



Name Change Questions

S.C. Code Ann. § 15-49-10, *et. seq.* sets forth the requirements for a name change. Subsection (J) recognizes that this statute does not apply when a person wishes to resume use of her maiden name as a result of a domestic action in family Court.

THIS STATUTE DOES NOT APPLY TO NAME CHANGES WHEN NOT ASSOCIATED WITH SEPARATION AND DIVORCES.

Most judges require attorneys to ask the following questions when including a name change in an action for divorce or separate support and maintenance.

- What is your current legal name?

- What is the new name you desire?

- Please spell your new name for the record.

- Are you under a Court Order to pay child support or alimony?

- If yes, have you notified the recipient of the support of your desire to change your name?

- Have you ever been convicted of a crime under your present name?

- Are you hiding from any creditors?

- Have you ever filed bankruptcy?

- Are you requesting this name change to avoid criminal prosecution or to evade service of an outstanding arrest warrant?

- Are you named on any sex offender registries?

- Are you named in any registry as a person who has committed abuse, neglect, or harm, or threats of any abuse, neglect, or harm to any child or children?

- Have you ever been investigated by DSS?

- Have you ever been denied a passport?

- Are you, or have you ever been, in the custody of the Department of Corrections?

- Are you on a “no fly” list?

- Are you asking this Court to issue an Order officially changing your name from _____ to _____?

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