

401.020 Parents or guardian may have child's name changed in District, Family, or Circuit Court -- Relevant factors.

- (1) Both parents, provided both are living, or one (1) parent if one (1) is deceased, or if no parent is living, the guardian, may have the name of a child under the age of eighteen (18) changed by the District Court, or if the Family Court or Circuit Court has a case before it involving the family, the Family Court of a county with a Family Court, or the Circuit Court of a county without a Family Court of the county in which the child resides.
- (2) If one (1) parent refuses or is unavailable to execute the petition for a name change, proper notice of filing the petition shall be served in accordance with the Rules of Civil Procedure. The court shall conduct a hearing on the petition no later than sixty (60) days from the date of service and make findings of fact and conclusions of law based on the best interests of the child. The court shall consider all relevant factors, including:
 - (a) The wishes of the child's parent or parents;
 - (b) The wishes of the child as to the name change, with due consideration given to the influence a parent may have over the child's wishes;
 - (c) The interaction and interrelationship of the child with his or her parent or parents, his or her siblings, and any other person who may significantly affect the child's best interests;
 - (d) The motivation of the adults participating in the proceeding; and
 - (e) The mental and physical health of all individuals involved.
- (3) If the child resides on a United States Army post, military reservation, or fort, his or her name may be changed by the District Court, or the Family Court of a county with a Family Court, or the Circuit Court of a county without a Family Court of any county adjacent thereto.

Effective: July 15, 2024

History: Amended 2024 Ky. Acts ch. 219, sec. 11, effective July 15, 2024. -- Amended 2013 Ky. Acts ch. 89, sec. 2, effective March 22, 2013. -- Amended 1980 Ky. Acts ch. 259, sec. 27, effective July 15, 1980. -- Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 14, sec. 396, effective January 2, 1978. -- Amended 1974 Ky. Acts ch. 386, sec. 89. -- Amended 1968 Ky. Acts ch. 100, sec. 13. -- Amended 1964 Ky. Acts ch. 155, sec. 1. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 3718.