

**WOLLENS**

Full spectrum law

# Change of name for a child



# Change of name for a child - FAQ's

## **1. My child is under 16 years old and wants to change their name. Can they?**

They cannot do so themselves, as they are a minor. However, those with parental responsibility can provide their consent for the child to change their name.

## **2. Who has legal parental responsibility for a child?**

The mother has automatic parental responsibility. The father may have parental responsibility if they were married to the mother at the time of birth, are on the child's birth certificate or acquired parental responsibility another way such as a parental responsibility agreement or court order.

## **3. What happens if there is someone else with parental responsibility for the child other than the parents?**

You must all agree to change the child's name.

## **4. Will verbal consent suffice?**

Written consent is preferred.

## **5. If everyone with parental responsibility consents, how do I go about changing my child's name?**

This can be done via a Change of Name Deed, which is a legal document drafted by a solicitor. This document will serve as the evidence of a change of name for most organisations that require it.

## **6. Will a statutory declaration change my child's birth certificate?**

No. This will remain the same.

## **7. What does a Solicitor do to assist with a change my child's name and what does that fee include?**

This includes a solicitor drafting the Change of Name Deed and discussing the options for a name change and the relevant law relating to this. This also includes assisting you with the signing of the Deed and providing you with 3 certified copies to take away with you.

## **8. What happens if either the mother or father do not consent to the changing of the child's name?**

An application to Court may need to be made.

## **9. What would the Court consider when deciding whether or not to change my child's name?**

They will consider what is in the best interests of the child. This is the most important factor. Other factors they will consider is why the current name/surname was chosen, any implications this may have on them in the future and their relationship with each parent.

## **10. What happens if I don't know where the mother/father of my child is?**

If your child's mother/father is absent from their life, you may need permission from the Court to change their name, on the basis that you cannot obtain consent as you do not know the other parent's whereabouts. However, reasonable efforts must have been made to try and establish this.

## **11. Do I have any other options?**

Parents could consider changing their child's name informally. Perhaps you could start calling them by another name until they are older and then they can decide themselves. You could consider a double-barrelled name or a surname as an extra middle name, so the child still has links to their other parent. Some parents also consider a blended name option.

# How can Wollens help?

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North, South, East or West. Wherever you are, we've got you covered. Contact us today for an informal chat, without obligation. We look forward to hearing from you. Please ask for the Family Law Team.



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