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Family Law Update

A Rose By Any Other Name

The Court has “wide discretion to refuse a requested name if the name is bizarre or unduly lengthy or difficult to pronounce or possessive of a ridiculous offensive connotation.”

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Many of you will remember the controversy sparked when “The Artist Formerly Known As Prince” adopted an unpronounceable symbol for his name.

Most astonishing about this bit of trivia is that a court actually allowed this change of name to a symbol. Prince, of course, was a rock star, and our society has greater tolerance for the antics of rock entertainers. The desire to choose a weird new name, however, is not reserved for eccentric rockers.

Consider the case of Mary Ravitch, who recently requested that her surname be officially changed to the letter “R.”

In Pennsylvania, a former wife may file an “election to resume maiden name” pleading with the court after a divorce decree is signed. This request officially serves to revert a married surname to a previous maiden name. When something other than a

previous maiden name is desired, however, a different procedure must be followed. Mary wanted to change her name, but not to her maiden name. She filed a formal petition for name change, asserting that she no longer wished to use her ex-husband’s name, Ravitch, but also did not desire to revert to her maiden name of Gon. No one filed an answer to her petition, and no one appeared in court to object, but the trial court denied her request nonetheless.

Dissatisfied with this decision, Mary filed an appeal to the Superior Court. That court affirmed the trial court decision, reasoning that the public interest overrode Mary’s right to be called Mary “R.” Except where children are involved, the main purpose of the name change statute is to prevent fraud. For example, it would be unacceptable to change a last name to hide from creditors. Although concluding that Mary was not trying to defraud anyone, the trial court denied her request anyway.

The Superior Court agreed, noting that it has “wide discretion to refuse a requested name if the name is

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bizarre or unduly lengthy or difficult to pronounce or possessive of a ridiculous offensive connotation.” (Prince would not have fared well in our courts.)

Mary’s requested name change was simply too bizarre. “R” would be met with suspicion and disbelief in business and social settings. The court also pointed out that the typical use of a single initial is to protect the identity of the user. If Mary’s request were allowed, a flood of similar requests

could be expected, eventually making it increasingly difficult to identify people.

The moral of the story is that, while you may not want to carry the last name of your ex-spouse and you may not have been enamored with your maiden name, unless you are a rock star, you should select a new name which is conventional.

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The information contained in Family Law Update is not meant to provide opinions or advice on specific legal matters. If you would like to consult with me on a specific issue, please call.

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