

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 39
Judiciary

(Delegate Shetty)

Judicial Proceedings

Action for Change of Name - Waiver of Publication Requirement

This bill requires a court, on motion by an individual who has filed an action for change of name under Maryland Rule 15-901, to waive the publication requirement set forth in the Rule.

Fiscal Summary

State Effect: The bill is procedural in nature and does not materially affect the workload of the Judiciary. Revenues are not affected.

Local Effect: The bill is procedural in nature and does not materially affect the workload of the circuit courts. Revenues are not affected.

Small Business Effect: Minimal.

Analysis

Current Law: Maryland Rule 15-901 sets forth procedures for a change of name other than in connection with an adoption or divorce. An action for a change of name must be brought in the county where the person who wants the name change resides. Upon the filing of a petition for a change of name, the court clerk must issue a notice that includes the caption of the action, the substance of the petition and the relief sought, and the latest date by which an objection to the petition may be filed. Unless the court on motion of the petitioner orders otherwise, the notice must be published one time in a newspaper of general circulation, as specified.

After the time for filing objections and responses has expired, the court may either hold a hearing or rule on the petition without a hearing and must enter an appropriate order. A petition may not be denied without a hearing if one was requested by the petitioner.

Additional Information

Prior Introductions: HB 427 of 2020 passed the House and was referred to the Senate Judicial Proceedings Committee, but no further action was taken.

Designated Cross File: SB 581 (Senator Hettleman) - Judicial Proceedings.

Information Source(s): Judiciary (Administrative Office of the Courts); Department of Legislative Services

Fiscal Note History: First Reader - January 11, 2021
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