

# NAME CHANGES FOR MINORS IN Tennessee



## What are the legal requirements?

An applicant (parent, guardian, or adult relative or friend) must file a written petition to change a name or to correct an error in a birth certificate. This petition must be signed by the parent or guardian and verified by affidavit, stating that the applicant is a resident of the county, and giving the applicant's reasons for desiring the change or correction to the minor's name. *Tenn. Code Ann. § 29-8-102.*

## Where should I file the petition?

File the petition in the circuit, probate or county court of the county in which the child resides. *Tenn. Code Ann. § 29-8-101(a).* See a map of Tennessee Judicial Districts here: <https://www.tncourts.gov/administration/judicial-resources/judicial-district-map>.

## What is the process and what forms should I use?

A Petition for Change of Name of Minor form can be requested from the court clerk, though some counties may have a petition available online. For example Shelby County provides a fillable online form here: <https://www.shelbycountyttn.gov/DocumentCenter/View/4907>

The petition for name change of a minor must be filed out and signed in front of a notary public. Additionally, the petition may require supporting evidence, such as the child's birth certificate, Social Security information, and photo IDs for the petitioning parents or guardians.

After filing the petition, the court will schedule a hearing date. At the hearing, the judge will listen to the facts and determine whether the name change is in the best interest of the child. If the other parent files an objection to the name change request, then the case will be contested. If the name change is approved, the judge will issue an official name change order. This document is needed to legally amend the child's birth certificate, Social Security record, school records, and other documents. *Tenn. Code Ann. § 49-6-5106*

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.

## National Center for Transgender Equality

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## **Does the process require parental consent?**

The process does require parental consent. A parent, guardian, or adult relative or friend must file the petition with the court, and the court will usually require that any parent that does not sign the petition be notified of the filing of the petition and the hearing date.

## **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 consider the best interest 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.