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**NAME CHANGES: RESTRICT  
PUBLICATION**

**House Bill 5044**  
**Sponsor: Rep. Terry Geiger**  
**Committee: Family and Civil Law**

**Complete to 2-7-00**

**A SUMMARY OF HOUSE BILL 5044 AS INTRODUCED 10-26-99**

Currently, under the probate code, if a person with a criminal record seeks to legally change his or her name, the court is required to publish the time and place of the hearing in accordance with supreme court rules. The bill would allow a court, under certain circumstances, to refrain from publishing the time and place of a name change hearing for a person with a criminal record. More specifically, the court could choose to refrain from publication of the proceeding and the records of a petition for a name change by a person with a criminal record for good cause. Good cause would include, but not be limited to, a situation where publication or availability of the record of the proceeding could place the petitioner or another person in physical danger, such as proof that the individual was a victim of stalking. If a court decided to keep a person with a criminal record's name change confidential, the records of the hearing would be exempt from disclosure under the Freedom of Information Act. The bill would specify that although stalking would be defined in the same way as it is defined in the Penal Code, good cause to keep a name change confidential would not require that an arrest or prosecution have been made under the stalking laws.

In addition, if an individual, other than the petitioner, who knew or should have known that the record of a name change had been kept confidential, divulged, used or published that information, he or she would be guilty of a misdemeanor.

MCL 711.1

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.