

Rule 205. Change of Name or Gender Designation

(a) IN GENERAL. In accordance with D.C. Code §§ 16-2501 to -2503 (2012 Repl. & 2019 Supp.), any person 18 years old or older who is a resident of the District of Columbia and seeks a declaration or order reflecting a change of name or gender designation, may file an application with the court.

(b) APPLICATION FOR NAME CHANGE.

(1) *Content.* An application for name change must be signed under oath and must include:

- (A) the applicant's present name, social security number, and date of birth;
- (B) the name desired to be assumed;
- (C) the reasons for the name change;
- (D) the applicant's present residence and permanent domicile;
- (E) the applicant's place of birth;
- (F) the full names of applicant's parents;
- (G) whether the applicant's name has been previously changed and, if so, the dates, places, and reasons for the previous name change;
- (H) whether the applicant has ever been known by or used any other name not stated in this application, and, if so, what name and the dates, places, and reasons for being known by or using the other name;
- (I) the applicant's occupation;
- (J) whether the applicant has been the subject of a bankruptcy, receivership, or insolvency proceeding;
- (K) whether the applicant has been convicted of a felony;
- (L) whether any unsatisfied judgment or decree has been entered against applicant;
- (M) the names and addresses of any creditors to whom the applicant is presently indebted;
- (N) a certification by the applicant that:
 - (i) the application has not been filed for any fraudulent or undisclosed purpose or status, past or present; and
 - (ii) granting the application will not infringe on the rights of others relating to any partnership, corporation, patent, trademark, copyright, goodwill, privacy, or otherwise.

(2) *Preliminary Review.* At the time the application for name change is filed, the court must review the application to determine whether the applicant made a prima facie showing of the applicant's right to relief. If the applicant makes a prima facie showing, the court must:

- (A) set a date for the final hearing; and
- (B) determine who, if anyone, is entitled to notice of the application and of the final hearing.

(3) *Notice of Final Hearing.*

(A) *In General.* The applicant must personally serve or send, by registered or certified mail, a notice of the final hearing and a copy of the application to the persons designated by the court.

(B) *Proof of Service by Mailing.* Proof of service by mailing must be shown by an affidavit stating the names and addresses of each person to whom notice was given and the date of mailing. The affidavit must be supported by proof of delivery by registered or certified mail.

(4) *Final Hearing*. The court must hold a final hearing on the application. Upon proof of notice as required in Rule 205(b)(3) and after determining that all persons who appear to have an interest in the application have received proper notice, the court may enter an order changing the name of the applicant. If the applicant has been convicted of a felony, the court must provide notice to appropriate law enforcement officials.

(c) APPLICATION FOR CHANGE OF GENDER DESIGNATION. The court must grant an order or declaration reflecting a change of gender designation if an applicant presents a statement from the applicant's healthcare provider as described in D.C. Code § 7-231.22 (2019 Supp.).

COMMENT TO 2020 AMENDMENTS

This rule was amended consistent with the stylistic changes to the federal civil rules. Former section (c) addressing publication was deleted to reflect elimination of that statutory requirement. See JaParker Deoni Jones Birth Certificate Equality Amendment Act of 2013, D.C. Law 20-37, § 3(b), 60 D.C. Reg. 12145 (August 23, 2013). Also, the rule was updated to include applications for an order or declaration reflecting a change of gender designation under D.C. Code § 16-2503 (2019 Supp.).