquainted with _____ the petitioner in this cause, who has signed this petition; that he/she has hereby read this petition, and knows the contents thereof, and that the matters and things herein stated are true.

Sworn and subscribed to before me

_____, _____

Affiant

Deputy Clerk-Notary Public

**IN THE CIRCUIT COURT FOR THE SIXTEENTH JUDICIAL CIRCUIT
DE KALB COUNTY, ILLINOIS**

IN THE MATTER OF THE PETITION OF _____)
) No. _____

DECREE FOR CHANGE OF NAME

This cause having come on to be heard upon the petition filed herein and upon motion of petitioner's attorney, and the Court having read the said petition, together with the affidavit appended thereto, and the certificate of publication filed herein, and it appearing that previous notice of the intended application for a change of name was given by publishing a notice thereof in _____, a newspaper of general circulation published in the county wherein the said petitioner resides, said publication having been made for three consecutive weeks, the first insertion of which was at least six weeks prior to _____, the said petition being signed by the said petitioner and setting forth the return day of the Court at which the said petition was to be filed, together with the name sought to be assumed, and the Court, being fully advised in the premises, doth find:

That all the material facts alleged in said petition are true; that the said petitioner is a resident of the State of Illinois and has resided therein continuously for a period of at least six months next preceding _____, 20____, that the conditions mentioned and specified in an Act of the General Assembly of the State of Illinois, entitled "An Act to Revise the Law in Relation to Names," approved February 25, 1874, and in force July 1, 1874, and as amended, have been complied with; that this Court has jurisdiction of the persons and of the subject matter hereof; and that no reason appears why the prayer in said petition contained should not be granted.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the said petitioner's name be, and the same is hereby changed from _____

_____ to _____ by which
said last-mentioned name shall be hereafter known and called.

ENTER: _____
Judge

DATE: _____

- _____
Name
- _____
Attorney for petitioner – Attorney number
- _____
Address
- _____
City/State/Zip
- _____
Telephone