

## HOUSE BILL NO. HB0237

Name changes-sealed.

Sponsored by: Representative(s) Barbuto, Bagby, Byrd,  
Cannady, Connolly and Zwonitzer, Dn. and  
Senator(s) Burns, Decaria and Sessions

A BILL

for

1 AN ACT relating to change of name proceedings in district  
2 court; allowing records of change of name proceedings to be  
3 sealed in certain cases for safety reasons; exempting such  
4 cases from residency requirements as specified; providing  
5 for documentation as specified; and providing for an  
6 effective date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

9

10 **Section 1.** W.S. 1-25-105 is created to read:

11

12 **1-25-105. Sealed record proceedings.**

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14 (a) The court may allow a petition for a name change  
15 to proceed on a sealed record basis under this section and  
16 may order the records in the proceeding to be sealed if the

1 court finds by clear and convincing evidence that the  
2 safety of the petitioner or the petitioner's child or ward  
3 warrants sealing the file and that the noncustodial parent  
4 was provided the opportunity to respond to the petition or  
5 the parental rights of the noncustodial parent have been  
6 terminated. The court may appoint a guardian ad litem to  
7 protect the best interests of the child.

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9 (b) Every person desiring a change of name under this  
10 section shall submit a petition to the court, verified by  
11 affidavit, containing the following:

12

13 (i) A concise statement of the reason for the  
14 name change;

15

16 (ii) If the petitioner is over seventeen (17)  
17 years of age, the results of a certified, fingerprint based  
18 criminal history record check conducted pursuant to  
19 subsection (e) of this section within ninety (90) days  
20 prior to the filing of the petition;

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22 (iii) Certified copies of all contents of any  
23 court file, from any jurisdiction, in which a court has  
24 ordered child support, determined paternity or parental

1 rights or ordered allocation of parental responsibilities  
2 or custody regarding the petitioner;

3

4 (iv) If the petitioner is over seventeen (17)  
5 years of age, a copy of a consumer report from a consumer  
6 reporting agency requested pursuant to section 604 of the  
7 Fair Credit Reporting Act, 15 U.S.C. 1681b.

8

9 (c) If the court allows the petition to proceed on a  
10 sealed record basis under this section, the residency and  
11 publication requirements under W.S. 1-25-102 and 1-25-103  
12 shall not apply.

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14 (d) All papers and records pertaining to a sealed  
15 record petition under this section shall be kept as a  
16 permanent record of the court but shall be opened for  
17 inspection only upon an order of the court for good cause  
18 shown or upon the request of the petitioner.

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20 (e) Prior to filing a petition under this section,  
21 the petitioner shall submit to the division of criminal  
22 investigation through the sheriff's office in the county of  
23 the applicant's residence:

24

1           (i) A completed application for a criminal  
2 history record check in a form approved by the division;

3

4           (ii) A full set of fingerprints of the applicant  
5 administered by a law enforcement agency. The actual cost  
6 of processing the set of fingerprints required in this  
7 paragraph shall be borne by the applicant.

8

9           (f) The sheriff's office shall forward items received  
10 under subsection (e) of this section to the division which  
11 shall process the full set of fingerprints of the applicant  
12 for any criminal justice information. The division shall  
13 submit a fingerprint card to the national criminal justice  
14 information center for a national background check. The  
15 cost of processing the fingerprints shall be payable to the  
16 division. The results of the investigation shall be sent  
17 to the sheriff's office for distribution to the applicant  
18 after payment of any costs.

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20           (g) The two (2) year residency requirement under W.S.  
21 1-25-102 may be waived by the court for good cause shown.

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23           **Section 2.** W.S. 1-25-101 and 1-25-103 are amended to  
24 read:

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2           **1-25-101. Verified petition to be presented;**  
3 **information to be shown in petition; order of court making**  
4 **change; record to be made.**

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6 Every person desiring to change his name may petition the  
7 district court of the county of the petitioner's residence  
8 for the desired change. The petition shall be verified by  
9 affidavit setting forth the petitioner's full name, the  
10 name desired, a concise statement of the reason for the  
11 desired change, the place of his birth, his place of  
12 residence and the length of time he has been an actual bona  
13 fide resident of the county in which the petition is filed.  
14 If the court is satisfied that the desired change is proper  
15 and not detrimental to the interests of any other person,  
16 it shall order the change to be made, and, subject to W.S.  
17 1-25-105, record the proceedings in the records of the  
18 court.

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20           **1-25-103. Notice to be given by publication.**

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22 Except as provided in W.S. 1-25-105, a public notice of the  
23 petition for a change of name shall be given in the same

1 manner as service by publication upon nonresidents in civil  
2 actions.

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4       **Section 3.** This act is effective immediately upon  
5 completion of all acts necessary for a bill to become law  
6 as provided by Article 4, Section 8 of the Wyoming  
7 Constitution.

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9

(END)