

NAME CHANGES FOR MINORS IN Oklahoma



What are the legal requirements?

The parent(s), guardian, or next of friend of a minor may file a petition for a change of name for a minor in the district court of the county in which the minor lives, provided the minor has lived in such county (or on a military base located in such county) for more than 30 days. *12 Ok. Stat. Sec. 1631*

After the petitioner pays the court fees, the district court will set a hearing date for the petition, and publish notice of the name change request and hearing date. The minor and the guardian or next friend of the minor must attend the hearing to give testimony.

Where should I file the petition?

File the petition in the district court in the county in which the minor resides (and has resided for at least 30 days), see <http://www.oscn.net/applications/oscn/start.asp?viewType=COURTS>.

What is the process and what forms should I use?

No statewide form is available. The name change process will consist of:

- (1) a Petition for Change of Name
- (2) a Notice of Filing Petition for Change of Name; and
- (3) an Order for Change of Name.

The petition must include:

- (a) the name and address of the minor
- (b) the facts regarding domicile and residence
- (c) the date and place of birth
- (d) the birth certificate number, and place where the birth is registered, if registered
- (e) the name desired by the minor
- (f) a clear and concise statement of the reasons for the desired change; and
- (g) a positive statement that the change is not sought for any illegal or fraudulent purpose, or to delay or hinder creditors. *12 Ok. Stat. Sec. 1632*

Here are [sample petitions](#).

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.

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Does the process require publication?

The process does require publication. You must publish notice of the name change request in a newspaper printed in the county where the petition is filed (or, if there is no newspaper printed in the county, then in a newspaper printed in the state and generally circulated in the county) at least ten (10) days prior to the hearing date for the petition. This requirement may be waived, if necessary. *12 Ok. Stat. Sec. 1633*

What will the judge consider?

The judge will consider the reasoning behind the name change. The petition should be granted unless the court or judge finds that the change is sought for an illegal or fraudulent purpose, or that a material allegation in the petition is false. *12 Ok. Stat. Sec. 1634*

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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