INSTRUCTIONS TO CONFORM LEGAL NAME OF AN ADULT

A person desiring to file an Application to Conform Legal Name of an Adult must have been a bona fide resident of Hamilton County for at least **60 days** immediately prior to the filing of said application.

You must present a certified copy of the adult's birth certificate at the time of the Application as well as proof and support documentation showing the name that the applicant has been using.

The support documentation **must** include an Official Identity Document (e.g., Driver's License, passport, social security card, Medicaid/Medicare Card, Military ID, certified copy of Marriage License, etc.). The conformed name must be one of the names used on at least one Official Identity Document.

Fill in **all** blanks except Case No. and hearing dates.

A fee is required at the time of filing. **Current Court Costs are posted at:** **https://www.probatect.org/about/general-resources**.

We accept cash, cashier's checks or all major credit/debit cards as payment for the fee. No personal checks or money orders will be accepted.

The forms may be obtained from the Information Desk on the 9th floor of the Probate Court, 230 East 9th Street, Cincinnati, Ohio or by downloading the forms from our Web site, http://www.probatect.org.

STEP 1: COMPLETE THE FOLLOWING FORMS
Self-Representation Form (270.01) - Sign and Complete information if you **do not** have legal representation
Application to Conform Legal Name of Adult (Form 121.00) - Be sure to state your full legal name (first, middle and last) and full name requested after the name is conformed (first, middle and last). - **If applicant is currently using a married name** include first, middle, maiden and married names. Ex. Jane Doe Smith (maiden) Jones (married) - You must include your reasons for seeking a conformed name.
Affidavit in Support of Application (Form 121.60) - Be sure to have it notarized or sign it in front of a clerk at the Court.
Entry Dispensing with hearing (Form 121.11) - Complete this form if no hearing is required.
Judgement Entry – Conform Name of Adult (Form 121.50) - Fill in everything above the signature line for the Probate Judge. - It is strongly recommended that this form be typewritten. - This Entry is proof that you have legally conformed your name and it is important that it be legible.
IF A HEARING IS REQUIRED, COMPLETE THE FOLLOWING EXTRA FORM
Entry Setting Hearing on Application to Conform Name (Form 121.11) - Fill in the caption only. - The hearing date will be assigned by the Magistrate
STEP 2: Assigning of Magistrate, reviewing of forms and setting of hearing

When all forms have been completed, present them to the Magistrates' Assistant at the information desk on the 9th Floor of Probate Court for a Magistrate to review (and setting of a hearing date if required).

STEP 3: FILING OF FORMS

All forms must be filed with the Cashier who will assign a case number. At this time, the Cashier will require the payment of the filing fee.

STEP 4: THE HEARING (IF REQUIRED) – WHAT TO BRING WITH YOU AND WHAT TO EXPECT

Judgment Entry – Conform Name of Adult (Form 121.50)

- Fill in everything above the signature line for the Probate Judge.
- It is strongly recommended that this form be typewritten.
- This Entry is proof that you have legally changed your name and it is important that it is legible.

At the date and time of the hearing, you should report to the 9th floor of the Probate Court to the Information Desk. The Clerk will inform you of the courtroom number. Give the Magistrate the Judgment Entry – Conform Name of Adult. The Magistrate will ask you questions regarding the application and will decide whether to grant the conformed name. Assuming the application is granted, you must then file the Judgment Entry – Conform Name of Adult.

If you require certified copies of the JUDGMENT ENTRY – CONFORM NAME OF ADULT for Social Security, school, or other purposes, the cashier will make the copies of the entry and certify the copies for a nominal cost. You must send a certified copy of the JUDGMENT ENTRY- CONFORM NAME OF ADULT to the Bureau of Vital Statistics of the State that maintains your birth record.

If you would like to obtain a new birth certificate and were born in Ohio, send the certified copy of the Judgment Entry along with a fee (contact Vital Statistics to see what the current cost is) to:

Bureau of Vital Statistics
246 North High Street
P.O. Box 15098
Columbus, Ohio 43215-0098
(614) 466-2531

Local Departments:

Born within City of Cincinnati limits
Cincinnati Department of Health
Division of Vital Statistics
1525 E. Elm Street
Cincinnati, Ohio 45202
(513) 352-3120

Born outside city limits but in Hamilton County
Hamilton County Department of
Health Division of Vital Statistics
1701 Patricia McCollum Way
Cincinnati, Ohio 45237
(513) 946-7800

Born within City of St. Bernard limits
St. Bernard City Hall
110 Washington Street
St. Bernard, Ohio 45217
(513)242-7772

Born within City of Reading limits
City of Reading Health Department
1000 Market Street
Reading, Ohio 45215
(513)733-3725

Born within City of Norwood limits
Norwood Health Center
2059 Sherman Avenue
Norwood, Ohio 45212
(513)458-4600

OBTAINING THE AMENDED BIRTH RECORD

FOR NAME CHANGES OR CONFORMED NAMES: You will need to send a certified copy of the entry approving the name change to Bureau of Vital Statistics (ODH/VS) for processing. Please DO NOT send applications for amended certificates with money/payment with your court paperwork. Please allow time to process the corrections to make the request.
Below are the three ways that a certificate can be purchased. Please do not place an order for a certificate if you have not allowed at least 30 days for processing. You can confirm if the change has been completed by calling the Vital Statistics **Customer Service** line at 614-466-2531 prior to placing your order.

Local Health Department
A birth certificate can be purchased from any local health department for persons born in Ohio. It is not restricted to where the birth occurred. Below is the information for the local health department(s) in your county. Please contact the office directly to verify how an order can be placed, the cost and whether the office is available for same day service. Certificates will be available for issuance after allowing 30 days for processing.

Hamilton County General Health Dist 1701 Patricia McCollum Way Cincinnati, OH 45237 **Phone:** (513) 946-7800	Cincinnati Health Dept., Office of Vital Records 1525 Elm St., 4th Floor Cincinnati, OH 452020 **Phone:** (513) 352-3120	Norwood City Health Department 2059 Sherman Ave Norwood, OH 45212 **Phone:** (513) 458-4600

Online
Ordering a birth record through the ODH/VS online portal is the fastest way to obtain a certificate. Most orders are filled within five business days and go out first class mail. Each certificate is $21.50 and can be ordered using credit card.
Please go to the following website to place your order after allowing 30 days for processing.

https://odhgateway.odh.ohio.gov/OrderBirthCertificates/

Via Mail – USPS
Customers can also apply for a new certificate via mail. These requests go directly to the ODH/VS office and take approximately two to three weeks to fulfill. Applications should not be sent until four weeks after the paperwork was mailed by the court. A check or money order can be made payable to "Treasurer, State of Ohio" for $21.50 for each birth certificate requested. Applications can be found online at https://odh.ohio.gov/wps/portal/gov/odh/know-our-programs/vital-statistics/How-to-Order-Certificates and can be mailed to the address below with the appropriate payment for copies.

Ohio Department of Health
Bureau of Vital Statistics
P.O. Box 15098
Columbus, Ohio 43215-0098

Ralph Winkler
JUDGE, PROBATE COURT
HAMILTON COUNTY, OH

A CITIZEN'S GUIDE TO COMMUNICATING WITH THE JUDGE AND MAGISTRATES

Why can't I communicate directly with the judge or magistrate on my case?

If the matters are contested, judges and magistrates are not allowed to communicate with individual parties. This is what the law calls an *ex-parte* communication (this is when a judge or magistrate only communicates with an individual party, on their own, without the knowledge of all parties to a case). In order to keep the court process as fair, equal and as transparent as possible, *ex-parte* communication is strictly forbidden. It is unfair for the court to share information without all of the parties present.

You cannot email the judge or magistrate, as the email is considered an *ex-parte* communication. In addition, emails are not pleadings (motions.) You cannot write a personal letter to the judge or magistrate as this may be considered an *ex-parte* communication.

How can I speak to the judge or magistrate on my case?

Typically, to speak to the judge or magistrate on your case, you must file a written motion with the court explaining what you want the court to do and all motions become part of the public record. You also have to send a copy of whatever you file to the other parties, or their attorney if they are represented by an attorney (this is called "service"). A motion is not considered an *ex-parte* communication because all parties are officially notified. You may be required to pay a filing fee when you file your written motion. Please note, there is no fee if you wish to speak to the magistrate in an uncontested matter, on their assigned walk-in days.

I've heard there's always a magistrate on duty to hear arguments immediately – what does that mean?

There is a magistrate on duty every business day. The on-duty magistrate may answer generic procedural questions. The on-duty magistrate may also discuss matters in an uncontested case. For all other matters, the on-duty magistrate is prohibited from speaking with you. To address the court for these matters, you must file a written motion. The on-duty magistrate will set the matter for hearing before the magistrate assigned on your case or the judge.

What if I need to tell the judge or magistrate something I don't want the other party to know about?

Unfortunately, you cannot withhold information from another party to your case. In order to keep the case fair to everyone involved, as soon as you tell the judge or magistrate something, you must also tell the other parties. All sides must have an opportunity to respond to the information that you have shared with the court.

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

IN THE MATTER OF: _____

CASE NO. _____

SELF-REPRESENTATION ACKNOWLEDGMENT

I acknowledge that I have read, understand and agree with all of the following statements:

1. The Court has recommended that I hire an attorney to represent me in this case. However, I have chosen to proceed with this case without the assistance of an attorney.

2. The Court and its Deputy Clerks are prohibited by law from providing legal advice. I will follow the instructions provided in the form packets and on the Court's website, www.probatect.org.

3. I am responsible for understanding and correctly applying any statutes, case law, rules, regulations, policies, and procedures that relate to this case, including, but not limited to, the Ohio Revised Code, Rules of Superintendence for the Courts of Ohio, Hamilton County Probate Court Local Rules of Practice, and the Ohio Rules of Civil Procedure.

4. The same standards that apply to attorneys and persons represented by attorneys in similar probate hearings will apply to myself.

5. If I do not fulfill my responsibilities in this case as required by law, I may be subject to sanctions or penalties as provided by law, which may include removal as fiduciary or being required to be represented by an attorney.

6. I may be personally liable to any person or entity that suffers damages as a result of anything I do or fail to do in this case that does not comply with the legal requirements.

_____
Fiduciary/Applicant/Guardian

_____
Typed Printed Name

_____
Address

_____
City/State/Zip

_____
Telephone Number (include area code)

_____
Email

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

IN RE: THE NAME OF _____
(Present Name)

TO _____
(Requested Conformed Legal Name)

CASE NO. _____

APPLICATION TO CONFORM LEGAL NAME OF ADULT

(R.C. 2717.04 AND 2717.05)

Applicant is an adult and has been a bona fide resident of this county for at least 60 days immediately before filing this application.

Applicant states that a misspelling, inconsistency, or other error of Applicant's legal name exists on one or more of his or her official identity documents, which causes discrepancy in Applicant's chain of identity. This Application provides the necessary information to explain the misspelling, inconsistency, or other error and the corrections needed to conform Applicant's legal name on all official identity documents.

Applicant's Information:

Present Name: _____

Address: _____

Marital Status: ☐ Never Married ☐ Married ☐ Widowed ☐ Divorced ☐ Separated

Name at Birth:_____

Date of Birth: _____

State where birth record was issued: _____

The following official identify documents(s) contain a misspelling, inconsistent, or other error: *[Check all that apply]*

- ☐ Driver's License
- ☐ Divorce Decree
- ☐ Passport
- ☐ Other_____
- ☐ Marriage Record
- ☐ State-issued Identification Card
- ☐ Social Security Card

The misspelling, inconsistency, or other error on the official identity document(s) marked above is described below:

CASE NO. _____

Official Identity document:_____

Name that needs conformed on this document: _____

Conformed legal name that should be stated on this document:

_____

Official Identity document: _____

Name that needs conformed on this document:_____

Conformed legal name that should be stated on this document:

_____

Requested conformed legal name:_____
First Middle Last

☐ Check this box if more than two official identity documents are affected and attach the information on a separate page.

Applicant is one and the same person referenced in each of the official identity documents, despite the name discrepancy. But for the misspelling, inconsistency, or other error identified above, there would not be any discrepancy in Applicant's chain of identity.

An Affidavit in support of this Application is attached.

All of the documentary evidence required by Local Rule or court order also accompanies this Application.

Applicant requests the Court to issue an order conforming Applicant's legal name in the manner described in this Application.

Applicant acknowledges this application will not be used to correct the birth record.

_____
Attorney for Applicant

_____
Typed or Printed Name

_____
Address

_____
City State Zip

_____
Telephone Number (including area code)

_____
Email Address

Attorney Registration No. _____

_____
Applicant's Signature

_____
Type or Printed Name

_____
Address

_____
City State Zip

_____
Telephone Number (including area code)

_____
Email Address

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

IN RE: CHANGE OF NAME OF _____
(Present Legal Name)

TO _____
(Requested Conformed Legal Name)

CASE NO. _____

AFFIDAVIT IN SUPPORT OF APPLICATION TO CONFORM LEGAL NAME OF ADULT

[R.C. 2717.06]

State of Ohio }
} SS
County of Hamilton }

The undersigned, in support of the Applicant's Application to Conform Legal Name of Adult, deposes, says, and verifies the following:

Check all that apply:

1. ☐ Applicant has been a bona fide resident of this county for a period of at least sixty (60);
2. ☐ The Application is not being made for the purpose of evading any creditors or other obligations;
3. ☐ Applicant is not a debtor in any currently pending bankruptcy proceedings;
4. ☐ All documentary evidence submitted with the Application is true, accurate, and complete.

The Applicant certifies under penalty of perjury that the statements in this Affidavit are accurate and complete.

_____ _____
Date Applicant

Sworn to before me and subscribed in my presence the _____ day of _____, _____

_____
Notary Public / Deputy Clerk

_____
Typed or Printed Name

Commission Expiration Date _____

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

IN RE: THE NAME OF _____
(Present Name)

TO _____
(Requested Conformed Legal Name)

CASE NO. _____

JUDGMENT ENTRY SETTING HEARING AND ORDERING NOTICE
[R.C. 2717.08 and 2717.14]

The Court sets the Application for Conform of Name in this case for hearing on

_____, 20_____ at _____ ____ M.

The Court orders the Applicant to serve a Notice of Hearing in the following manner on all necessary parties who have not waived notice;

- ☐ By certified mail, return receipt requested
- ☐ By personal service
- ☐ By publication once in a newspaper of general circulation in this county at least 30 days before the hearing.
- ☐ Other: _____

  _____

  _____

Applicant must file proof of service with the Court before the hearing.

_____ _____
Date Ralph Winkler, Probate Judge

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

IN RE: THE NAME OF _____
(Present Name)

TO _____
(Requested Conformed Legal Name)

CASE NO. _____

NOTICE OF HEARING ON CONFORMING LEGAL NAME

[R.C. 2717.08 and 2717.14]

Applicant gives notice that the Applicant has filed an Application to Conform Legal Name in this Court requesting the Court resolve discrepancies in the legal name of

_____
First Middle Last

A hearing on the Application will be held on _____, 20_____ at

_____ ____M in the Probate Court of Hamilton County, Ohio located at 230

East 9th Street, Cincinnati, Ohio 45202.

_____
Applicant's Signature

_____
Typed or Printed Name

_____
Address

_____
City State Zip

_____
Email

Note to Publisher: The above legal notice including the caption is to be published once in its entirety. Costs are to be paid by applicant and Affidavit of Publication is to be furnished to applicant.

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

IN RE: CHANGE OF NAME OF _____
(Legal Name)

TO _____
(Name Requested)

CASE NO. _____

ENTRY DISPENSING WITH HEARING ON APPLICATION TO CHANGE OR CONFORM NAME

The Court orders a hearing be dispensed with in this matter.

_____
Ralph Winkler, Probate Judge

PROBATE COURT OF HAMILTON COUNTY, OHIO
RALPH WINKLER, JUDGE

IN RE: THE NAME OF _____
(Present Name)

TO _____
(Requested Conformed Legal Name)

CASE NO. _____

JUDGMENT ENTRY CONFORMING LEGAL NAME OF ADULT
[R.C. 2717.10]

This matter came before the Court for hearing on _____, on an Application to Conform Legal Name of Adult. The Court finds there is sufficient proof that a misspelling, inconsistency, or other error of the Applicant's legal name exists on the official identity document indicated below, and that reasonable and proper cause exists for issuing this order to resolve the discrepancy and to conform the Applicant's legal name.

Official identify document that requires conformity of misspelling, inconsistency, or other error:

- ☐ Driver's License
- ☐ Marriage Record
- ☐ Divorce Decree
- ☐ State-issued Identification Card
- ☐ Passport
- ☐ Social Security Card
- ☐ Other _____

Name that needs conformed on document(s):

_____

Conformed legal name to be stated on the document(s):

_____

The Court finds that, despite the name discrepancy, this official identity document identifies one and the same person. Therefore, the Court order that Applicant's name on this official identity document is deemed conformed as stated above to be consistent with Applicant's other official identity document(s).

The Court further Orders that Applicant's conformed legal name is:

_____
First Middle Last

This Order shall not be used to correct the birth record.

_____
Ralph Winkler, Probate Judge

CERTIFICATION OF JUDGMENT ENTRY

The above Judgment Entry Confirming Legal Name of Adult is a true copy of the original kept by me as custodian of the records of this Court.

Ralph Winkler, Probate Judge

(Seal)

_____ By: _____
Date Deputy Clerk