

NAME CHANGES FOR MINORS IN Mississippi



Where should I file the petition?

File a petition with the Chancery Court in the county where the minor resides. *Miss. Code. Ann.* § 93-17-1. You can find a directory of the Chancery Court's by county with contact information here: <https://courts.ms.gov/trialcourts/chancerycourt/chancerycourt.php>

What is the process and what forms should I use?

Contact your local county to obtain the form for petitioning for a name change, or you may be able to use these forms which are not county-specific:

- Mississippi Civil Cover Sheet: <https://eforms.com/images/2017/12/Mississippi-Civil-Cover-Sheet.pdf>. Indicate that the case is in reference to a name change beneath the "Probate" column at the bottom of page one (1).
- Petition for Name Change of a Minor, signed in front of a notary: <https://eforms.com/images/2017/12/Petition-for-Change-of-Name-of-Minor-Mississippi.pdf>
- Consent for Name Change of a Minor: <https://eforms.com/images/2017/12/Consent-for-Change-of-Name-of-Minor-Mississippi.pdf>

The filing fee is approximately \$150, but the exact amount varies by county. The Petition may be filed without paying the fee if the following affidavit is completed and submitted to the court:

"I, _____, do solemnly swear that I am a citizen of the State of Mississippi, and because of my poverty I am not able to pay the costs or give security for the same in the civil action (describing it) which I am about to commence (or which I have begun, as the case may be) and that, to the best of my belief, I am entitled to the redress which I seek by such suit." *Miss. Code. Ann.* § 11-53-17.

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 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

National Center for Transgender Equality

transequality.org | ncte@transequality.org | 202-642-4542

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.