

CHAPTER 34
NAME CHANGE ORDINANCE

34-1 JURISDICTION

34-1.01 Application for change of name of a Kootenai Tribal Member or the immediate family of a Kootenai Tribal Member, may be heard and determined by the Kootenai Tribal Court. The change of name shall be granted by the Court unless the Court finds that the change is not consistent with the public interest.

34-2 APPLICATION

34-2.01 An application for Name Change shall include the applicant's current legal name, place of birth, current residence, the proposed name and purpose for such name change and signature. If the father and mother are no longer living, the application should specify the name and address of the next closest relatives.

34-3 NOTICE AND HEARING

34-3.01 The Court shall schedule a hearing approximately six (6) weeks after the application is filed.

34-3.02 For at least four (4) weeks prior to the hearing, applicant shall make public notice of the application by posting at Tribal headquarters and any other location required by Tribal Council. Such notice shall include time and date of hearing.

34-3.03 Concurrently to posting, at least once a week for four (4) consecutive weeks prior to hearing, applicant shall make public notice of the application by publication in a newspaper of record. The Affidavit of Publication shall be filed with the Court before or at the hearing.

34-3.04 The Court shall conduct a hearing during which the Court may interview the applicant on the application. The Court may also interview supporters or hear objections to the application. Any objection should show cause why the name change should not be granted. At the conclusion of the hearing the Court shall make an order granting the name change or dismissing the application.

34-4 APPLICATION BY EMANCIPATED MINOR CHILD; COURT CONFERENCE

34-4.01 When an emancipated minor child applies for a change of name, the Court may, upon its own motion, confer with the child and may exclude from the conference the parents and other persons if the Court finds that such action would be in the best interests of the child. However, the Court shall permit a spokesperson for the child to attend the conference. Relevant, non-confidential facts of the conference shall be reported.

34-5 APPLICATION BY UNEMANCIPATED MINOR CHILD.

34-5.01 The Court may grant name changes to unemancipated minor children under this ordinance with the permission of a parent or legal guardian. The parent or legal guardian must be present at any court proceedings related to the name change.

34-6 RESTRICTIONS FOR CONVICTED SEXUAL OFFENDERS.

34-6.01 No name change will be granted to any individual who applies with the intent of avoiding registration as a sexual offender under applicable tribal, state and/or federal law.

34-6.02 If the Court grants a name change to any individual required to register as a convicted sexual offender under applicable tribal, state and/or federal law, the Court shall provide notice of the name change to the Idaho Sex Offender Registry and the Boundary County Sheriff's Office. This notice shall include the offender's known and new name, address, date of birth and social security number.