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In *in personam* actions, there is no authority to proceed against unknown persons in the absence of a statute or rule, and the FSM has no rule or statute permitting the use of fictitious names to designate defendants. Accordingly, John Doe defendants will be dismissed. Foods Pacific, Ltd. v. H.J. Heinz Co. Australia, 10 FSM R. 409, 412 n.1 (Pon. 2001).

A court decree is required to document a change of name, even for spelling changes. In re Phillip, 11 FSM R. 301, 302 (Kos. S. Ct. Tr. 2002).

The court is unaware of any tradition or custom within Chuukese society for a child, or even an adult, to carry the last name of his or her step-father or step-mother, and finds and concludes that no such tradition or custom exists. In re Suda, 11 FSM R. 564, 566 (Chk. S. Ct. Tr. 2003).

At common law, a person is free to adopt and use any name he or she chooses, so long as there is no fraudulent purpose, and the name does not infringe on the rights of others. In re Suda, 11 FSM R. 564, 566 (Chk. S. Ct. Tr. 2003).

The right to assume any name, absent fraud or infringement of the rights of others, operates at common law independently of any court order. In the absence of a statute to the contrary, any person may ordinarily change his name at will, without any legal proceedings, merely by adopting another name. In re Suda, 11 FSM R. 564, 566 (Chk. S. Ct. Tr. 2003).

The lack of statutory procedures for name changes in Chuuk has led to a great variety of allegations in petitions for change of name, such as incorrect allegations regarding Chuukese tradition and custom. It is clearly more preferable that the Legislature act to provide statutory requirements for name change petitions. In the absence of such statutory regulation, it is prudent for the court to establish minimum requirements for name change petitions in Chuuk. In re Suda, 11 FSM R. 564, 566 (Chk. S. Ct. Tr. 2003).

A petition for change of name must include: 1) the petitioner's current name and place of residence; 2) the petitioner's birth date and age, and place of birth; 3) the petitioner's citizenship, unless the petitioner is an FSM citizen; 4) the petitioner's marital status; 5) the names and ages of petitioner's children, if any; 6) a statement as to the absence or status of petitioner's criminal record; 7) a statement regarding the absence or existence of petitioner's status as a debtor, including the names and addresses of petitioner's creditors, if any; 8) the petitioner's proposed name, and a brief statement of the reasons, if any, for the requested name change; and 9) in the case of a petition for change of name of a minor child, parental consent to the change of name. The petition must contain a prayer for change of name, be signed by the petitioner or the petitioner's attorney or trial counselor, and the petition must be verified. In addition to these minimum requirements, the petitioner must give the general public notice of the petition sufficient to permit those who might object to appear and make written objection. In re Suda, 11 FSM R. 564, 567 (Chk. S. Ct. Tr. 2003).

Given the difficulties of notice in Chuuk, for any petition for name change filed with the Chuuk State Supreme Court, the Clerk of the Court will prepare a radio announcement to be read on V6AK radio, containing the petitioner's name, the date the petition was filed, and requiring any objections to the name change to be filed with the court within four (4) weeks of the petition's filing date. In re Suda, 11 FSM R. 564, 567 (Chk. S. Ct. Tr. 2003).

No hearing on a name change petition will normally be required, unless objections to the petition are properly filed with the court within the time period required. If objections are filed, the court will schedule a hearing at the earliest possible opportunity, and the Clerk of the Court shall give notice of the hearing by the best means available to apprise the objectors of the hearing's date and time. In the absence of objection, and upon confirmation that the name change petition contains all necessary information, the court will grant the petition without hearing, and will give notice to the petitioner that the petition has been granted. In re Suda, 11 FSM R. 564, 567 (Chk. S. Ct. Tr. 2003).

The court would prefer that the Chuuk Legislature adopt statutory procedures for name change petitions, as well as petitions for adoption and other matters involving family status. Name change petitions must contain the court-required minimum provisions only so long as the Legislature chooses not to enact a statutory scheme for such matters. In re Suda, 11 FSM R. 564, 567 (Chk. S. Ct. Tr. 2003).