

Frequently Asked Questions for Name Changes and Confidential Name Changes

This document, created by the Director of State Courts Office of Court Operations, does not constitute legal advice. It provides information on the similarities and differences between a standard name change and a confidential name change in Wisconsin. For additional name change resources, including forms, see Page 3.

	Name Change for an Adult or a Minor Over 14 Years Old	Name Change for a Minor Under 14 Years Old	Confidential Name Change for an Adult or a Minor Over 14 Years Old	Confidential Name Change for a Minor Under 14 Years Old*
Who can file and request a name change?	Any Wisconsin resident who is not otherwise prohibited from filing. § 786.36(1).	The following people can file for a minor under 14 years old if they are a Wisconsin resident and not otherwise prohibited from filing: <ul style="list-style-type: none"> • Both living parents, the sole surviving parent, or the sole adoptive parent of the minor child; • One of the two living parents of the minor child if paternity has been established; • The mother if the minor child is a non-marital child who is not adopted or whose parents have not married, and paternity has not been established; • The legal guardian or custodian of the minor child if both parents are dead or the parental rights of both parents have been terminated. § 786.36(1), (1m)(a).	Any Wisconsin resident who is not otherwise prohibited from filing and who could be endangered by publishing notice of the name change. §§ 786.36(1) and 786.37(4).	The following people can file for a minor child under 14 years old if they are a Wisconsin resident and not otherwise prohibited from filing, and who could be endangered by publishing notice of the name change: <ul style="list-style-type: none"> • Both living parents, the sole surviving parent, or the sole adoptive parent of the minor child; • One of the two living parents of the minor child if paternity has been established; • The mother if the minor child is a non-marital child who is not adopted or whose parents have not married, and paternity has not been established; • The legal guardian or custodian of the minor child if both parents are dead or the parental rights of both parents have been terminated. §§ 786.36(1), (1m)(a) and 786.37(4). *Note: Wisconsin law does not address whether a confidential name change is allowed for minors under 14 years old, so the judge may not allow it.

	Name Change for an Adult or a Minor Over 14 Years Old	Name Change for a Minor Under 14 Years Old	Confidential Name Change for an Adult or a Minor Over 14 Years Old	Confidential Name Change for a Minor Under 14 Years Old
Who <u>cannot</u> file and request a name change?	<p>A person required to register as a sex offender under Wis. Stat. § 301.45(1g). § 301.47(2)(a).</p> <p>A person that holds a professional license (other than a license to teach in the public schools), if the name change is for a reason other than marriage or divorce, and the state board or commission finds that practicing under the changed name will allow the person to unfairly compete with another practitioner or mislead the public. § 786.36(3).</p>	<p>A minor required to register as a sex offender under Wis. Stat. § 301.45(1g). §§ 786.36(1), 301.47(2)(a).</p>	<p>A person required to register as a sex offender under Wis. Stat. § 301.45(1g). §§ 786.36(1), 301.47(2)(a).</p> <p>A person that holds a professional license (other than a license to teach in the public schools), if the name change is for a reason other than marriage or divorce, and the state board or commission finds that practicing under the changed name will allow the person to unfairly compete with another practitioner or mislead the public. § 786.36(3).</p> <p>A person seeking a confidential name change in order to avoid a debt or conceal a criminal record. § 786.37(4).</p>	<p>A minor required to register as a sex offender under Wis. Stat. § 301.45(1g). §§ 786.36(1), 301.47(2)(a).</p> <p>A minor seeking a confidential name change in order to avoid a debt or conceal a criminal record. § 786.37(4).</p>
Where is the petition for name change filed?	The county where the petitioner lives. § 786.36(1).	The county where the petitioner lives. § 786.36(1).	The county where the petitioner lives. § 786.36(1).	The county where the petitioner lives. § 786.36(1).
Does it cost money to file a petition for name change?	Yes. The filing fee is \$164.50, unless the fee is waived by the court under Wis. Stat. § 814.29(1). § 814.61(1)(a).	Yes. The filing fee is \$164.50, unless the fee is waived by the court under Wis. Stat. § 814.29(1). § 814.61(1)(a).	Yes. The filing fee is \$164.50, unless the fee is waived by the court under Wis. Stat. § 814.29(1). § 814.61(1)(a).	Yes. The filing fee is \$164.50, unless the fee is waived by the court under Wis. Stat. § 814.29(1). § 814.61(1)(a).

	Name Change for an Adult or a Minor Over 14 Years Old	Name Change for a Minor Under 14 Years Old	Confidential Name Change for an Adult or a Minor Over 14 Years Old	Confidential Name Change for a Minor Under 14 Years Old
What are the service and notice requirements for filing a name change petition?	<p>Service is not required on any person.</p> <p>Third class notice of the name change hearing must be published. § 786.37(1). This requires notice of the proposed name change to be printed in a local newspaper once a week for three weeks. §§ 985.01(1m)(a) and 985.07(3). The newspaper must meet the requirements in Wis. Stat. § 985.03(1)(a) or (am) or be a newspaper that is likely to give notice if the requirements cannot be met. § 985.02(1).</p>	<p>If only one of the two living parents files the petition, the petition must be personally served on the non-petitioning parent. § 786.37(2). This does not apply if the non-petitioning parent has been convicted of one of the offenses listed in Wis. Stat. § 786.36(1m)(c).</p> <p>Third class notice of the name change hearing must be published. § 786.37(1). This requires notice of the proposed name change to be printed in a local newspaper once a week for three weeks. §§ 985.01(1m)(a) and 985.07(3). The newspaper must meet the requirements in Wis. Stat. § 985.03(1)(a) or (am) or be a newspaper that is likely to give notice if the requirements cannot be met. § 985.02(1).</p>	<p>Service is not required on any person.</p> <p>Third class notice is not required if the petitioner proves to the court by a preponderance of the evidence that publication of the name change could endanger him or her and that the petitioner is not seeking a confidential name change in order to avoid a debt or conceal a criminal record. § 786.37(4).</p>	<p>Service is not required on any person.</p> <p>Third class notice is not required if the petitioner proves to the court by a preponderance of the evidence that publication of the name change could endanger him or her and that the petitioner is not seeking a name change in order to avoid a debt or conceal a criminal record. § 786.37(4).</p>
Are the court records of the name change confidential from the public?	No.	No.	Yes. § 786.36(2m)(a).	Yes. § 786.36(2m)(a).

Additional information on name change procedures and forms can be found at:
www.wicourts.gov
Click: “Services” → “For the Public” → “Self Help Law Center” → “Name Change”