

AN ACT concerning civil law.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Code of Civil Procedure is amended by changing Section 21-101 and by adding Section 21-103.8 as follows:

(735 ILCS 5/21-101) (from Ch. 110, par. 21-101)

Sec. 21-101. Proceedings; parties.

(a) If any person who is a resident of this State ~~and has resided in this State for 6 months~~ desires to ~~change his or her name and to~~ assume another name by which to be afterwards called and known, the person may file a petition requesting that relief in the circuit court of the county wherein he or she resides. The petitioner shall have resided in this State for 3 months at the time of the name change hearing or entry of an order granting the name change.

(b) A person who has been convicted of any offense for which a person is required to register under the Sex Offender Registration Act, the Murderer and Violent Offender Against Youth Registration Act, or the Arsonist Registration Act in this State or any other state and who has not been pardoned is not permitted to file a petition for a name change in the courts of this State during the period that the person is

required to register, unless that person verifies under oath, as provided under Section 1-109, that the petition for the name change is due to marriage, religious beliefs, status as a victim of trafficking or gender-related identity as defined by the Illinois Human Rights Act. A judge may grant or deny the request for legal name change filed by such persons. Any such persons granted a legal name change shall report the change to the law enforcement agency having jurisdiction of their current registration pursuant to the Duty to Report requirements specified in Section 35 of the Arsonist Registration Act, Section 20 of the Murderer and Violent Offender Against Youth Registration Act, and Section 6 of the Sex Offender Registration Act. For the purposes of this subsection, a person will not face a felony charge if the person's request for legal name change is denied without proof of perjury.

(b-1) A person who has been convicted of a felony offense in this State or any other state and whose sentence has not been completed, terminated, or discharged is not permitted to file a petition for a name change in the courts of this State unless that person is pardoned for the offense.

(c) A petitioner may include the petitioner's ~~his or her~~ spouse and adult unmarried children, with their consent, and the petitioner's ~~his or her~~ minor children where it appears to the court that it is for their best interest, in the petition and relief requested, and the court's order shall then include

the spouse and children. Whenever any minor has resided in the family of any person for the space of 3 years and has been recognized and known as an adopted child in the family of that person, the application herein provided for may be made by the person having that minor in that person's ~~his or her~~ family.

An order shall be entered as to a minor only if the court finds by clear and convincing evidence that the change is necessary to serve the best interest of the child. In determining the best interest of a minor child under this Section, the court shall consider all relevant factors, including:

(1) The wishes of the child's parents and any person acting as a parent who has physical custody of the child.

(2) The wishes of the child and the reasons for those wishes. The court may interview the child in chambers to ascertain the child's wishes with respect to the change of name. Counsel shall be present at the interview unless otherwise agreed upon by the parties. The court shall cause a court reporter to be present who shall make a complete record of the interview instantaneously to be part of the record in the case.

(3) The interaction and interrelationship of the child with the child's ~~his or her~~ parents or persons acting as parents who have physical custody of the child, step-parents, siblings, step-siblings, or any other person who may significantly affect the child's best interest.

(4) The child's adjustment to the child's ~~his or her~~ home, school, and community.

(d) If it appears to the court that the conditions and requirements under this Article have been complied with and that there is no reason why the relief requested should not be granted, the court, by an order to be entered of record, may direct and provide that the name of that person be changed in accordance with the relief requested in the petition. If the circuit court orders that a name change be granted to a person who has been adjudicated or convicted of a felony or misdemeanor offense under the laws of this State or any other state for which a pardon has not been granted, or has an arrest for which a charge has not been filed or a pending charge on a felony or misdemeanor offense, a copy of the order, including a copy of each applicable access and review response, shall be forwarded to the Illinois State Police. The Illinois State Police shall update any criminal history transcript or offender registration of each person 18 years of age or older in the order to include the change of name as well as his or her former name.

(Source: P.A. 102-538, eff. 8-20-21; 102-1133, eff. 1-1-24; revised 12-15-23.)

(735 ILCS 5/21-103.8 new)

Sec. 21-103.8. Impounding court file.

(a) A petitioner may file a motion to have the

petitioner's court file impounded. The motion shall include a statement, verified under oath as provided under Section 1-109 of this Code, that the person believes that public disclosure would be a hardship and have a negative impact on the person's health or safety to include, but not be limited to, that the person is transgender, an adoptee, a survivor of domestic or intimate partner abuse, a survivor of gender-based violence, a survivor of human trafficking, a refugee, a person who has been granted special immigrant status by the United States Citizenship and Immigration Service, a person who has survived reparative or conversion therapy, or a person who has been granted asylum in this country. The petitioner may attach to the statement any supporting documents including relevant court orders, although self attestation shall suffice as acceptable documentation.

(b) If the petitioner files a statement attesting that disclosure of the petitioner's address would put the petitioner or any member of the petitioner's family or household at risk or reveal the confidential address of a shelter for domestic violence victims, that address may be omitted from all documents filed with the court, and the petitioner may designate an alternative address for service.

(c) If a court grants a motion to impound the file under this Section, it is still required under subsection (d) of Section 21-101 that the name change be reported to the Illinois State Police, and the Illinois State Police must

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update any criminal history transcript or offender registration for each person 18 years of age or older to include the change of name as well as the person's former name.

(735 ILCS 5/21-103 rep.)

Section 10. The Code of Civil Procedure is amended by repealing Section 21-103.

Section 99. Effective date. This Act takes effect March 1, 2025.