



Waganakising Odawak
Little Traverse Bay Bands of Odawa Indians
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William Ray Kiogima and Helen Agnes Kiogima Noozwin Act
REG-WOS 2006-001

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3 **Introduction and explanation.** The purpose of the William Raymond Kiogima and Helen
4 Agnes Kiogima Noozwin Act is to provide Tribal Citizens the opportunity to have multiple
5 names and to change their name.

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7 The following Regulations are established in compliance with Section V of the William
8 Raymond Kiogima and Helen Agnes Kiogima Noozwin Act.

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10 **I. Definitions:**

11 **A. Adult:** A person 18 years of age or older.

12 **B. Alias:** Another name that a person may use instead of their legal name or birth
13 name.

14 **C. Emancipated Person:** A minor who is self-supporting and independent of parental
15 control, as a result of a court order.

16 **D. Legal Name:** A person's name that is usually the name given at birth and
17 recorded on the birth certificate. A legal name may also be a different name
18 used by a person consistently and independently, or a name that has been
19 declared to be the person's name by a court.

20 **E. LTBB or Tribe:** The Little Traverse Bay Bands of Odawa Indians.

21 **F. Minor:** A person under the age of 18 years.

22 **G. Noozwin:** Name

23 **H. Perjury.** The act of knowingly giving false testimony while under oath.

24 **I. Petition to Change Name:** A petition or request to have a name legally changed
25 or to have the name(s) of minor child(ren) changed.

26 **J. Tribal Citizen:** A Tribal Citizen is an enrolled LTBB Citizen.

1 **K. Tribal Court:** LTBB Tribal Court.

2 **II. Each LTBB Citizen has the option to change his or her name as follows:**

3 a. Alias Name. Use of an Alias Name is not a legal name change. The Enrollment
4 Office will document the Alias Name in the Tribal Citizen’s electronic file and file
5 folder. The Tribal Citizen will not be issued a Tribal Identification Card with the
6 Alias Name.

7 b. A formal name change. This is a legal name change. The Enrollment Office will
8 issue a new Tribal Identification Card with the new legal name upon receipt of a
9 court order from the LTBB Tribal Court or another court of competent
10 jurisdiction. See Section VIII of these Regulations for the Documents to be
11 provided or submitted to the Enrollment Office for a legal name change.

12 **III. Any person seeking a name change in Tribal Court must** be an enrolled LTBB
13 Citizen and must provide a copy of their Birth Certificate and their Tribal
14 Identification Card. In addition, the Tribal Court may require any of the following
15 documents in support of a petition to change a name:

16 a. Marriage License

17 b. Divorce Decree

18 c. Other Birth Certificates

19 d. If emancipated, must provide proof of emancipation

20 e. Proof of current guardianship/custody/other parental relationship to minor(s)

21 f. Any document(s) necessary to establish the burden of proof as discussed in Section
22 V. below.

23 **IV. A Petition to Change Name requires the following:**

24 a. The current name and the new name selected, which may be more than one name;

25 b. Any titles, prefixes or suffixes that may be added to the new name;

26 c. File the “Petition for Name Change” with Tribal Court and pay the filing fee.

27 **V. Burden of Proof for Petition to Change Name.**

28 **a. Adult:**

1 a. Must demonstrate to the Court that the request for a name change is for a
2 legitimate purpose. The petitioner cannot change their name for any illegal
3 or fraudulent reason. If the petitioner is seeking to change their name to
4 avoid creditors, child support, outstanding warrants or other obligations, the
5 Court will not grant the request for a name change.

6 **b. Minors:**

7 a. Must demonstrate to the Court that the request for a name change for the
8 child(ren) is for a legitimate purpose. The petitioner cannot change the
9 child(ren)'s name for any illegal or fraudulent reasons. If petitioner is
10 seeking to change their child(ren)'s name to avoid creditors or avoid child
11 support or to interfere with visitation or custody, the Court will not grant
12 the request for a name change.

13 b. If the other parent consents to the child(ren)'s name change or fails to
14 appear at the hearing, the Court will have discretion to grant the child(ren)'s
15 name change unless the Court finds that the request is for an illegal or
16 fraudulent purpose.

17 c. If either parent or legal guardian appears at the hearing and objects to the
18 child(ren)'s name change, the Court will consider any factors the Court
19 deems relevant in determining whether to change the child(ren)'s name.
20 Those factors may include:

21 i. Misconduct by either parent.

22 ii. Failure of either parent to support the child(ren).

23 iii. Failure of either parent to maintain contact with the child(ren).

24 iv. The length of time the child(ren) has used the current name.

25 v. Whether a particular name will contribute to the estrangement of the
26 child(ren) from a non-custodial parent who wants to foster and
27 preserve the parental relationship or otherwise distance the child
28 from the non-custodial parent.

29 **VI.** The Court will also consider any traditional practices of the Tribe in the naming of
30 children and any other factors that can be deemed to be relevant by the Tribal Court.

31 **VII.** The Court may permit an individual having the same name, or similar name to that
32 which the petitioner proposes to assume, to intervene in the proceeding for the purpose
33 of showing fraudulent intent.

1 **VIII. Tribal Citizens who have changed their name must submit the following**
2 **documents to the Enrollment office:**

- 3 a. Name Change Order.
4 b. New Social Security Card with new name.
5 c. Original Birth Certificate and any New Birth Certificate.

6 **IX. Upon receipt of a Name Change Order from the Tribal Court or another court,**
7 **the Enrollment Office will:**

- 8 a. Change the Tribal Citizen's electronic file database and keep a hard copy file
9 history of each Tribal Citizen's legal identity.
10 b. Publish the LTBB Tribal Citizen's new name and former name in the Odawa
11 Newsletter and Odawa Register for 60 days.
12 c. Issue the new tribal identification card with the new name at no cost.
13 d. The Tribal Citizen shall surrender all old Tribal Identification cards with old
14 name.

15 **X. False Statements; Civil Infraction.** Any false statement that is intentionally included
16 within a petition for a name change constitutes perjury under section 9.107 A-2 of the
17 Waganakising Odawa Tribal code.

18 **XI. Authority**

19 Under the WOS# 2006-001 William Raymond Kiogima And Helen Agnes Kiogima Noozwin
20 Act, the LTBB Tribal Court has the authority to change the name of any person upon petition
21 of the person or upon the petition of the parents of a minor. Any Order issued by the Court for
22 change of name shall be kept as a permanent record, and copies shall be filed with the Tribal
23 Enrollment Office.