

NAME CHANGES FOR MINORS IN Kentucky



What are the legal requirements?

Both parents may petition to have the name changed of a minor. If one parent is deceased, then the other parent may petition alone for the name change of the minor, or a guardian may petition if both parents are deceased. *Ky. Rev. Stat. Ann. § 401.020*

Where should I file the petition and what is the process?

The District Court is designated for changing the name of a minor. However, if the Family Court or Circuit Court has a case before it involving the family, then the Family Court, or Circuit Court if there is no Family Court in the county, is designated. A hearing regarding the petition for a name change will be set by the court. *Ky. Rev. Stat. Ann. § 401.020*

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.

What forms should I use?

You can find the necessary legal forms for this process at:

<https://courts.ky.gov/resources/legalforms/LegalForms/295.pdf>

Does the process require parental consent?

Generally, both parents must consent to the name change of a minor. In the case that one parent is deceased, the other parent may give their sole consent, or a guardian may give their consent for the process. However, if one of the parents refuses or is unavailable to execute the petition, the petitioning parent must properly give notice of filing of the petition to the other parent. *Ky. Rev. Stat. Ann. § 401.020*

Notice to the other parent can be made by delivering a copy of the petition to the other parent or by mailing it to the last known address of the parent. Service is complete upon mailing unless the petitioning parent learns or has reason to know that it did not reach the other parent. (Ky. R. Civ. P. 5.02)

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

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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.