Name Change Guide for People with Criminal Records



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PURPOSE OF THIS GUIDE

This guide was created by Trans Lifeline Microgrants to assist transgender people with criminal records in changing their names. This document briefly overviews the restrictions in each state on changing your name with a criminal record. This guide does not constitute legal advice and this guide was not prepared by a legal professional. This is an informal guide, intended to provide general information in accessible language.

In some states, your criminal record likely will have no impact on your ability to change your name, while in other states, it can entirely prevent you from changing your name. This guide aims to inform the reader about the level of difficulty in each state. In most cases, name changes with a criminal record will be much more difficult and a lawyer is recommended. The information provided here is not comprehensive. The footnotes and references link to source material and provide further information.

In order to change your name in any state, no matter what your criminal record, a judge needs to approve your petition. The judge will decide whether to grant your petition based on whether they believe the petition to be in good faith, without intent to commit fraud, and in the best interest of health and public safety. Even if your state does not explicitly restrict your ability to change your name based on a criminal record, if the judge knows about your record, they will likely take it into consideration. If you can afford a lawyer, one is recommended.

You will want to read the section for the state you live in, not the state you were convicted in. For each state, there is a link to the relevant state statute in the footnotes. These statutes were the most up-to-date as of December 2020. Not every state lists comprehensive requirements and restrictions on name changes for people with criminal records. All the information listed in state statutes has been provided, as well as information from other official state sources.

This guide lists the restrictions in each US state, as well as DC and the US territories. While we wrote this guide with transgender people in mind, the legal requirements apply equally to all people wishing to change their names for non-marriage based reasons. These restrictions described below may or may not apply if you are changing your name for marriage or divorce.

TIPS FOR DOING YOUR OWN RESEARCH

This guide is not comprehensive. We have only listed information for currently incarcerated people in a portion of the states. We include a currently incarcerated section if the state statute describes the process for currently incarcerated people, or if the information was readily available elsewhere online. For states we have not listed instructions for currently incarcerated people, here is a general process for finding this information:

- Commitment name is the name you were convicted under. Legal name is your official legal name. Prison records default to your commitment name. The goal of researching name changes for currently incarcerated people is to determine whether and how the state's department of corrections will update the name on records to the legal name instead of the commitment name.
- Search online for the state's Department of Corrections Rules and Regulations Handbook. Each state has a handbook that governs all prisons and jails in the state. These handbooks may not always be readily accessible online.
- Search the handbook for any section that mentions *name change*, *LGBT inmates, inmate ID, mail rules, or commitment name*. There is not one reliable place where name change rules will be

listed, so you may have to read through several sections of the handbook.

- The mail rules section will contain the most information. It will describe whether inmates who change their names can use their new name for mail.
- In some states, if you successfully change your name in the courts, your prison will ignore the change entirely.

State-by-state guide

Alabama[1]

Currently incarcerated: If you legally change your name while incarcerated, you must use your prior name and your new name on mail, using the format: Commitment name, AIS #, Legal name.[2] Wardens are responsible for creating standard operating procedures that use both legal name and committed name on mail and IDs. Commitment name will not be changed and will be used first in all documents, followed by legal name. Additionally, prison employees are not obligated to address you by your legal name and may continue to address you by your commitment name.[3]

Not currently incarcerated: Alabama requires a background check. You cannot change your name if you have ever been convicted of: a felony, a crime of moral turpitude,[4] are suspected of avoiding a debt, or while facing criminal charges or while involved in a court case[5]. If you have been convicted of a sex offense, you may change your name. If your petition is granted, you must appear in person to update the information with local law enforcement in each county in which the adult sex offender is required to register[6].

Alaska [7] [8] [9]

Currently incarcerated: no information found.

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[1] Ala. code §12-13-1: http://codes.findlaw.com/al/title-12-courts/al-code-sect-12-13-1.html
[2] DoC AR 448: http://www.doc.state.al.us/docs/AdminRegs/AR448.pdf
[3] DoC AR 450: http://www.doc.state.al.us/docs/AdminRegs/AR450.pdf
[4] Alabama definition of crimes of moral turpitude Ala HB282 (2017): http://alisondb.legislature.state.al.us/ALISON/SearchableInstruments/2017RS/PrintFiles/HB282-enr.pdf
[5] Alabama name change form: http://eforms.alacourt.gov/Do%20It%20Yourself%20Forms/Request%20to%20Change%20Name.pdf (link doesn't work.)
new link:https://eforms.com/download/2017/09/Alabama-Name-Change-Petition-Form-PS-12.pdf
[6]Alabama Sex Offender Registration and Community Notification Act 640-SB296 (2011) pg31http://arc-sos.state.al.us/ucp/B11164AA.AG4.pdf
[7] Alaska name change form: http://www.courtrecords.alaska.gov/webdocs/forms/civ-700.pdf (link doesn't work)
new link:https://public.courts.alaska.gov/web/forms/docs/civ-700.pdf
[8]Alaska name change form instructions: http://www.courtrecords.alaska.gov/webdocs/forms/civ-699.pdf (link doesn't work)
new link: https://public.courts.alaska.gov/web/forms/docs/civ-699.pdf
[9]Alaska R. Civ. P. 84: http://www.touchngo.com/lglcntr/ctrules/civpro/CIV-92.htm#P1755_438906

Not currently incarcerated: Alaska has no restrictions on changing your name based on criminal record and no background check is required.

American Samoa[10]

Currently incarcerated: no information found.

Not incarcerated: no information found.

Arizona[11]

Currently incarcerated: You are permitted to change your name. If you have been transferred from another state, you need permission from your sentencing state. Your official records will be updated to your new legal name and all relevant authorities will be informed. All of your records and services within the prison will be updated to your legal name. You must pay for the new photographs and inmate ID card. After you complete these processes, your new legal name will become your official name used by the Arizona Department of Corrections.[12] There are also policies on management of LGBTI inmates, including a transgender/intersex committee.[13]

Not currently incarcerated: In your petition, you must state whether you have been convicted of a felony. You must also state whether you have any pending charges relating to false statements or misrepresentation of identity, or other crimes such as theft, forgery, credit card fraud, business and commercial frauds or organized crime, fraud and terrorism. To see the full list of which charges you must disclose, see the legal code cited above. If you have a conviction involving misrepresented identity or false statements, as defined in the statute, the court will most likely deny your application. Additionally, the prosecutor of your conviction and any victims have the right to contest your name change until a year after the name change is complete. Southern Arizona Gender Alliance has a name change guide for trans people here.[14] They recommend contacting them if you have a felony record and would like to change your name.

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[10] National Center for Transgender Equality name change guidelines
https://transequality.org/documents/state/american-samoa

[11] Ariz. Rev. Stat. Ann. §§ 12-601 & 12-602: http://www.azleg.gov/ars/12/00601.htm and http://www.azleg.gov/ars/12/00602.htm

[12] Arizona DoC DO 901.1.6 (page 23) https://corrections.az.gov/sites/default/files/policies/900/0901_061617.pdf (link doesn't work)
new link: https://corrections.az.gov/sites/default/files/policies/900/0901_032519.pdf

[13] Arizona DoC LGBTI inmate policies: https://corrections.az.gov/sites/default/files/policies/800/0810_-_effective_11-26-15.pdf (link doesn't work)
new link: https://corrections.az.gov/sites/default/files/policies/800/0810_032519.pdf

[14] SAGA name change guide: http://sagatucson.org/wp/changes-of-name-and-gender-markers/ (link doesn't work)
new link: https://www.sagatucson.org/name-and-gender-marker-change

Arkansas[15]

Currently incarcerated: If you change your name while incarcerated, the Department of Corrections will continue to use your old name.[16]

Not currently incarcerated: There are no specific restrictions on your ability to change your name based on criminal record.[17] No background check is required and the petition does not ask about criminal record.

California[18]

Currently incarcerated: To file a name change, the process is the same as those not incarcerated, with the addition of notifying your respective department (the CDCR or sheriff's department) that you are filing with the court. The name change process takes at least two months. If you have reason to believe that you will not be staying at the same facility for at least the next 2 months, TGI Justice's guide recommends that you may want to wait until you get transfered, because changing facilities can delay or completely stop the process of having your petition approved. Once your name and/or gender change has been approved by the courts, your prison must start using your updated name and pronouns. Please note that legally changing your name and gender does not affect your housing classification. TGI Justice has a comprehensive guide for name and gender changes while incarcerated, including information on how to request a waiver from the courts to waive the $435 filing fee[19].

In 2017 the Name and Dignity Act (SB 310) was signed into law which means that incarcerated folks no longer have to seek approval from their warden at a prison or from the sheriff's department at a jail, before filing with the courts.

See below section for filing a name change with a criminal sex offense.

Not currently incarcerated: If you are on parole under the jurisdiction of the Department of Corrections and Rehabilitation, you must notify the regional parole administrator[20]. There are no restrictions for most felonies, except for sex offenses. If you are a registered sex offender, the judge will only approve your name change if they believe it will not harm public safety[21]. Your

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[15] Name Change Petition Form https://eforms.com/download/2017/11/Arkansas-Adult-Name-Change-Petition.pdf
[16] AR Code § 9-2-102: http://law.justia.com/codes/arkansas/2012/title-9/subtitle-1/chapter-2/section-9-2-102
[17] AR Code § 9-2-101: http://law.justia.com/codes/arkansas/2010/title-9/subtitle-1/chapter-2/9-2-101
[18] Name and Gender Change forms and instructions https://www.courts.ca.gov/1051.htm?rdeLocaleAttr=e
[19] Guide to Legally Changing Your Name and Gender While Incarcerated
http://www.tgijp.org/guide-to-legally-changing-your-name--gender-while-incarcerated.html
[20] Instructions to File Petition #6 https://www.courts.ca.gov/22489.htm
[21] Cal. Civ. Proc. §1279.5:
https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=CCP&division=&title=8.&part=3.&chapter=&article=

petition is more likely to be approved if you have a letter of support from the police jurisdiction you are registered with. The Transgender Law Center has a template of a model support letter from a probation officer or police department[22].If the judge approves your name change, you must inform authorities within five business days. Inform the chief of police in your city or the county sheriff if you do not live in a city. Additionally, if you live on the campus or in facilities of University of California or California State University, you must inform the chief of police of the campus.

Colorado

Currently incarcerated: You must notify the department that has jurisdiction over you that you are filing, and you must provide the court with a copy of your criminal history record from both the Colorado bureau of investigation and the federal bureau of investigation and the criminal history report from the Colorado bureau of investigation reflects the addition of the proposed changed name as an alias[23].

Not currently incarcerated: You will need fingerprinting and background checks through both the FBI and the Colorado Bureau of Investigations. Your petition will be denied if you have a felony in any state or if adjudicated a juvenile delinquent for a charge that would constitute a felony if committed by an adult. However, the code does list a way of changing your name with a felony if there is good cause for the name change. See above footnote. This process is complex and would almost certainly require a lawyer. [24]

Commonwealth of the Northern Mariana Islands

Currently incarcerated: no information found.

Not incarcerated: no information found.

Connecticut [25]

Currently incarcerated: no information found.

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[22] template for officer letter of support (Appendix G) , Note: info for incarcerated and paroled people is outdated: http://translaw.wpengine.com/wp-content/uploads/2012/05/ID_Please_FINAL_7.25.14.pdf
[23] Colo. Rev. Stat. Ann. §§ 13-15-101 & 13-15-102: http://codes.findlaw.com/co/title-13-courts-and-court-procedure/co-rev-st-sect-13-15-101.html
[24] Colorado trans equality guide: http://www.transequality.org/documents/state/colorado
[25] Connecticut name change guide: http://www.jud.ct.gov/lawlib/Notebooks/Pathfinders/names.pdf

Not currently incarcerated: If you have a record involving a deadly weapon or you are on the sex offender registry, you must inform the Commissioner of Emergency Services and Public Protection about the name change.[26] The commissioner has standing to contest your name change. Otherwise, there are no restrictions on your ability to change your name based on criminal record.

Delaware

Currently incarcerated/on parole/on probation: If you are currently under supervision of the Department of Corrections, you lose the common law right to change your name and can only change your name through the court process.[27] Also, if you are under supervision and change your name, you must list all previous names when signing any legal documents or providing information to a police officer. If you successfully change your name, the Department of Corrections is not obligated to change your name in their files or to use your new legal name. If under supervision of the Department of Corrections, you must demonstrate that the name change is for sincerely held religious or gender identity reasons in a sworn affidavit or testimony. The department of corrections may object to your name change petition.

Not currently incarcerated/on parole/on probation: If you are not currently under supervision of the Department of Corrections, there are no limitations on your ability to change your name based on criminal record.

DC[28]

Currently incarcerated: You may file for a name change petition while incarcerated if you were a resident immediately prior to incarceration. You must submit supporting documentation to prove residency[29]. See below for additional steps if you have been convicted of a felony or are a registered sex offender.

Not currently incarcerated: DC requires many extra steps to change your name if you have a criminal record. This will likely require a lawyer. If you have a felony record, you must notify the chief of police, Department of Corrections, court services and offender supervision agency. If your felony record is from another state, you must inform the equivalent parties in that state, plus the DC agencies. If you are on parole or probation, you must notify your parole/probation officer. If you are a registered sex offender, you must notify the registry. If you have an open

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[26] Conn. Gen. Stat. Ann. § 52-11: https://www.cga.ct.gov/current/pub/chap_801a.htm#sec_45a-99
[27] Del. Code Ann. tit. 10, §§ 5901-5905: http://delcode.delaware.gov/title10/c059/index.shtml
[28] DC ST §§16-2501 to 16-2503: https://beta.code.dccouncil.us/dc/council/code/titles/16/chapters/25/
[29] DC name change form (pg 3, #19) https://www.dccourts.gov/sites/default/files/2017-05/Adult-Name-Change.pdf

family court case, child support order or civil protection order, you may need to file with Family Court Central Intake Center.

The name change form asks whether you are a party in any open cases and whether any cases or legal matters would be affected by changing your name, whether you owe any parties money, whether you are a gun offender, etc.[30] You would be required to inform all interested parties of the court date within 10 days. This guide by Whitman-Walker Health has more detailed instructions.[31]

Florida[32]

Currently incarcerated:

No individual incarcerated in Florida has yet been able to change their name while incarcerated.

Not currently incarcerated:

You will not be able to change your name if you have been convicted of a felony (unless you have since received a pardon). The name change process requires fingerprinting and background check — legal name change is possible with misdemeanor charges, but a misdemeanor may negatively influence the judge's decision at your hearing. Florida's name change form asks whether your civil rights have been suspended and whether you have "ever been arrested for or charged with, pled guilty or nolo contendere to, or been found to have committed a criminal offense, regardless of adjudication, and if so, when and where." This indicates whether you have been convicted of a felony and will determine whether you will be able to change your name.[33]

If you are registered as a sexual predator or sex offender, this will be taken into consideration by the judge during your hearing, and may be used to deny name change application. If the petitioner is on this registry, at the time of hearing the clerk of court will notify the Department

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[30] DC name change form:
http://www.transequality.org/sites/default/files/docs/id/DC%20Name%20Change%20App%20and%20Fee%20Waiver_0.pdf#overlay-context=documents/state/district-columbia (link doesn't work)
new link #18: https://www.dccourts.gov/sites/default/files/2017-05/Adult-Name-Change.pdf

[31] DC name change guide:
https://www.whitman-walker.org/wp-content/uploads/2015/02/DC-Name_Gender-change-guide-July-2014.pdf (link doesn't work)
new link:
https://www.whitman-walker.org/Guides%20PDF/DC%20-%20Name%20and%20Gender%20Change%20Guide.pdf

[32] Fla. Stat. Ann. § 68.07(h):
http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0000-0099/0068/Sections/0068.07.html

[33] Civil rights Florida:
http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0900-0999/0944/Sections/0944.292.html

of Law Enforcement of the name change, in a manner prescribed by that department, within 2 business days after the filing of the final judgment. "The report must contain sufficient information to identify the petitioner, including the results of the criminal history records check if applicable, the new name of the petitioner, and the file number of the judgment."[34]

Georgia[35]

Currently incarcerated:

Not currently incarcerated:

Georgia does not require fingerprinting or a background check, and does not specifically restrict your ability to change your name based on criminal record.[36]

Guam[37]

Currently incarcerated: "All application for change of names must be made to the Superior Court, by petition, signed by the person whose name is proposed to be changed."

Not currently incarcerated:[38]

Guam does not require fingerprinting or a background check, and does not specifically restrict your ability to change your name based on criminal record. To obtain a legal name change in Guam, the applicant must petition the Superior Court of Guam through the Office of the Clerk.[39] The petition must include the current legal name of the applicant, the new proposed name, the residence of the applicant, applicant's place of birth, the reason for the name change, and the name and address of the applicant's father. If the applicant's father is deceased, the applicant must include the name and addresses of the applicant's close relatives. Upon review, the court will set a hearing date, and a copy of the notice of the petition and the hearing date must be posted in three public places in Hagåtña and three public places in the applicant's home village. The notices must be posted for at least four weeks prior to the hearing. Any objectors (i.e. creditors) to the name change may appear at the hearing to provide grounds for objection. The

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[34] Civil rights Florida: http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=%C2%A7+68.07&URL=0000-0099/0068/Sections/0068.07.html

[35] Georgia name change guide: http://www.sparkrj.org/website/wp-content/uploads/2016/07/Georgia-Name-Change-Kit-Complete.pdf

[36] Ga. Code Ann. § 19-12-1: http://law.justia.com/codes/georgia/2010/title-19/chapter-12/19-12-1

[37] 7 GCA, Chap. 36, §36102. http://www.guamcourts.org/CompilerofLaws/gca.html

[38] Name Changes in Guam. 2015. https://www.jag.navy.mil/legal_services/documents/Guam_Name_Change_Oct_2015.pdf

[39] located at: Guam Judicial Center, 120 West O'Brien Drive, Suite 300, Hagåtña, Guam 96910

court order for the legal name change must be filed with the Office of Vital Statistics, Department of Public Health and Social Services[40] within thirty days of the court order.[41]

To change legal name on a birth certificate, the applicant must provide the Office of Vital Statistics[42] with the court order for the legal name change, and the certificate of birth will be amended.[43] To update gender marker on birth certificate, and to update name or gender marker on driver's license, applicant must provide a sworn statement from a physician that the applicant has had gender affirmation surgeries, in addition to the court order.[44]

Hawaii[45]

If you are a registered sex offender, you cannot change your name unless the court determines that this would be "in the best interest of justice and that the name change won't adversely affect public safety."[46] The burden of proof is on you to demonstrate this.

If you are not a registered sex offender, there are no specific restrictions on your ability to change your name based on criminal record.

There is no requirement for a hearing before granting a name change.

Idaho

If you are a registered sex offender, you can change your name but the court must inform the registry of the change.[47] If you are not a registered sex offender, there are no specific restrictions on your ability to change your name based on criminal record.[48]

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[40] located at: 123 Chalan Kareta, Hagåtña, Guam 96913
[41] Ntl Center for Transgender Equality. Guam Name Change Laws. https://transequality.org/documents/state/guam
[42] located at: 123 Chalan Kareta, Hagåtña, Guam 96913
[43] 10 GCA, Div. 1, Chap. 3, Art. 2, §3222(c).
[44] 10 GCA, Div. 1, Chap. 3, Art. 2, §3222(e)

[45] Haw. Rev. Stat. §§ 574-1 to 574-6: http://www.capitol.hawaii.gov/hrscurrent/Vol12_Ch0501-0588/HRS0574/HRS_0574-0005.htm
[46] Hawaii name change basics: http://www.transequality.org/documents/state/hawaii
[47] Idaho name change basics: http://www.transequality.org/documents/state/idaho
[48] Idaho Code Ann. §§ 7-801 & 7-805: https://legislature.idaho.gov/statutesrules/idstat/Title7/T7CH8/SECT7-805/

Illinois[49] [50]

Currently incarcerated: You may not change your name by any process except through the official court process. However, if you have been convicted of a felony in Illinois or any other state, and have not been pardoned, you cannot file for a name change until 10 years after the completion of your sentence. In other words, you can only change your name if incarcerated for a misdemeanor.

Not currently incarcerated: If you are a registered sex offender, you cannot change your name.[51] If you have a conviction for (or are on probation for) identity theft, you cannot change your name. If you have a felony, you cannot change your name until at least 10 years after the completion of the terms of your sentence including parole or probation. There is an exception if you were convicted but then pardoned. Any conviction in the state of Illinois is eligible for a pardon, no matter what the charges were or when the conviction occurred.[52]

Indiana

Currently incarcerated: You cannot change your name.[53]

Not currently incarcerated:[54] You will need to list all felonies on your record, including those from outside Indiana.

If you were convicted of a felony within the past 10 years, you will need to notify various authorities at least 30 days before the hearing. You will need to inform the sheriff in your county of current residence, the prosecutor in your county of residence, and the Indiana central repository for criminal history information. When you inform the central repository, include your current full name, your desired name, date of birth, address, description of your physical appearance, and fingerprints. The central repository will send a copy of your criminal record to the court for consideration. After your hearing, a copy of the results will be sent to the Indiana State Police.

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[49] 735 Ill. Comp. Stat. Ann. 5/21-101 to 5/21-105: http://www.ilga.gov/legislation/ilcs/fulltext.asp?DocName=073500050K21-101

[50] Changing Your Name After Criminal Conviction (2020) https://www.illinoislegalaid.org/legal-information/criminal-convictions-and-name-change

[51] Illinois name change guide: http://tjlp.org/wp-content/uploads/2013/04/NameChange101.11-17-16.pdf

[52] https://www.illinoislegalaid.org/legal-information/applying-executive-clemency

[53] Ind. Code Ann. § 34-28-2-1.5 https://codes.findlaw.com/in/title-34-civil-law-and-procedure/in-code-sect-34-28-2-1-5.html

[54] Ind. Code Ann. § 34-28-2-3. https://codes.findlaw.com/in/title-34-civil-law-and-procedure/in-code-sect-34-28-2-3.html

If your felony conviction was not in the past 10 years, you do not need to inform any additional authorities. Just disclose the conviction in your petition.

If you do not have a felony record, there are no restrictions based on criminal record. You do not need to disclose misdemeanors on your petition.

Iowa[55]

Those with "civil disabilities" are barred from changing their name — meaning you cannot change your name if you have been convicted of a felony. Iowa's name change petition does not require a criminal background check, and the applicant does not have to disclose misdemeanors or other criminal history.[56]

Kansas[57] [58]

There are no restrictions on your ability to change your name based on criminal record. The petition does not ask whether you have a criminal record and no background check is required.

Kentucky[59]

Any adult may change their name in Kentucky, regardless of criminal record.[60] The petition[61] does not ask about your criminal record and no background check is required.

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[55] Iowa Code Ann. § 618.13 & §§ 674.1-674.14: https://www.legis.iowa.gov/docs/code/2017/674.pdf
[56] The Iowa Guide To Changing Legal Identity Documents: https://uiowa.edu/ui-trans-resources/sites/uiowa.edu.ui-trans-resources/files/iowa_guide_to_changing_legal_identity_documents_january_2019.pdf
[57] Kan. Stat. Ann. §§ 60-1401 to 60-1403: http://www.ksrevisor.org/statutes/ksa_ch60.html
[58] General legal resources for people imprisoned in Kansas: https://www.prisonpolicy.org/resources/legal/KS/

[59] Kentucky name change instructions: http://kyjustice.org/node/623
[60] Ky. Rev. Stat. Ann. §§ 401.010-401.040: https://codes.findlaw.com/ky/title-xxxv-domestic-relations/ky-rev-st-sect-401-010.html

[61] Kentucky name change petition: https://courts.ky.gov/resources/legalforms/LegalForms/295.pdf

Louisiana[62]

Currently incarcerated: If you are currently serving time for a felony, you cannot change your name. If you are currently serving time for a non-felony, you can change your name by filing the petition in the district court of the parish where you were sentenced.

Not currently incarcerated: If you have been convicted of a felony, you cannot change your name until the completion of your sentence, including parole/probation. You can present your name change petition to the district court of the parish of your residence, the parish of your birth, or the parish of venue for the Vital Records Registry. If your conviction was for a violent crime, you are barred from changing your name at all. See here for the definition of a violent crime.[63]

Maine[64]

There are no specific limitations on your ability to change your name with a criminal record. The judge *may* require you to undergo a background check, in which case your record would be considered. They can deny the change if they have reason to believe it is "for purposes of defrauding another person or entity or for purposes otherwise contrary to the public interest."[65]

You can make a written request to the Classification or Records Officer for a correction or clarification of your records. "If the requested correction or clarification concerns a significant matter and is determined by the appropriate staff to be valid, the record shall be corrected or clarified."[66]

Maryland[67] [68]

If you have ever been a registered sex offender, you must disclose this on the petition. If your name change is granted, you will need to inform the registry within 3 days.[69]

The judge may choose to require any person to get a background check, a criminal history check, a motor vehicle record check or a credit card check. It is unclear whether the legal change will be accepted for currently incarcerated individuals.

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[62] La. Rev. Stat. Ann. §§ 13:4751 to 13:4755: https://legis.la.gov/Legis/Law.aspx?d=78337
[63] Definition of a violent crime in Louisiana: https://legis.la.gov/Legis/Law.aspx?d=78337
[64] Maine name change form: http://ptla.org/sites/default/files/CN-1.pdf
[65] Me. Rev. Stat. tit. 18-A, § 1-701: http://legislature.maine.gov/statutes/18-A/title18-Asec1-701.html
[66] 11.6 Prisoner Records Management (Procedure D: Clarification or Correction of Prisoner Records)
[67] MD R SPEC P Rule 15-901: https://casetext.com/rule/maryland-court-rules/title-15-other-special-proceedings/chapter-900-name-change-of/rule-15-901-action-for-change-of-name
[68] Maryland petition: http://www.courts.state.md.us/family/forms/dr60.pdf
[69] MD Crim Pro Code § 11-705

Massachusetts[70] [71]

Every petitioner must file a Court Activity Record Information (CARI) and Warrant Management System Release Request Form (CJP 34). Regardless of criminal history, this publication must be mailed to and published in a local newspaper according to instructions in the order of notice.
However, there are additional publication requirements "if the name change is requested by anyone who is incarcerated, on probation or parole, or committed to the Massachusetts Treatment Center as a sexually dangerous person." In these cases, you must also give citation to "the Massachusetts Department of Correction or the Massachusetts Parole Board; the office of the prosecuting official (District Attorney, Attorney General, or U.S. Attorney) and the sheriff's office(s) in the jurisdiction where the conviction(s) or delinquency adjudications happened; [and] the Sex Offender Registry Board and the prosecuting official if you're required to register as a sex offender."

The policy on name changes for currently incarcerated individuals is unclear, but given the Department of Correction's polices on trans* and gender non-conforming inmates (requiring "appropriate, safe, and sensitive management" of trans*/GNC inmates)[72], it seems likely that the change will be officially recognized.

Michigan[73] [74]

Currently incarcerated: If the name change is issued by a probate court, it will be filed and entered into the appropriate computerized database. If issued by a non-probate court, the order will be forwarded to "the Administrator of the Office of Legal Affairs or designee for direction on how to proceed."

If you have a new legal name, you "shall not be forced" to refer to yourself by your commitment name. Employees should refer to you by your new legal name, but "an employee using the commitment name instead of the legal name...does not excuse a prisoner or parolee from obeying an order or directive given by the employee."

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[70] Mass. Gen. Laws Ann. ch. 210, §§ 12-14: https://malegislature.gov/Laws/GeneralLaws/PartII/TitleIII/Chapter210
[71] Massachusetts form: https://www.mass.gov/how-to/legally-change-your-name-as-an-adult
[72] 103 DOC 652 and 103 DOC 653
[73] NCTE guide: http://www.transequality.org/documents/state/michigan
[74] Mich. Comp. Laws Ann. §§ 711.1-711.3: http://www.legislature.mi.gov/(S(cqbc0yifcfylahlfmgk5geen))/mileg.aspx?page=getObject&objectName=mcl-711-1

Identification cards and door cards will be reissued (at your expense) and will have both your commitment name and new legal name. Furthermore, "the commitment name and/or legal name may be used on correspondence and other documents throughout the prisoner's incarceration and parole; however, the commitment name shall be included on all official Department forms and documents." You are also required to include your commitment name on outgoing mail.[75]

Not currently incarcerated: "If the individual who petitions for a name change has a criminal record, the individual is presumed to be seeking a name change with a fraudulent intent. The burden of proof is on a petitioner who has a criminal record to rebut the presumption." This means that changing your name while incarcerated or with any sort of a criminal record will be difficult and you should get the help of a lawyer if you can.

As part of the standard name change process in Michigan, you will have to submit fingerprints to the FBI and state police for pending charges and convictions. If your petition is granted, your new name will be forwarded to the state police. If you have been in prison or on parole within the past two years, this will also be forwarded to the Department of Corrections and/or the sheriff of the jail where you were convicted/held.

Minnesota[76]

Currently incarcerated: You may only request a name change one time while you are incarcerated.[77] You can do so by filling out this form.[78]

Even if you are granted a legal name change, you will still be identified by your commitment name. However, the change will be filed appropriately and will be available for cross-reference when processing mail, financial transactions, etc. Incoming mail addressed to either name will be delivered to you, but outgoing mail must include your commitment name.

Furthermore, "the deputy commissioner may authorize an exception for an offender's legal name to be recognized...for safety or security reasons. The offender must provide sufficient documentation to necessitate the exception." It is unclear what is considered exceptional, but Policy 202.045 (Management of Transgender/Gender Non-Conforming/Intersex Offenders) indicates general openness to recognizing gender identity and related needs.

Not currently incarcerated: If you have a felony, you can only request a name change once. You must inform your prosecuting attorney. If you were convicted in another state, or in federal jurisdiction, you must inform the attorney general. There will likely be a fee to serve these

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[75] Michigan prison regulations: http://www.michigan.gov/documents/corrections/03_01_110_347871_7.pdf
[76] Minn. Stat. Ann. §§ 259.10-259.13: https://www.revisor.mn.gov/statutes/?id=259
[77] Minn. Stat. Ann. § 259.12: https://www.revisor.mn.gov/statutes/?id=259.12
[78] Minnesota inmate name change form: http://www.mncourts.gov/mncourtsgov/media/CourtForms/NAM105.pdf?ext=.pdf

parties. The appropriate forms are here.[79] Each party will have 30 days to file an objection, based on criteria specified here.[80] If objections are filed, you should file a motion to grant request, following the criteria in the same link.

You will be required to undergo a background check and fingerprinting through the FBI. If your petition is granted, the court will inform the Bureau of Criminal Apprehension within 10 days after the change is granted.[81] You will also be required to report this to the Bureau of Criminal Apprehension within 10 days.

Mississippi[82]

Mississippi's legal code does not specify whether you can change your name if you have a criminal record. However, the petition form[83] makes you certify that "petitioner does not have any outstanding judgments, has never been convicted of a crime, and is not involved in any pending legal actions." This may mean that you are unable to change your name if you are currently or formerly incarcerated, and the help of a lawyer will likely be necessary. Your county's chancery court has jurisdiction over name change petitions.

Missouri[84]

Missouri does not have any particular limitations on your ability to change your name based on your criminal record. They do not require a background check or fingerprinting, and the name change petition[85] does not ask your criminal history. However, the petition application does ask about unsatisfied money judgments against you, and pending cases against you that request money. The granting of your name change is up to the discretion of the judge of your county circuit court.

More research needs to be done on how your name change will be accepted if you are currently incarcerated. Be aware that using a "false name" (which is not defined by Missouri DOC, but presumably any name but your legal name on file) in communications is a conduct violation.[86]

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[79] Forms to inform prosecutor and attorney general: http://www.co.beltrami.mn.us/Document%20Center/Documents%20Forms/Vitals/Felon%20Application%20for%20Name%20Change.pdf

[80] Minn. Stat. Ann. § 259.13: https://www.revisor.mn.gov/statutes/?id=259.13

[81] Minn. Stat. Ann. § 259.11: https://www.revisor.mn.gov/statutes/?id=259.11

[82] Miss. Code. Ann. §§ 93-17-1 to 93-17-31: http://law.justia.com/codes/mississippi/2012/title-93/chapter-17/

[83] Mississippi name change form: https://eforms.com/images/2017/12/Petition-for-Change-of-Name-of-Adult-Mississippi.pdf

[84] Mo. Ann. Stat. §§ 527.270 to 527.290: http://revisor.mo.gov/main/OneChapter.aspx?chapter=527

[85] Missouri name change petition: https://www.courts.mo.gov/file.jsp?id=52839

[86] Missouri DOC Offender Rulebook: https://doc.mo.gov/sites/doc/files/media/pdf/2019/04/Offender_Rulebook_REVISED_2019.pdf

Montana[87]

Currently incarcerated: DOC policy[88] requires only that your inmate identification card include your "full name," which they leave undefined, but likely means the name on your case file. However, your ID can be replaced "because of...inaccurate identification data." Given one stated policy[89] to protect "vulnerable inmates," including LGBTI individuals, it seems likely they will recognize your legal name change. General outgoing and all incoming mail only requires your last name; outgoing legal and privileged correspondence require your full name.[90]

Not currently incarcerated: Montana does not have any particular limitations on your ability to change your name based on criminal record. They do not require a background check or fingerprinting and the petition[91] does not ask about your criminal history. However the court or judge have discretion to dismiss or grant your name change depending on what they deem "right and proper." According to the petition application, you are allowed to file given that you "are not changing your name in order to avoid debt, hide a criminal record, or for any other improper reason."

Nebraska[92]

Currently incarcerated: Legal precedent determined that a person will not be denied a name change petition purely on the basis of being an inmate.[93]

After your legal name change, both your former legal name at the time of your commitment — referred to as your "commitment name" — and your new legal name will be shown on your ID.[94]

For use of a new legal name with mail: If you are sending mail within the facility where you're incarcerated, both your committed name and your legal name will be shown, and the legal name

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[87] Mont. Code Ann. 27-31-201 to 27-31-205: http://leg.mt.gov/bills/mca_toc/27_31.htm
[88] DOC Montana Prison Operations Procedure: https://cor.mt.gov/Portals/104/Resources/Policy/MSPprocedures/3-1-107InmateIDCards.pdf
[89] DOC Policy "Special Management Inmates" https://cor.mt.gov/Portals/104/Resources/Policy/MSPprocedures/4-2-200%20Special%20Management.%20of%20Atypical%20Inmates%201-1-2020.pdf?ver=2020-01-08-073239-470
[90] DOC Policy "Inmate Mail" https://cor.mt.gov/Portals/104/Resources/Policy/MSPprocedures/3.3.6%20Inmate%20Mail.pdf?ver=2019-10-31-154206-970
[91] Montana instructions and forms: https://courts.mt.gov/Portals/189/library/forms/name_chg/adult_name_change.pdf
[92] Neb. Rev. Stat. §§ 25-21,270 to 25-21,273: http://nebraskalegislature.gov/laws/browse-chapters.php?chapter=25
[93] Neb. Rev. Stat. § 25-21,271: http://nebraskalegislature.gov/laws/statutes.php?statute=25-21,271
[94] Neb. DOC Policy 204.02. Inmate Identification Cards: https://corrections.nebraska.gov/system/files/rules_reg_files/204.02_2019.pdf

must be signed. "Inmates may use only their legally changed name and number on the envelope of outgoing mail." [95]

Not currently incarcerated: Nebraska does not have any particular limitations on your ability to change your name based on criminal record. They do not require a background check or fingerprinting and the petition[96] does not ask about your criminal record.

After your name-change order is issued, the clerk of the district court will deliver a copy of that order to the Department of Health and Human Services, and to the sex offender registration and community notification division of the Nebraska State Patrol. This will be filed regardless of your criminal record.[97]

Nevada[98] [99] [100]

If you have been convicted of a misdemeanor, gross misdemeanor, or felony, you must submit fingerprints to the Filing Office with your petition. In your petition, you must list each convicted offense, the date of conviction, the state and county of conviction, and the final result. The judge will specifically take your criminal record into consideration when deciding whether to approve your petition. If your name change is approved, the clerk will forward the information to the Central Repository for Nevada Records of Criminal History so that your criminal record will be updated.

New Hampshire[101]

The petition form[102] has checkboxes asking whether you are currently incarcerated, on probation, on parole, or required to register as a sex offender or offender against children. If so, there are additional requirements.

If you are currently incarcerated, on probation or parole, or required to register as a sex offender or an offender against children, you can only change your name if you can make a "compelling

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[95] Neb. DOC Policy 205.01 Inmate Mail: https://corrections.nebraska.gov/system/files/rules_reg_files/205.01_2019.pdf

[96] Neb name change petition: https://supremecourt.nebraska.gov/sites/default/files/DC-6-9-1.pdf

[97] Neb. Rev. Stat. §§ 25-21,271 (4) https://nebraskalegislature.gov/laws/statutes.php?statute=25-21,271

[98] Nevada instructions and forms: http://selfhelp.nvcourts.gov/self-help/name-changes/name-changes-for-adults

[99] Nev. Rev. Stat. Ann. §§ 41.270-41.290: https://www.leg.state.nv.us/NRS/NRS-041.html#NRS041Sec270

[100] Nev. DOC Regulation, Inmate Correspondence and Mail: http://doc.nv.gov/uploadedFiles/docnvgov/content/About/Administrative_Regulations/AR%20750%20-%20121713.pdf

[101] NH Rev Stat § 547:3-i (2019): https://law.justia.com/codes/new-hampshire/2019/title-lvi/chapter-547/section-547-3-i/

[102] New Hampshire petition form: https://www.courts.state.nh.us/forms/nhjb-2175-p.pdf

showing" for why the change is necessary. If you are incarcerated, on probation or on parole, you will need to officially serve a copy of your petition to the Department of Corrections. There will be a serving fee for this. If you are a registered sex offender or offender against children and no longer incarcerated/on parole/probation you will need to officially serve a copy of your petition to the department of safety. There will be a service fee for this. After approving or denying your petition, the court will inform the Department of Corrections or the department of safety of the decision.

If you are not required to register as a sex offender or offender against children and you are no longer in prison, on probation, or on parole, there are no particular restrictions on your ability to change your name based on criminal record.

New Jersey[103] [104]

If you have pending charges in New Jersey, you are required to do the following:

"Send a copy of the Verified Complaint and Order Fixing Date of Hearing by regular mail and certified mail, return receipt requested to the Prosecutor of the county where the matter is being heard. If the charges were brought by the Office of the Attorney General, you must send another copy of the Verified Complaint and Order Fixing Date of Hearing by certified mail, return receipt requested to the Director of the Division of Criminal Justice in Trenton, New Jersey, at least 20 days before the hearing. Mail a copy to Director, Division of Criminal Justice, R. J. Hughes Justice Complex, 25 W Market Street, P. O. Box 085, Trenton, NJ, 08625-0085."

In the petition, you must disclose all crimes you have been convicted of or currently have pending.[105] If your petition is approved, a copy will be forwarded to the State Bureau of Investigation and the Division of State Police.[106]

New Mexico

New Mexico does not have any particular restrictions on your ability to change your name based on your criminal record.[107] No background check is required and the petition[108] does not ask for your criminal record.

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[103] New Jersey instructions and forms: http://www.njcourts.gov/forms/10551_namechg_adult.pdf
[104] New Jersey name change guide: http://www.transequality.org/sites/default/files/docs/resources/NJ%20Name%20%26%20Gender%20Change%20Guide%20for%20Residents-v1.pdf
[105] NJ Rev Stat § 2A:52-1 (2016): http://law.justia.com/codes/new-jersey/2016/title-2a/section-2a-52-1/
[106] NJ Rev Stat § 2A:52-2 (2016): http://law.justia.com/codes/new-jersey/2016/title-2a/section-2a-52-2/
[107] N.M. Stat. Ann. §§ 40-8-1 to 40-8-3: http://law.justia.com/codes/new-mexico/2016/chapter-40/article-8/
[108] New Mexico forms: https://seconddistrictcourt.nmcourts.gov/change-of-name-adult.aspx

New York[109]

Currently incarcerated: Sylvia Rivera Law Project (SRLP) has a detailed guide for changing your name while incarcerated in New York State prisons.[110] If you are currently incarcerated for a violent offense, or other felony specified on page 22-23 of the SRLP guide, you must serve the Notice of Petition to the District Attorney in each county you were convicted of those counts. After that, you must send an affidavit to the court saying you have informed the District Attorneys. More information on notifying the DA is available on page 9 of the SRLP guide. District Attorneys have the right to file objections but they usually do not.

If your convictions are for crimes other than the ones specified on page 22-23 of the SRLP guide, you have the full right to change your name without informing additional parties.

On your petition, you will specify your criminal record and whether or not your record includes violent felony charges (see page 29 of SRLP guide).

More research is needed to determine how your name change will be treated while incarcerated in NY prisons.

Not currently incarcerated: If you are currently on parole or probation for one of the crimes specified on page 22-23 of the SRLP guide, the above laws about currently incarcerated people apply to you.

If you are no longer on parole or probation, you can change your name through the normal process without informing additional parties. If you are currently on parole or probation but not for the crimes specified, you can change your name through the normal process without informing additional parties.

On your petition, you will specify your criminal record and whether or not your record includes violent felony charges (see page 29 of SRLP guide).

North Carolina[111]

You will be required to get background checks both from the state and from the FBI. Detailed instructions on that process are available here.[112] If you are currently registered as a sex offender, you cannot change your name. It is unclear whether offenses other than sex offenses will be

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[109] N.Y. Civ. Rights Law § 60-65: http://law.justia.com/codes/new-york/2012/cvr/article-6

[110] SRLP guide: https://srlp.org/wp-content/uploads/2017/05/DIY-Name-Change-Guide-for-Trans-People-in-NYS-Prisons.pdf

[111] N.C. Gen. Stat. Ann. §§ 101-1 to 101-8: http://www.ncleg.net/EnactedLegislation/Statutes/PDF/ByChapter/Chapter_101.pdf

[112] North Carolina forms and instruction: https://eforms.com/name-change/nc/#AdultNameChange

taken into consideration when determining whether to approve your petition. You can also only change your name a single time.

You will also need to bring two other residents of your county, who are not related to you, who can certify your "good character".

North Dakota[113]

You will need to get a background check and disclose your criminal record. There are no specific restrictions on your ability to change your name based on your criminal record; however, a felony record will make it much less likely that your request will be granted. The code states "if the individual petitioning for a name change has a felony conviction under a law of this state or a law of another state or the federal government, the request is presumed to be made in bad faith, to defraud or mislead, to cause injury to an individual, or to compromise public safety. The name change may not be granted unless the individual requesting the name change proves by clear and convincing evidence that the request is not based upon an intent to defraud or mislead, is made in good faith, will not cause injury to an individual, and will not compromise public safety." A lawyer is recommended.

If you have a criminal record (in North Dakota or any other state) and the court issues your name change order, the court will report the name change to the bureau of criminal investigation within ten days.

Ohio

If you have a criminal record involving identity fraud, sexually oriented offenses or child-victim offenses, you cannot change your name. Otherwise, there are no restrictions on your ability to change your name based on your criminal record.[114]

Oklahoma[115] [116]

If you are currently registered as a sex offender, you cannot change your name. Otherwise, there are no restrictions on your ability to change your name based on your criminal record. No background check is required and the petition does not ask about your record.

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[113] N.D. Cent. Code Ann. § 32-28-02: http://www.legis.nd.gov/cencode/t32c28.pdf
[114] Ohio Rev. Code Ann. § 2717.01: http://codes.ohio.gov/orc/2717.01
[115] Okla. Stat. Ann. tit. 12, §§ 1631-1637: http://webserver1.lsb.state.ok.us/OK_Statutes/CompleteTitles/os12.rtf
[116] Okla. name change forms: http://oklaw.org/files/CB59BD67-E9D4-A408-BB53-C676C85FEED2/attachments/CBB4D171-B25B-95E3-D87F-013B143AB5A3/510371Adult%20Name%20Change%20Forms%2011.2011.pdf

Oregon

Currently incarcerated: You are not restricted from changing your name while incarcerated. However, the Department of Corrections will continue to use your prior name until your release and require that incoming and outgoing mail use your prior name. If you legally change your name, you can seek approval to list your new name as an AKA on incoming mail but your prior name will also need to be listed in your address, on the line above.[117]

You may E-File a name change petition to avoid the courtroom process here: E-Filing for Change of Name or Sex in Oregon "Publication requirements can be waived and records can be sealed for confidentiality and applicant safety," (Or. Rev. Stat. Ann. § 33.420 (West)).

OAR rules on transgender and intersex inmates[118] do not specify any policies about name changes, indicating there are no exceptions to the above for transgender inmates. All inmates are required to have an ID card at all times. The regulations do not state that names can be changed on cards but, at the discretion of the supervising correctional staff, IDs can be replaced "at no cost to the inmate" if they are incorrect.[119]

Not currently incarcerated: You must state your criminal record in the petition.[120] You must also state whether you are a registered sex offender and whether you "have a domestic violence, restraining order, stalking order, or no-contact order" against you.[121] There are no specific restrictions on your ability to change your name based on criminal record but the judge might consider your record when deciding your case. You may apply for a filing fee waiver for your name change petition, if you qualify for government assistance, here: Fee Waiver Application.

Pennsylvania[122] [123]

Currently incarcerated: You can ask the court to waive your requirement to appear in court if you are currently incarcerated. However, you cannot change your name while incarcerated for a felony.

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[117] OAR Div. §§131 291-131-0010-291-131-0050: https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=41404

[118] Or. DoC §§291-210-0010-291-210-0050: https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=264713

[119] OAR Div. §§291-072-0005-_291-072-0010: https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=39308

[120] Or. Rev. Stat. Ann. § 33.420: https://www.oregonlegislature.gov/bills_laws/ors/ors033.html

[121] Or. name change packet: http://www.courts.oregon.gov/Multnomah/docs/FamilyCourt/NameChangePacket_ForAdults.pdf

[122] NCTE guide: http://www.transequality.org/documents/state/pennsylvania

[123] 54 Pa. Cons. Stat. Ann. §§ 701-705: http://www.legis.state.pa.us/cfdocs/legis/LI/consCheck.cfm?txtType=HTM&ttl=54

Not currently incarcerated: All name change petitions will be forwarded to state police, who will check if you have a criminal record. If you have been convicted of a violent crime,[124] you cannot change your name. If you have a felony that does not include such crimes, you can only change your name if you have been pardoned, or it has been at least 2 years since the end of your sentence and you are not on parole or probation. If your name change is granted, the court will inform the Attorney General and state police.

If you have only misdemeanors, you have no particular restrictions on your ability to change your name. The Pennsylvania Institutional Law Project (PILA) has a detailed guide on name changes, including a flowchart detailing whether you can change your name with a criminal record (page 3).[125]

The applicant must publish notice of the hearing in two newspapers, but publication requirements can be waived and records can be sealed for the applicant's safety.

You may have your name change fees waived by petitioning the court to proceed "in forma pauperis," but you will still have to pay the other costs related to the name change process. The instructions and forms for petitioning to proceed in forma pauperis can be found in PILA's name change guide, pages 18-30.

Puerto Rico

Currently incarcerated: no information found.

Not incarcerated: no information found.

Rhode Island

[124] Definition of violent crime: "murder, voluntary manslaughter, rape, involuntary deviate sexual intercourse, statutory sexual assault, sexual assault, aggravated indecent assault, robbery as defined in 18 Pa.C.S. § 3701(a)(1)(i) (relating to robbery), aggravated assault as defined in 18 Pa.C.S. § 2702(a)(1) or (2) (relating to aggravated assault), arson as defined in 18 Pa.C.S. § 3301(a) (relating to arson and related offenses), kidnapping or robbery of a motor vehicle or criminal attempt, criminal conspiracy or criminal solicitation to commit any of the offenses listed above or an equivalent crime under the laws of this Commonwealth in effect at the time of the commission of that offense or an equivalent crime in another jurisdiction."

[125] Pennsylvania name change guide, Pennsylvania Institute Law Project: https://static1.squarespace.com/static/589b4d9f725e250f864b8d07/t/59e4dead4c0dbf18791feb6c/1508171441506/Name+changing+info.pdf

There is no particular restriction on your ability to change your name based on your criminal record.[126] [127] A criminal background check is required.[128] The applicant must sign their name change petition in front of a notary public.

South Carolina[129]

Currently incarcerated: If you change your name while incarcerated, the clerk of court will inform the Department of Corrections of your name change. The Department of Corrections must change your name in their records. More research is needed to determine how you can change your name while incarcerated in SC.

Not currently incarcerated: A background check is required. Your name will also be checked on the sex offender registry and the child abuse and neglect registry. If you have a criminal record and your name change petition is granted, the court will inform the State Law Enforcement Division. If you are on the child abuse and neglect registry or the sex offender registry, the court will inform the registry of the change.

South Dakota[130]

There are no specific restrictions on your ability to change your name based on your criminal record. The forms don't ask your record.[131] [132] [133] [134]

Tennessee[135]

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[126] R.I. Gen. Laws Ann. §§ 33-22-11 & 33-22-28: http://law.justia.com/codes/rhode-island/2016/title-33/chapter-33-22/section-33-22-28/
[127] R.I. name change form: https://www.sos.ri.gov/assets/downloads/documents/PC8.1-change-of-name.pdf
[128] Instructions for criminal background check: http://www.riag.ri.gov/BCI/index.php#
[129] S.C. Code Ann. § 15-49-10 to § 15-49-50: http://www.scstatehouse.gov/code/t15c049.php
[130] S.D. Codified Laws §§ 21-37-1 to 21-37-10: http://sdlegislature.gov/Statutes/Codified_Laws/DisplayStatute.aspx?Statute=21-37&Type=Statute
[131] S.D. name change form instructions: http://ujs.sd.gov/uploads/forms/namechange/UJS-024_Instructions_for_Change_of_Name.pdf
[132] S.D. name change petition: https://ujs.sd.gov/uploads/forms/namechange/UJS-025_Petition_for_Change_of_Name.pdf
[133] S.D. name change order: https://ujs.sd.gov/uploads/forms/namechange/UJS-027_Order_for_Change_of_Name.pdf
[134] S.D. notice of hearing for name change: https://ujs.sd.gov/uploads/forms/namechange/UJS-026_Hearing_For_Change_of_Name.pdf
[135] Tenn. Code Ann. § 29-8-101 to § 29-8-105: http://law.justia.com/codes/tennessee/2010/title-29/chapter-8/

Currently incarcerated: You cannot change your name if currently incarcerated in Tennessee.

Not currently incarcerated: Tennessee's name change form asks whether you have been convicted of a felony.[136] If you have been convicted of first or second degree murder or were required to register as a sex offender, you cannot change your name.

If you were convicted of any other felony, your petition will be assumed to be made in bad faith. Your petition will not be granted unless you prove through clear and convincing evidence that "the petition is not based upon the intent to defraud or mislead, is made in good faith, will not cause injury to an individual and will not compromise public safety." A lawyer is recommended.

If you do not have a felony record, there are no particular restrictions on your ability to change your name based on your criminal record.

Texas [137] [138]

Currently incarcerated: You cannot change your name if you are currently incarcerated for a felony. If you are currently incarcerated for a misdemeanor, more research is needed to determine how you can change your name.

Not currently incarcerated: Background checks are required and the petition form will ask whether you have been convicted of any felonies or are required to register as a sex offender. If you are a registered sex offender, you must attach a completed sex offender registration update to your petition. All petitioners must list all convictions above Class C misdemeanors, listing case number and court. If your record includes a felony, it must either be pardoned, or have been 2 years since your release from parole/probation or two years since you received a certificate of discharge from the Texas Department of Criminal Justice.

Utah

You cannot change your name while on the sex and kidnapper registry or the child abuse offender registry.[139] [140] If you are not required to register for life, you may change your name once you are no longer on the registry. You cannot change your name if you are involved in any

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[136] Tenn. name change form: http://chanceryclerkandmaster.nashville.gov/wp-content/uploads/name-change-adult-DEC092015.pdf
[137] Tex. name change instructions and forms: https://texaslawhelp.org/checklist/instructions-change-name-adult
[138] Tex. Fam. Code Ann. §§45.101 to 45.106: http://www.statutes.legis.state.tx.us/Docs/FA/htm/FA.45.htm#45.103
[139] Utah Civ. Code (77-41-105) https://le.utah.gov/xcode/Title77/Chapter41/77-41-S105.html?v=C77-41-S105_2017050920170509
[140] Utah Civ. Code (77-43-104) https://le.utah.gov/xcode/Title77/Chapter43/77-43-S105.html?v=C77-43-S105_2017050920170509

other court actions or proceedings, or if you are on probation or parole.[141] Otherwise, there are no limitations on changing your name based on your criminal record.[142]

Vermont [143]

The probate court will check whether you are on the sex offender registry. If you are, the probate court will not approve the name change "unless it finds, after permitting the department of public safety to appear, that there is a compelling purpose for doing so."[144]

If you are not on the sex offender registry, there are no restrictions based on criminal record.

The Virgin Islands

Currently incarcerated: no information found.

Not incarcerated: no information found.

Virginia[145]

Currently incarcerated: You are not specifically restricted from changing your name while incarcerated, but the court will not grant the name change unless the court finds there is good cause, based on the reasons stated in your petition. A lawyer is recommended. You should apply for a name change in the circuit court of the county or city in which you are incarcerated.

Not currently incarcerated: You must disclose your felony conviction record on your petition and whether you are required to register as a sex offender or an offender against minors. If you are a registered sex offender, or are currently on parole or probation, the court will not grant your petition unless the judge finds there is good cause, based on the reasons stated in your petition. A lawyer is recommended.

If you have any other felony record, relevant authorities will be informed and will have the opportunity to object to your name change. Even after your name change is granted, an attorney

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[141] Utah name change petition: https://www.utcourts.gov/resources/forms/namechange/docs/01_Petition_for_Name_Change.pdf
[142] Utah Code Ann. § 42-1-2: https://le.utah.gov/xcode/Title42/Chapter1/C42-1_1800010118000101.pdf
[143] Vt. name change forms: https://www.vermontjudiciary.org/probate/name-changes
[144] Vt. Stat. Ann. tit. 15, § 811 to § 817: http://legislature.vermont.gov/statutes/chapter/15/013
[145] Va. Code Ann. § 8.01-217: https://vacode.org/8.01-217/

for the commonwealth for your jurisdiction has the ability to independently declare your petition void. If this happens, you will be able to file an objection and demand a hearing.

Washington State[146]

Currently incarcerated: You must submit a copy of your application to the Department of Corrections at least five days before the entry of order granting the name change. If the court finds that changing your name would interfere with legitimate corrections interests, they will deny your petition. However, if you can demonstrate that your name change is for legitimate cultural reasons, this will overrule the corrections interests. If your name change is granted, you must submit a copy of the order to the Department of Corrections within five days.

Not currently incarcerated: If you are currently a registered sex offender, you must submit a copy of your application to your county sheriff and the state patrol, at least five days before the entry of an order granting the name change.[147] If the court finds that granting your name change would interfere with legitimate law enforcement interests, they will deny your application. However, if you can demonstrate that the name change is for legitimate cultural reasons, this will overrule the law enforcement interests. If your application is successful, you must submit a copy of the name change order to your county sheriff and the state patrol within three business days of entry of the order.

If you are not a registered sex offender, there are no particular restrictions on your ability to change your name based on criminal record.

West Virginia[148]

Currently incarcerated: If you are currently incarcerated for a felony, you cannot change your name. If you are currently incarcerated for a misdemeanor, more research is needed to determine if you can change your name.

Not currently incarcerated: If you are currently a registered sex offender in any state, you cannot change your name in West Virginia. If you were convicted of first degree murder or felony kidnapping,[149] you cannot change your name until 10 years after the conclusion of your sentence (including parole).

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[146] Wash. Rev. Code Ann. § 4.24.130: http://app.leg.wa.gov/RCW/default.aspx?cite=4.24.130

[147] Wash RCW 9A.44.130: http://app.leg.wa.gov/RCW/default.aspx?cite=9A.44.130

[148] West Va. §48-25-(103-107): https://www.wvlegislature.gov/WVCODE/code.cfm?chap=48&art=25

[149] West Va. §61-2-14a. (Kidnapping definition): http://www.legis.state.wv.us/WVCODE/ChapterEntire.cfm?chap=61&art=2&section=14A#02

The standard petition asks you to state that you have never been convicted of a felony in any jurisdiction.[150] People with felonies are not barred from changing their names in West Virginia. Further research and/or the advice of a lawyer is needed to determine how to best change the language in the petition to reflect your criminal record.

Wisconsin

You cannot change your name if you are currently required to register as a sex offender.[151] Otherwise, you can change your name.[152] However, if you are currently on parole, there is legal precedent for denying your petition.[153] This is at the judge's discretion.

Wyoming

You can find instructions for changing your name here.[154] Wyoming does not have any restrictions on name change based on criminal record.[155] [156]

[150] West Va. name change petition: http://www.lawv.net/Portals/0/Name%20Change-%20Petition%20Form.pdf
[151] Wis. Stat. Ann. § 301.47: https://docs.legis.wisconsin.gov/statutes/statutes/301/47
[152] Wis. Stat. Ann. § 786.37 & Wis. Stat. Ann. § 985.07: https://docs.legis.wisconsin.gov/statutes/statutes/786/37
[153] Williams v. Racine County Circuit Court, 1995: https://www.leagle.com/decision/19951038197wis2d8411994
[154] Wyo instructions for name change: https://eforms.com/name-change/wy/#AdultNameChange
[155] Wyo. Stat. Ann. §§ 1-25-101 to 1-25-104: http://law.justia.com/codes/wyoming/2016/title-1/chapter-25/
[156] Wyo name change petition: https://eforms.com/images/2018/01/Wyoming-Adult-Name-Change-Petition.pdf