

34-28-2-3. Notice By publication Requirements for person with felony conviction.

(a) Upon filing a petition for a name change, the applicant shall give notice of the petition as follows:

(1) By three (3) weekly publications in a newspaper of general circulation published in the county in which the petition is filed in court.

(2) If no newspaper is published in the county in which the petition is filed, the applicant shall give notice in a newspaper published nearest to that county in an adjoining county.

(3) The last weekly publication shall be published not less than thirty (30) days before the day the petition will be heard as indicated in the notice.

(b) In the case of a petition described in section 2(b) [IC 34-28-2-2(b)] of this chapter, the notice required by this section must include the following:

(1) The name of the petitioner.

(2) The name of the minor child whose name is to be changed.

(3) The new name desired.

(4) The name of the court in which the action is pending.

(5) The date on which the petition was filed.

(6) A statement that any person has the right to appear at the hearing and to file objections.

(c) Except as provided in section 1.5 [IC 34-28-2-1.5] of this chapter, in the case of a person who has had a felony conviction within ten (10) years before filing a petition for a change of name, at least thirty (30) days before the hearing the petitioner must give notice of the filing of the petition to:

(1) the sheriff of the county in which the petitioner resides;

(2) the prosecuting attorney of the county in which the petitioner resides; and

(3) the Indiana central repository for criminal history information.

(d) The notice given to the Indiana central repository for criminal history information under subsection (c) must include the petitioners full current name, requested name change, date of birth, address, physical description, and a full set of classifiable fingerprints.

(e) The Indiana central repository for criminal history information shall forward a copy of any criminal records of the petitioner to the court for the courts information.

(f) A copy of the court decree granting or denying such a petition shall be sent to the Indiana state police.

(g) A person who violates subsection (c) commits a Class A misdemeanor.

HISTORY:

P.L.1-1998, 24; P.L.18-1998, 3; P.L.1-1999, 72; P.L.61-2010, 3, eff. July 1, 2010.