

CHANGING YOUR NAME IN TEXAS

By Bruce Coane

Many times, after a divorce, a woman may choose to have her maiden name reinstated. There are other instances when adults and minors wish to change their name. Whatever the reason, petitions for name changes are commonly filed in Texas Family Courts.

The Texas Family Code permits name changes for adults as well as minor children. An adult may file a petition requesting a change of name in the county he or she resides.

The petition must be verified and include a number of statements, such as the reason for the name change, whether the person requesting the name change ("Petitioner") has ever been convicted of a felony and whether the Petitioner is required under the Texas Code of Criminal Procedure to register as a sex offender. An adult Petitioner must also submit a set of fingerprints to the court as well as disclose any offense above a Class C misdemeanor for which the Petitioner has been charged.

The court shall order a name change of an adult if the change is in the interest of or to the benefit of the Petitioner as well as in the interest of the public. A name change, however, will not release the Petitioner from any liability he or she has incurred in his or her previous name nor will it defeat any right the Petitioner has.

In a divorce case, a person may request a name change to a former name. The court is prohibited from denying that request unless it states in writing the reason for the denial.

A parent, managing conservator, or guardian of a child may file a petition requesting a name change of a minor. The petition must be filed in the county where the child resides and is very similar to that of an adult petition. However, if the child is 10 years of age or older, his or her written consent to the name change must be included.

A parent of the child whose parental rights have not been terminated, any managing conservator of the child and any guardian of the child must receive notice of a proposed name change. The court shall order the name change of a minor child if it is in the best interests of the child. As with adults, the name change does not release the minor from any liability incurred in the minor's previous name or defeat any right the minor had in his or her previous name.

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