

1 AN ACT concerning civil law.

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

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

7 (735 ILCS 5/21-101) (from Ch. 110, par. 21-101)

8 Sec. 21-101. Proceedings; parties.

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

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

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

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

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

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

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

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

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

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

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

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

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

23 (735 ILCS 5/21-103.8 new)

24 Sec. 21-103.8. Impounding court file.

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

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

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

23 (735 ILCS 5/21-103 rep.)

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