

MICHIGAN DEPARTMENT OF CORRECTIONS <b>POLICY DIRECTIVE</b>	EFFECTIVE DATE 03/07/11	NUMBER 03.01.110
	SUBJECT PRISONER/PAROLEE NAME CHANGES	
SUPERSEDES 03.01.110 (08/31/98)		AUTHORITY MCL 711.1; 791.203; 791.206
ACA STANDARDS NONE		PAGE 1 OF 2

**POLICY STATEMENT:**

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**POLICY:**

- A. A prisoner or parolee may change his/her name only by court order. Name changes approved by the Department prior to April 1, 1996 based on a notarized affidavit shall continue to be recognized and documented in the same manner as a court ordered name change until the prisoner or parolee has discharged from the Department's jurisdiction. The name will not be recognized if the prisoner or parolee is returned to the Department's jurisdiction after discharge. A prisoner or parolee who changed his/her name pursuant to an affidavit and is being recognized by that name shall be allowed to change back to the commitment name upon written request.
- B. Whenever a probate court order changing the name of a prisoner or parolee is received, it shall placed in the appropriate offender files (e.g., Record Office and Counselor files) and a copy sent to the Central Records Section, Operations Division, Correctional Facilities Administration. The Records Administrator, Central Records Section, shall ensure that the new legal name is entered into the Department's computerized database (e.g., CMIS; OMNI) and that the order is placed in the appropriate Central Office file.
- C. If a court order changing the name of a prisoner or parolee is issued by other than a probate court, it shall be forwarded upon receipt to the Administrator of the Office of Legal Affairs or designee for direction on how to proceed.
- D. The commitment name and/or legal name may be used on correspondence and other documents throughout the prisoner's incarceration and parole; however, the commitment name shall be included on all official Department forms and documents throughout the prisoner's incarceration and parole. In addition, prisoners are required to include their commitment names in the return address on envelopes being sent outside of the institution.
- E. Commitment names and legal names shall be cross referenced at the information desk and mail room. All computerized records shall be cross referenced to the extent possible.
- F. Whenever a prisoner has a new legal name, the appropriate Warden shall ensure that a new prisoner identification card is issued at the prisoner's expense indicating both the commitment name and the new legal name. Door cards also shall be reissued indicating both names.
- G. Employees should refer to a prisoner or parolee by his/her legal name, if known. An employee using the commitment name instead of the legal name, however, does not excuse a prisoner or parolee from obeying an order or directive given by the employee. Prisoners and parolees shall not be forced to refer to themselves by their commitment name if they have a new legal name.
- H. If a prisoner or parolee provides verifiable documentation (e.g., an original or certified true copy of a birth certificate, marriage license, or court order) establishing that the commitment name is not his/her legal name, the legal name shall be recognized as set forth for a court ordered change.

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- I. A crime victim shall be notified as set forth in PD 01.06.120 "Victim Notification" whenever the prisoner or parolee who committed the crime against the victim changes his/her name, corrects his/her name as set forth in Paragraph H, or reverts to his/her commitment name which was changed by affidavit prior to April 1, 1996.

#### PROCEDURES

- J. The FOA Deputy Director and Wardens shall ensure that procedures are developed to implement requirements set forth in this policy directive; this shall be completed within 60 calendar days after the effective date of the policy directive. This requirement includes ensuring that their existing procedures are revised or rescinded, as appropriate, if inconsistent with policy requirements or no longer needed.

#### AUDIT ELEMENTS

- K. A Primary Audit Elements List has been developed and is available on the Department's Document Access System to assist Wardens with self audit of this policy pursuant to PD 01.05.100 "Self Audit of Policies and Procedures".

APPROVED: RMcK 02/15/11