

Legal Ease: Changing Your Name

Steven and Allison have decided to get married. Allison and her friends have often discussed their own marriages and how they would keep their own maiden names rather than take their husband's. Steven comes from a traditional family in his home town and would prefer that Allison accept his name because it is traditional for the wife to assume the husband's surname. Allison's friends reminded her that a name is important because it identifies who she is. Allison is also a law student and as a professional it is important that she retain the name she had when she attended school so that her peers recognize her name later on down the line.

It is legally possible for Allison to have her name changed. To do so, you must be over 19 or have your parent's consent. If you are getting married the age requirement does not apply. If Allison is old enough to get married, she is old enough to have her name changed.

Allison's friends reminded her that it is not a requirement that she adopt Steven's name. In fact, in New Brunswick, the Change of Name Act provides several options for choosing the surname that is to be used after marriage. These choices include the following:

A) Allison may retain the surname she has been using immediately prior to marriage. (this may be a maiden name, or a surname from a previous marriage). There is no requirement that a wife and husband use the same last name. It is now widely accepted in our society that a woman retain her maiden name;

B) She may assume Steve's name. The reverse is also possible, but quite rare. There have been several cases in New Brunswick, however, where the groom has assumed the bride's family name;

C) Allison and Steve can also create a combination surname from both their names. A combination surname can only contain one hyphen, and two parts; and

D) Allison may later wish to revert to her original surname.

If Allison and Steven decided to have children they may give them Allison's surname, Steven's surname or a hyphenated surname composed of both their names. There is no legal requirement that a child take the father's surname, although it is common to do so. If the parents are not married when the child is born, the father must give permission before the child may be given his name.

If Allison and Steven should decide to adopt a child, that child will be given their surname. The Child's previous surname will be erased by sealing the records containing the old name and replacing them with records of adoption which contain the new name. This is done when the court issues the adoption order.

Steven also had a thought that it would please his family if he would change the spelling of his first name to Stephan, the spelling of his grandfathers' name after whom he was named. It is legal to change first names and requests to do so are rarely refused. The only requirement is that Steven's requests does not cause too much confusion. For example, a request might be refused if you decide to take the name of a famous person.

To change their names, Allison and Steven must apply to the Registrar General of Vital Statistics. Their applications must include specific documentation including: a certified copy of their birth certificate, marital status, present and previous addresses, occupation, reasons for applying for change of name, and other such particulars such as a criminal record, any continuing court actions, and registered financial commitments, and any previous change of name applications. Minor changes, such as Steven's change of spelling of his name, may not require all documentation.

There is also a fee for changing their names. These fees vary depending on the type of change. They should check with Change of Name Office for details.

To have your name changed, you may apply in writing to: Registrar General of Vital Statistics Change of Name Section P.O.Box 6000 Fredericton, N.B. E3B 5H1

You may apply in person to: Room G-74 Change of Name Section Centennial Building 640 King Street Fredericton, N.B. Telephone: 453-7411

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Continued from page 12

take home. Research has demonstrated that changing a health behaviour such as adopting safer sex is initially facilitated by helping to decrease the barriers to using condoms. Access to condoms when they are needed is vital when students who are already sexually active are beginning to protect themselves by using safer sex. Having condoms available in machines, so that they are easier to obtain, is an important step in preventing the transmission of STDs and pregnancy.

Despite some of the bad publicity condoms have received in the past they are the most effective means of preventing the spread of STDs if you choose to have intercourse. Studies have shown them to be 97% effective when used correctly every time you have intercourse and 99% effective if supplemented with spermicidal foams or jellies.

A resource room, located in 120A of MacLaggan Hall, is available for any personal questions, access to condoms, and information about testing for HIV and other issues around HIV including referral when necessary. Questions and concerns may be referred to Professor Grace Getty, coordinator of the UNB AIDS Program, who can be reached at the Faculty of Nursing (453-4642)

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