

Divorce 7: How to Restore Your Former Name

On October 1, 2023, Maryland law on divorce changed. This tip sheet covers the steps involved in asking the court to restore the name you had before you were married. Maryland law on restoration of a former name did not change on October 1, 2023. This tip sheet is up to date with the law.

You may make the request to restore your former name at the time you file for divorce on your Complaint for Divorce form or at your divorce hearing. If you did not ask to restore your former name at the time of your divorce, review the information in this tip sheet.

Motion for Restoration of Former Name (CC-DR-097)

- If you took a new name when you were married and want to take back the name you used before the marriage, use a form titled Motion for Restoration of Former Name, or form CC-DR-097.
- Your reason for taking back your former name may not be illegal, fraudulent, or immoral, or to hide from creditors.
- Use this form only if you are restoring a prior name. If you want to use a new name you have not used before, you may not use this process. You will need to petition the court for a name change, which is a different process.

Timing

- You have an 18-month window of time after your divorce is final during which you may ask the court to restore your former name. If more than 18 months has passed, the court cannot grant your request to restore your name using this process. Tell the court clerk that you want to ask the court for a name change, which is a different process.
- If you file your Motion for Restoration of Former Name within 30 days of the date of your divorce decree or judgment, mail to your ex-spouse copies of your documents.
- If you file your motion more than 30 days, but less than 18 months, from the date of your divorce, you must arrange for a third party to serve your ex-spouse with documents and the Writ of Summons issued by the clerk.
- The steps of Service of Process must be followed with precision. See the *My Laws, My Courts, My Maryland* video Service of Process for more information.



Maryland Court Help

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