

NAME CHANGES FOR MINORS IN Vermont



What are the legal requirements?

The parent or guardian of the minor must file a petition for a name change on the minor's behalf. This petition must be filed in the Superior Court in the county where the child lives. If the minor is over 14 years of age, then they must sign the petition to consent to the name change. 15 V.S.A. § 812

Where should I file the petition?

You should file the petition in the Superior Court of the county where the child lives. The petition should go to the probate division of that court. In order to find the probate division for your county, go to www.vermontjudiciary.org/court-locations. Then type your city or zip code in the search field. Click on the plus sign beside "Court Division" and select "Probate," or just scroll down until you find "Probate Division." 15 V.S.A. § 813

What is the process and what forms should I use?

A minor name change requires a parent or some person who under [chapter 111 of Title 14](#) (guardianship) acts as a guardian for the minor, to submit a petition before the judge of the probate division of the superior court of the district in which such minor resides. The petition must be signed by the person acting for the minor. If the minor is over 14 years of age, then the minor must also consent and sign the petition. (15 V.S.A. § 812)

You can find the form for petitioning for a name change of a minor here:

https://www.vermontjudiciary.org/sites/default/files/documents/700-00123_1.pdf.

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?

Yes. One parent needs to file the petition for the name change. If the other parent agrees with the name change, they should fill out the "Consent" section at the bottom of page 2 of the petition.

If one of the parents do not consent, then the court will set a hearing and notify both parents. The petition must include the name and current address of both parents. If the name or address of the non-petitioning parent is not available, the petitioning parent must try to locate the non-custodial parent so that they can be notified of the hearing.

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Does the process require publication?

The process does not require publication, but the court may set a public hearing for the name change petition. 15 V.S.A § 812

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. The judge will generally consider the best interests of the minor 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 current 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.