



Change of name

Overview

Provided that you are not intending to deceive or de-fraud anybody you can change your name to whatever you like. If you have children you may want to change their surnames so that the family all has the same surname.

Following marriage or a civil partnership your marriage and civil partnership certificate will be sufficient evidence to change your surname. Likewise if you want to revert to your maiden name, your Decree Absolute of divorce or Final Order on a dissolution will usually be sufficient evidence.

In all other circumstances you will need a change of name deed to formally record the change. To draft the change of name deed you will need to provide evidence of your current name and address, along with details of your new name.

You can have your change of name deed registered in the Enrolment Books of the Supreme Court of Judicature. This is located within the Royal Courts of Justice in the Strand, London. After about five years, the court's records are then transferred to the National Archives. A change of name deed does not however need to be registered and in reality very few are as it adds to the costs and there is no reason why you cannot notify all those people and organisations that need to know.

The court will require proof that attempts have been made to find those people with parental responsibility. In the event that those people with parental responsibility cannot agree the court will determine whether or not the child's name should be changed.

Change of name for a child

For a child under the age of sixteen all those with parental responsibility must agree to the name change. Parental responsibility is defined in law as "All the rights, duties, powers, responsibilities and authority which by law a parent has, in relation to a child and the administration of his or her property" A child's natural mother automatically has parental responsibility, as does the father if either they are married to the mother, or subsequently marry, or if they are named on the child's birth certificate after December 2003. Fathers can also acquire parental responsibility by entering into a formal legal agreement with the mother or by court order. Others can be granted parental responsibility either by court order or by a Residence Order. All those with parental responsibility will be required to sign the change of name deed.

If the permission of all those with parental responsibility is not possible, then a court order will need to be obtained to confirm that the change of name can take place.

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Contact us

Please feel free to discuss your own position and concerns. Contact your nearest Russell Jones & Walker office or call:

Call: 0800 916 9055
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Our offices:

Birmingham, Bristol, Cardiff, Edinburgh (Associated Office), London, Manchester, Milton Keynes, Newcastle, Sheffield, Wakefield

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