

# MAINE FAMILY LAW ADVISORY COMMISSION

## Report to Maine Legislature Joint Standing Committee on Judiciary On LD 209 “An Act Concerning Name Changes for Minors”

### Introduction

The Maine Family Law Advisory Commission hereby reports to the Maine Legislature, Joint Standing Committee on Judiciary, on LD 209 “An Act Concerning Name Changes for minors.” For the reasons set out below, the Commission proposed and supports this bill.

### Discussion

LD 209 clarifies the process for name changes for minors and provides a set of factors for courts to consider in evaluating whether to grant a request for a minor’s name change. Name changes for minors have traditionally happened in Probate Court only if all the parents agree to the name change. The Maine Parentage Act opened up a route for District Courts to order agreed-to or contested name changes for “good cause.” In the past few years, the existing Maine Parentage Act language has led to some confusion about (1) the types of proceedings in which the District Court can order a minor’s name change and (2) the definition of “good cause”.

In response to this confusion, FLAC researched the ways that minor name changes are handled in other states and discussed this topic over several meetings. LD 209 proposes clarifying that the District Court can change a minor’s name in any type of parentage proceeding, including divorces and post-judgment actions, but not in Protection from Abuse matters. LD 209 also clarifies what constitutes “good cause” by listing a series of non-exclusive factors a court may consider. This list is based on evaluating factors from a number of states. Finally, LD 209 clarifies that any parent may request that the court consider a potential name change for a minor.

### Conclusion

Because LD 209 provides important clarification about the filing and evaluation of request to change a minor’s name, FLAC has proposed and supports this bill.

Dated: February 12, 2021

Respectfully submitted:  
Maine Family Law Advisory Commission

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Hon. Steven Chandler, Family Law Magistrate  
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