Can I change my name if I'm in prison?

Author
Northwest Justice Project

Learn where to get location specific information about name changes for people who live in a prison in Washington state.

Can I change my name if I'm in prison?

Maybe. There are differences in access to name changes for people who are under Washington State Department of Corrections (DOC) jurisdiction, those who are not, and those who are incarcerated in a federal prison in Washington State (FDC SeaTac). **If you are under DOC jurisdiction**:

- You can't ask for a sealed name change.
- You might be able to ask for a **non-sealed** name change **if** you meet the requirements of RCW 4.24.130 sections 2 and 3 (https://app.leg.wa.gov/rcw/default.aspx?cite=4.24.130).
- You will have to complete the special notice requirements that apply to anyone with DOC jurisdiction status or sex offender status under RCW 4.24.130 sections 2 and 3 (https://app.leg.wa.gov/rcw/default.aspx?cite=4.24.130).

> This requires mailing notice before and after your hearing in a short amount of time. Completing these mailings within the deadline can be hard to do from inside prison. If you do this, try to get help from someone outside prison who can mail your notices.

- The court will have more discretion to decide whether to grant the name change than it would if you weren't under DOC jurisdiction.
- If the court decides that granting your name change will "interfere with legitimate penological interests", then it can deny (https://app.leg.wa.gov/rcw/default.aspx?cite=4.24.130) your name change.
- If your name change is for religious or legitimate cultural reasons, or in recognition of a marriage or dissolution of marriage, then the name change **should** be granted.

> "Legitimate cultural reasons" can include name changes related to gender, gender identity or gender expression.

Even if you can petition for a name change, completing the process can be difficult.

Even if you have a right to get a name change, DOC may make it very hard to complete the requirements while you are in prison.

If you are currently incarcerated in a DOC prison in Washington, you will need to work with the Legal Liaison at your local facility to coordinate how you

can participate in your hearing. Different counties have different procedures for managing name change petitions from people who are incarcerated. Disability Rights Washington (DRW) can help you navigate the extra requirements for changing your name while incarcerated in a Washington State Prison (https://disabilityrightswa.org/publications/changing-your-name-while-incarcerated-in-a-washington-state-prison/). DRW provides information about the specific name change procedures required by the different prisons (https://disabilityrightswa.org/publications/changing-your-name-while-incarcerated-in-a-washington-state-prison/print/) in Washington.

Will DOC change my name on my inmate ID badge if I get a legal name change?

Yes. Under current DOC policy 400.280 (https://doc.wa.gov/sites/default/files/data/files/400280.pdf), DOC will update the name on your ID badge after staff in the Records Department receive proof of a legal name change. Your new legal name will then also be used for all callouts, electronic and written communication with DOC, medical records, verbal communication with DOC staff, and when you send or receive mail. The guide from Disability Rights Washington (https://disabilityrightswa.org/wp-content/uploads/2017/10/ALL-FACILITY-Changing-Your-Name-While-Incarcerated-in-a-WA-State-Prison-Feb-2025.pdf) has more information about prison specific procedures for name changes.

Can I get an ID with my new legal name when I leave prison?

If you have been incarcerated for at least 60 days in a DOC prison, DOC staff will help you apply for a Washington State ID card (Identicard) before you release so that you have a form of identification on release day. In some

circumstances (https://doc.wa.gov/sites/default/files/data/files/380550.pdf) DOC may be able to help you replace or renew a driver's license prior to release. DOC should pay for the application fee and take a new photo of you for your Identicard. The ID should be issued (https://app.leg.wa.gov/rcw/default.aspx?cite=46.20.117) in whatever your legal name change is at the time you leave prison. If you got a legal name change while in prison, DOC staff will need to submit a copy of the name change order to the Department of Licensing when they apply for your ID.

Can I get a name change if I am under DOC jurisdiction?

You can still ask to change your name, but **you must file in District Court** and you'll have extra notice requirements (https://app.leg.wa.gov/rcw/default.aspx?cite=4.24.130). **You can't request a sealed name change.**

You must follow the special requirements for asking for a name change (https://app.leg.wa.gov/rcw/default.aspx?cite=4.24.130) if you are under Department of Corrections jurisdiction because you are:

- Currently incarcerated
- On probation
- On parole
- Under post-prison supervision

You must do these things in this order when you ask for a name change:

1. Give the Department of Corrections (DOC) written notice of the hearing time and date along with copies of your petition. These must be received

5 days before the hearing about your name change.

2. If your name change is granted, you must also give a copy of the Order Changing Name to DOC **within 5 days** of getting the order. It is a misdemeanor to fail to do these things.

Ask your parole or probation officer whom you should send the notice to . You can also ask the prison records officer if you are currently living in prison.

If you are a convicted sex offender or kidnapper, other rules and restrictions will apply. You can read these rules and restrictions at RCW 4.24.130(3) (http://apps.leg.wa.gov/rcw/default.aspx?cite=4.24.130) and RCW 9A.44.130(7) (http://apps.leg.wa.gov/rcw/default.aspx?cite=9A.44.130). You must give additional notice to Washington State Patrol. Try to get legal help.

What if I'm in local jail and want to petition for a name change?

You should be able to request a name change petition form from the county jail in which you're being held. You may need help from a support person who isn't in jail to be able to complete and file the petition in the court itself. Some county District Courts will be able to process name changes for people being held in jail in their county and will work with the jail to make sure you can attend your name change hearing if required. **Some county District Courts won't be able to do so**.

> You are not required to file a name change petition in the county in which you are currently incarcerated, so if you experience

> challenges accessing the process with your local District Court, you may be able to file your petition by mail with another District Court that can handle your case remotely. If you need help, you should talk to a lawyer.

Where can I learn more about name changes for people in prison?

For people incarcerated in Washington state, get location specific information from Disability Rights Washington's (DRW) guide:

- Changing Your Name While Incarcerated in a Washington State Prison (https://disabilityrightswa.org/wp-content/uploads/2017/10/ALL-FACILITY-Changing-Your-Name-While-Incarcerated-in-a-WA-State-Prison-Feb-2025.pdf)
- Printer friendly version (https://disabilityrightswa.org/publications/changing-your-name-while-incarcerated-in-a-washington-state-prison/print/) of Changing Your Name While Incarcerated in a Washington State Prison