

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.