

## **Is a Name Change Required?**

**By Kimberly A. Paton, Esq.**

Oftentimes, people think that a person officially changes their name to get a “fresh start”, such as after a marriage with a traditional name change or a couple forming a new, combined name; reverting to a maiden name after a divorce; because of a bad situation that is haunting them; adopting a child; anglicizing a name to blend in; or just because you don’t like your name.

Many of these situations are part of another legal process and include just checking a box.

There are other times, however, that call for an official name change that may not be on your radar. For example, using multiple names throughout different times or places in your life.

It used to be that people could use any name they wanted on even official documents like social security cards, passports, driver’s licenses, work documents, etc., provided that the different name was not used for criminal activities. Many of our clients even have nicknames on their official documents. In the past, all that was needed was for the person to state that they are “also known as” some other name or to provide a “Same Name Affidavit” to address these different names.

Due to changes in the law, this process has gotten much more difficult. There is a whole segment of our readers that may need to have an “official name change” in order to make their official documents consistent to prove who they are.

For instance, they may have used their maiden or anglicized name in their work life, and their married or birth name in their personal life. Some people are not even sure of their legal name. Therefore, they have official documents like their driver’s license, Social Security Card, passport, insurance cards, pension records, Medicare cards, etc. in a variety of names.

If you want to get a driver’s license and need six points of identification, you may not be able to provide this because your official documents don’t match. Alternatively, you may not be able to prove who you are for the pension company, social security, Medicare, or bank in order to collect your pension or work benefits because your driver’s license or other official documents are not in your birth name.

I know this first-hand, as I had to deal with my husband’s name disparity after he died. My husband was born in Italy and named Giuseppe, but he used “Joe” regularly in his day-to-day life. At the worst time in my life, I was dealing with this situation. Fortunately, I am an attorney and have the training to handle this issue, but it was still emotionally draining.

We want to alert our readers to this potential situation, so that they can address it before it becomes a real issue. We, at the Paton Law Firm, have helped people with name changes, and we want to make this process as painless as possible.