

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2022

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Legislative Document

No. 1900

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H.P. 1407

House of Representatives, January 5, 2022

### An Act To Amend the Laws Governing Name Changes

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative SHEEHAN of Biddeford.  
Cosponsored by Senator DAUGHTRY of Cumberland and  
Representatives: Speaker FECTEAU of Biddeford, OSHER of Orono, RECKITT of South  
Portland, ROBERTS of South Berwick, WOOD of Portland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 18-C MRSA §1-701, sub-§2**, as amended by PL 2021, c. 14, §1, is further  
3 amended to read:

4 **2. Notice and name change; adults; notice.** Upon receipt of a petition filed under  
5 subsection 1, paragraph A, the court, after due notice to interested parties as required by  
6 law, may change the name of the person who is an adult. To protect the safety of the person  
7 for whom the name change is sought, the court may limit the notice required if the person  
8 shows by a preponderance of the evidence that the person is currently in reasonable fear of  
9 the person's safety.

10 **Sec. 2. 18-C MRSA §1-701, sub-§2-A**, as enacted by PL 2021, c. 14, §1, is  
11 amended to read:

12 **2-A. Notice and name change; minors.** A parent or guardian who has filed a petition  
13 under subsection 1, paragraph B or has requested a name change in a District Court  
14 proceeding under subsection 1, paragraph C shall provide notice pursuant to the applicable  
15 rules of procedure to any other parent, any guardian and any person or agency with legal  
16 custody of the minor; to the guardian ad litem if one is currently appointed; and to the minor  
17 if the minor is 14 years of age or older, ~~but does not need to publish notice of the minor's~~  
18 ~~name change unless the court orders that notice of the name change of the minor be~~  
19 ~~published due to the specific circumstances of the case.~~ To protect the safety of the minor  
20 for whom the name change is sought, the court may limit notice required under this  
21 subsection if the parent who has sole parental rights and responsibilities shows by a  
22 preponderance of the evidence that:

23 A. The minor is a victim of abuse; or

24 B. The minor or petitioner is currently in reasonable fear of the minor's or petitioner's  
25 safety.

26 **Sec. 3. 18-C MRSA §1-701, sub-§3**, as amended by PL 2021, c. 14, §1, is further  
27 amended to read:

28 **3. Record.** The court shall make and preserve a record of a name change. ~~If the court~~  
29 ~~limited the notice required under subsection 2 or 2-A, the~~ The court may make the record  
30 of the name change confidential or not public.

31 **SUMMARY**

32 This bill provides that notice of the filing of a petition to change an adult's name must  
33 be provided only to interested parties as required by law and that notice of a petition to  
34 change a minor's name must be provided only to any other parent, any guardian and any  
35 person or agency with legal custody of the minor; to the guardian ad litem, if any; and to  
36 the minor if the minor is 14 years of age or older. The court may limit that notice to protect  
37 the safety of the adult or minor.