
BILL NO: House Bill 427
TITLE: Action for Change of Name – Waiver of Publication Requirement
COMMITTEE: Judiciary
HEARING DATE: February 5, 2020
POSITION: **SUPPORT**

House Bill 427 would update and modify our current law on how a person legally changes their name and the current publication requirement. The Women's Law Center supports this bill as it would create a name change procedure more administrative in nature than judicial, and be more accessible for Marylanders seeking a name change. Most importantly, it would remove the anachronistic publication requirement for name change.

Under current law, for a name change, a party must petition the court for permission to change the name. The Women's Law Center operates a statewide Family Law Hotline and speaks with thousands of self-represented litigants every year. Name change is one of the topics raised by callers. We explain colloquially that a person has to "jump through a lot of hoops" to get a name change through the court system. HB 427 eliminates the requirement that the party publish the intent to change name before a court will consider granting the petition, as long as the individual who is filing for action for change of name files a motion to waive the requirement. We are aware that historically, publication was required in an attempt to prevent against fraud. However, there is some illogic in our law, as a person can easily and administratively change a name upon marriage, and sometimes for other reasons. In addition, the costs for publication can be prohibitive for some as well. And for transgender people who are changing their names to align with their gender identity, it can cause negative consequences and possibly even danger.

Under HB 427, the requirement of publication of a name change can be waived, thus making it easier and safer for individuals to change their names privately.

In our experience, making access to justice more available to self-represented litigants as vitally important given that only 20% of legal need for representation is met in Maryland. Therefore, the Women's Law Center of Maryland, Inc. urges a favorable report on House Bill 427.

The Women's Law Center of Maryland is a private, non-profit, membership organization that serves as a leading voice for justice and fairness for women. It advocates for the rights of women through legal assistance to individuals and strategic initiatives to achieve systemic change. The Women's Law Center operates two hotlines, Protection Order Advocacy and Representation Projects in Baltimore City, Baltimore County and Carroll County and the Multi-Ethnic Domestic Violence Project.