

RCW 4.24.130 Action for change of name—Fees. (1) Any person desiring a change of the person's name or that of the person's child or of an individual subject to guardianship for whom the person has been appointed as guardian, may apply therefor to the district court of any judicial district in the state, by petition setting forth the desire for such change; thereupon such court in its discretion may order a change of the name and thenceforth the new name shall be in place of the former.

(2) An offender under the jurisdiction of the department of corrections who applies to change the offender's name under subsection (1) of this section shall submit a copy of the application to the department of corrections not fewer than five days before the entry of an order granting the name change. No offender under the jurisdiction of the department of corrections at the time of application shall be granted an order changing the offender's name if the court finds that doing so will interfere with legitimate penological interests, except that no order shall be denied when the name change is requested for religious or legitimate cultural reasons or in recognition of marriage or dissolution of marriage. An offender under the jurisdiction of the department of corrections who receives an order changing the offender's name shall submit a copy of the order to the department of corrections within five days of the entry of the order. Violation of this subsection is a misdemeanor.

(3) A sex offender subject to registration under RCW 9A.44.130 who applies to change the sex offender's name under subsection (1) of this section shall follow the procedures set forth in RCW 9A.44.130(7).

(4) The district court shall collect the fees authorized by RCW 36.18.010 for filing and recording a name change order, and transmit the fee and the order to the county auditor. The court may collect a reasonable fee to cover the cost of transmitting the order to the county auditor. Upon affidavit by the person seeking the name change or a qualified legal service provider that the person is unable to pay the fees due to financial hardship, the court shall waive all fees for filing and recording a name change order and direct the county auditor or recording officer to process the name change order at no expense to the person. The court may not waive the fees if the person has received victim compensation for name change fees. For purposes of this subsection, "qualified legal service provider" means a not-for-profit legal services organization in Washington state whose primary purpose is to provide legal services to low-income clients.

(5) (a) Name change petitions may be filed and shall be heard in any superior court in the state:

(i) When a person desiring a change of the person's name:

(A) Is an emancipated minor under chapter 13.64 RCW; or

(B) Has received asylum, refugee, or special immigrant juvenile status; or

(ii) If the reason for the person's name change, or the name change of the person's child or of an individual subject to guardianship for whom the person has been appointed as guardian, is:

(A) Related to gender expression or identity as defined in RCW 49.60.040; or

(B) Due to an experience of or reasonable fear of domestic violence, stalking, unlawful harassment, or coercive control as those terms are defined in RCW 7.105.010.

(b) When a person for whom a name change is sought is a child named in a proceeding under Title 13 or 74 RCW in which the court has exercised original, exclusive jurisdiction, the juvenile court has jurisdiction to either adjudicate a name change petition or grant concurrent jurisdiction to another court to hear the petition.

(c) Upon granting the name change, the superior court shall seal the file to protect the person's privacy or that of the person's child or of an individual subject to guardianship for whom the person has been appointed as guardian. In all cases filed under this subsection (5), whether or not the name change petition is granted, there shall be no public access to any court record of the name change filing, proceeding, or order, unless the name change is granted but the file is not sealed. The name change file shall not thereafter be open to inspection except: (i) Upon order of the court for good cause shown; or (ii) upon the request of the person whose name change was granted or the person's guardian or representative.

(d) This subsection (5) does not apply to a person who is subject to the requirements of subsection (2) or (3) of this section. [2023 c 34 s 1; 2022 c 141 s 1; 2021 c 215 s 90; 1998 c 220 s 5; 1995 sp.s. c 19 s 14; 1995 c 246 s 34; 1992 c 30 s 1; 1991 c 33 s 5; Code 1881 s 635; 1877 p 132 s 638; RRS s 998.]

Effective date—2022 c 141: "This act takes effect July 1, 2022."
[2022 c 141 s 3.]

Effective date—2022 c 268; 2021 c 215: See note following RCW 7.105.900.

Severability—1998 c 220: See note following RCW 9A.44.130.

Findings—Purpose—Short title—Severability—Effective date—1995 1st sp.s. c 19: See notes following RCW 72.09.450.

Effective date—1991 c 33: See note following RCW 3.66.020.