



## Michigan Supreme Court

State Court Administrative Office  
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Thomas P. Boyd  
State Court Administrator

### MEMORANDUM

DATE: March 28, 2025

TO: Family Division Judges  
Circuit Court Administrators  
Family Division Administrators

FROM: Thomas P. Boyd, State Court Administrator

RE: Public Act 229 of 2024—Statutory Amendments for Name Change Proceeding

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This memorandum highlights amendments that [2024 PA 229](#) makes to the Probate Code of 1939, more specifically [MCL 711.1](#) and [MCL 711.3](#). The public act was signed by Governor Whitmer on January 17, 2025, and these changes take effect **April 2, 2025**.

#### I. Eliminated Components of Name Change Proceedings

##### A. Presumption

This Act eliminates the presumption that individuals with a criminal record seeking a name change are doing so with fraudulent intent.

Petitioners with a criminal record or pending charge must include the criminal record or pending charge in their petition. If a petitioner does not have a criminal record, they must state that in the petition. The court may use LEIN<sup>1</sup> or [ICCHAT](#)<sup>2</sup> to determine whether there is a criminal record<sup>3</sup> and shall bear any cost associated with the court's use of LEIN or ICHAT.

- **ICCHAT:** If using ICHAT for name change background checks:
  - Beginning April 2, 2025, courts should select the “Name Change” option when selecting the search reason.
  - There is no fee associated with the name-based background check.
  - If the court does not have an ICHAT account, please email the Michigan State Police (MSP) at [MSP-CRD-ICHATHELP@michigan.gov](mailto:MSP-CRD-ICHATHELP@michigan.gov) to request access.

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<sup>1</sup> LEIN means the law enforcement information network regulated under the C.J.I.S. policy council act, [1974 PA 163](#), MCL 28.211 to 28.215.

<sup>2</sup> ICHAT is the internet criminal history access tool maintained by the department of state police.

<sup>3</sup> Neither ICHAT nor LEIN will release any non-public records, nor any out of state Criminal History Record Information (CHRI) via the Federal Bureau of Investigation (FBI); only Michigan Public CHRI will be disseminated.

- **LEIN:** If using LEIN for name change background checks:
  - The court must have obtained approval to access LEIN and have an assigned ORI.
  - The assigned ORI of the court must be used for conducting the optional criminal record check through LEIN.
  - Courts must use the Criminal History (QH) query, purpose code E, and must include a purpose code reason of “Name Change,” along with a case number (in the OCA field) or Remarks.
  - Courts cannot access any other type of information (i.e. Warrants, Michigan Secretary of State, Sex Offender Registry, Personal Protection Orders, etc.) through LEIN for name change purposes.
  - Access, use, and dissemination of information obtained from LEIN must only be for purposes authorized by law or rule, in accordance with the [Michigan Criminal Justice Information Systems \(CJIS\) Administrative Rules](#), and that such access, use, and dissemination is subject to state and federal audit and training requirements, and the [FBI CJIS Security Policy Michigan Addendum](#).
  - Courts that do not already have access to LEIN and need access for name change purposes should contact the MiCJIN Service Center at [MiCJINMail@michigan.gov](mailto:MiCJINMail@michigan.gov) to request an application.

## **B. Fingerprints**

This Act eliminates the fingerprint requirement for individuals seeking a name change who are 22 years of age or older. Before this amendment, anyone 22 years of age or older was required to have two sets of fingerprints taken at a local police agency.

## **II. Statutory Changes**

### **A. Hearings**

Unless the petitioner is a minor, this Act allows courts *at their discretion* to enter a name change order with or without a hearing.

### **B. Minors Signature**

The amendment allows for a minor 14 years of age or older to sign written consent to a name change outside of the presence of the court. Prior to this amendment, minors who are 14 years of age or older have been required to sign written consent to a name change *in the presence of the court*.

### **C. Publication**

If the court receives a petition that shows good cause to not order publication, the court must order that no publication of the proceeding take place and that the record of the proceeding be confidential. Good cause includes, but is not limited to, evidence that the publication or availability of the record of a name change proceeding could place the petitioner or another individual in physical danger, at an increased likelihood of physical danger, or at risk of unlawful discrimination or retaliation.

Petitions filed showing good cause must state the reason or reasons why the petitioner fears publication or availability of the proceeding, and the court must presume that a petition shows good cause if any of the following reasons are included in the statement:

- The petitioner or the endangered individual is a victim of an assaultive crime, domestic violence, harassment, human trafficking, or stalking.
- The petitioner or the endangered individual seeks to affirm their gender identity.<sup>4</sup>

If the court receives a petition that shows good cause, courts *must* order that no publication of the proceeding take place and make the record of the proceeding confidential.

### **III. Definitions**

The only term originally defined in section 711.3 was “stalking.” Six additional definitions were added to this section:

- Dating relationship (4)(a)
- Domestic violence (4)(b)
- Family or household member (4)(c)
- Gender identity (4)(d)
- Good cause (4)(e)
- Human trafficking (4)(f)

### **IV. Form Changes**

The State Court Administrative Office revised several court forms to reflect these changes. Please see the linked [Explanation of Changes to PC 51, 51b, 51c, and 52](#) for a summary of the form revisions and links to the updated forms.

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<sup>4</sup> “Gender Identity” is defined as follows: an individual’s gender-related self-identity, regardless of whether the self-identity is associated with the individual’s assigned sex at birth.

**Appendix A**  
**MCL 711.1 and MCL 711.3 Changes**

| Category                 | Current Law  | Amended Law<br>(April 2, 2025)   |
|--------------------------|--|--|
| <b>Fraudulent Intent</b> | If petitioner has a criminal record, there is a presumption they are seeking a name change with fraudulent intent.   | Presumption eliminated; petitioner must include the criminal record in the petition (including a pending charge) or state in the petition that they do not have a criminal record. The court may use LEIN or ICHAT to determine whether there is a criminal record.  |
| <b>Hearings</b>          | Hearing required.  | Unless the petitioner is a minor, the court may enter an order with or without a hearing.  |
| <b>Fingerprints</b>      | Individuals 22 years or older must have fingerprints taken.  | Fingerprints are no longer required.   |
| <b>Minor Signatures</b>  | 14 years of age or older must sign the consent in the presence of the court.   | 14 years of age or older must sign the consent but is not required to sign in the presence of the court.   |
| <b>Publication</b>       | The court <b>may</b> order no publication of the proceeding and the record of the proceeding be confidential for good cause.   | The court <b>must</b> order no publication and that the record of the proceeding be confidential if the petition shows good cause.   |
| <b>Good Cause</b>        | Good cause under this section includes, but is not limited to:<br>1. Evidence that publication could place the petitioner or another individual in physical danger, such as being the victim of stalking or an assaultive crime. | Court presumes good cause if a petition includes any of the following reasons:<br>1. The petitioner or the endangered individual is a victim of an assaultive crime, domestic violence, harassment, human trafficking, or stalking.<br>2. Petitioner or the endangered individual seeks to affirm their gender identity. |
| <b>Definitions</b>       | “Stalking” is defined.   | Additional definitions included for dating relationship, domestic violence, family or household member, gender identity, good cause, human trafficking, and stalking.  |