



## POLICY DIRECTIVE

Policy:	<b>DOC 4.1.5 OFFENDER NAME CHANGE</b>
Effective Date:	05/12/2022 <span style="float: right;">Page 1 of 2</span>
Revision Date(s):	04/24/2026
Signature/Title:	/s/ Eric Strauss, Director

### I. POLICY

Individuals committed to or under the supervision of the Department or incarcerated in a Department secure facility may apply to a court of competent jurisdiction to change their name in accordance with 27-31-101 through 103, MCA. The Department has established this policy for managing legal name changes granted by the court.

### II. APPLICABILITY

All persons committed to or under the supervision of the Department or a Department secure facility.

### III. DEFINITIONS (see Glossary)

### IV. REQUIREMENTS

#### A. General Requirements

1. Individuals committed to or under the supervision of the Department or Department secure facility who petition a court for a legal name change will provide a copy of the petition to their Case Manager or supervising officer.
2. Individuals shall serve any petition for name change on the Department, as provided by law and court procedure.
3. Any court order changing an individual's legal name must include the Court Clerk stamp indicating the date the order was filed.
4. If an employee becomes aware that an offender is attempting to seek a legal name change, the employee must notify Department Legal Services immediately.
5. Any individual who obtains an order changing the individual's name will provide a certified copy of the order to the Department within 5 days of the order being entered.
6. Upon receipt of a certified order changing an individual's name, records staff will enter the order in the offender management system.
7. If an individual obtains a valid court order in violation of this policy or state law, Department staff will consult with Legal Services regarding whether to process the name change and whether to initiate any necessary legal proceedings.
8. Any amended or corrected court order will be processed like any other name change order and replaces any prior orders granting a change of name.

#### B. Expectations

1. When the Department is properly notified of a legal name change, the new name becomes the offender's primary name.
2. Offenders who obtain an order changing their name will use the name for:

- a. all written or verbal communication with employees, contract staff, and volunteers;
  - b. all matters relating to their incarceration or community supervision; and
  - c. use of United States mail.
3. The name that the offender was committed under will be listed as an “Also Known As” (AKA) designation in the offender management system.
  4. AKA names will not be printed on identification cards or used in daily correspondence (for example, callouts, mail, electronic messaging).
  5. Department files (for example, central file, medical/unit files) will be labeled with the new legal name within 14 calendar days of notification.
  6. Victims will be properly notified of an offender name change in accordance with *DOC 1.8.1 Victim Services*.
  7. Employees, contract staff, and volunteers will communicate with individuals using their new legal name.

## **V. CLOSING**

Questions about this policy should be directed to the appropriate administrator.

## **VI. REFERENCES**

- A. *27-31-101 through 103, MCA*
- B. *DOC 1.8.1 Victim Services*