

NOTICE
This Order was filed under Supreme Court Rule 23 and is not precedent except in the limited circumstances allowed under Rule 23(e)(1).

2026 IL App (4th) 251373-U
NO. 4-25-1373
IN THE APPELLATE COURT
OF ILLINOIS
FOURTH DISTRICT

FILED
August 18, 2026
Carla Bender
4th District Appellate
Court, IL

MOLLY ANN MONGE, n/k/a Molly Schleeter,	)	Appeal from the
Petitioner-Appellee,	)	Circuit Court of
v.	)	Peoria County
TIMOTHY M. COURI,	)	No. 10F1029
Respondent-Appellant.	)	
	)	Honorable
	)	Daniel M. Cordis,
	)	Judge Presiding.

JUSTICE ZENOFF delivered the judgment of the court.
Presiding Justice Steigmann and Justice Doherty concurred in the judgment.

ORDER

¶ 1 *Held:* The appellate court reversed the trial court’s order denying a father’s motion to change the surname of his 15-year-old daughter where the evidence clearly and convincingly established that the name change was in the minor’s best interest.

¶ 2 Petitioner, Molly Ann Monge, n/k/a Molly Schleeter, and respondent, Timothy M. Couri, are the parents of Madelyn. Petitioner and respondent have never been married. Consistent with Madelyn’s wishes, respondent filed a motion to change her surname from Monge to Couri. Following a hearing, the trial court denied the motion. Respondent appeals, arguing that the court’s decision was against the manifest weight of the evidence. We reverse and remand.

¶ 3 I. BACKGROUND

¶ 4 Madelyn was born in March 2010. On November 30, 2010, petitioner filed a petition to establish the existence of the father and child relationship between Madelyn and respondent. On April 14, 2011, respondent filed a counterpetition to establish a parenting

relationship. In that document, respondent requested that Madelyn's last name be changed from Monge to Couri.

¶ 5 Nearly three years later, in July 2013, a trial on the petition and counterpetition took place. By that time, Molly had married her husband, Timothy Schleeter, and moved to Glen Ellyn, Illinois. Madelyn was three years old at the time.

¶ 6 On September 10, 2013, the trial court entered a custody/joint parenting order. The court awarded the parties joint legal custody over Madelyn but ordered her to reside primarily with petitioner in Glen Ellyn and attend school there. The court denied respondent's request to change Madelyn's last name, finding insufficient evidence to justify such a change.

¶ 7 In early 2024, respondent petitioned the trial court to modify the 2013 parenting order, asserting that Madelyn wanted to live with him in Peoria, Illinois, and attend high school there.

¶ 8 On July 25, 2024, Madelyn's guardian *ad litem* (GAL) filed a report with the trial court dealing with a number of issues. One of the issues that came up was Madelyn's desire to change her name. When asked about her last name, Madelyn said she wanted her last name to be Couri, explaining: "My last name is Monge, and my mom's last name isn't even Monge anymore, it's Schleeter. So, I don't see why my last name can't be Couri. I will change it when I'm 18." The GAL concluded: "Madelyn should be able to change her last name to Couri—she wants to change it, she is close to her father and the Couris in general, and her mom does not share her last name, so it makes sense."

¶ 9 On August 12, 2024, the trial court entered an oral ruling that Madelyn would attend Peoria Notre Dame High School and live with respondent.

¶ 10 On April 24, 2025, respondent filed a motion to change Madelyn's last name to

Couri. According to the motion, it was what Madelyn wanted and repeatedly asked for. Attached to the motion as an exhibit was a copy of the GAL's recommendation that Madelyn be allowed to change her name. Respondent also filed a motion for an *in camera* interview of Madelyn. Petitioner filed a motion to dismiss respondent's motion to change Madelyn's last name, arguing that it was barred by *res judicata*.

¶ 11 On May 1, 2025, the trial court entered a written order that designated respondent as Madelyn's residential parent, gave him the majority of the parenting time with Madelyn, and ordered that Madelyn would attend Peoria Notre Dame High School.

¶ 12 On September 29, 2025, the trial court denied both petitioner's motion to dismiss and respondent's motion for an *in camera* interview. The court also set the motion to change Madelyn's last name for a hearing.

¶ 13 The hearing on the motion to change Madelyn's last name took place on November 17, 2025. Petitioner testified that Madelyn was 15 years old at the time of the hearing and had lived primarily with her until August 2024. Beginning in August 2024, Madelyn moved in with respondent and began attending Peoria Notre Dame High School. Petitioner testified that she believed respondent was pressuring Madelyn to change her name. Petitioner wanted Madelyn's name to stay the same, while respondent and Madelyn wanted it changed. Petitioner testified that she has two other children, who have the last name Schleeter. Petitioner testified that she sometimes goes by different names: Molly Monge, Molly Schleeter, and Molly Monge-Schleeter. She agreed that she has referred to herself in case captions as Molly Schleeter and sometimes signs documents as Molly Schleeter. Petitioner does not want Madelyn to change her name because "that was her name that she was given at birth, and there's no reason to change it." She also did not believe that Madelyn was old enough or mature enough to make that decision.

¶ 14 Petitioner testified that Madelyn told her she wanted to change her name “for school purposes.” Petitioner believed that it was “not *** enough” that Madelyn had family members with the last name Couri who also attend Peoria Notre Dame High School. Petitioner agreed that Madelyn was mature and intelligent for a 15-year-old. However, she believed Madelyn was too young to decide to change her last name. Petitioner testified that Madelyn asked if she could go by Couri “for the yearbook.” Petitioner agreed to allow her to do so and then changed her mind and said she could use Monge-Couri. Petitioner said she would be “disappointed” if Madelyn changed her last name and would let Madelyn know that.

¶ 15 Respondent testified that he wanted Madelyn’s name changed from Monge to Couri. He believed a name change would serve the best interest of Madelyn, who “has a strong preference to change her last name from Monge to Couri.” Madelyn has wanted to do so for approximately two to three years, and her desire to do so has “increased substantially since she’s started living with [respondent] and going to school at Notre Dame High School.” When she registered for school, she wanted to register as Madelyn Couri, but respondent did not allow that. Respondent has noticed her sign her name as Madelyn Couri and saw it written on a nametag she wore at a function. In a group chat with a summer basketball team in June 2024, she said her last name was Couri. She also signed her name as Madelyn Couri on a basketball team plaque. Respondent tendered as exhibits (1) a photo with Madelyn wearing a nametag that said Madelyn Couri, (2) the group text message where she said her last name was Couri, and (3) photos of the plaque with the name Madelyn Couri on it. They were admitted into evidence with no objection.

¶ 16 Respondent and Madelyn had “several conversations” over the last year about her wanting to change her name. Those conversations were “[m]ostly” initiated by Madelyn. Whenever respondent initiated the conversation, it was to ask if she still wanted the name change.

Madelyn's position about a name change has never wavered "at all." Respondent testified that he has a "huge family" in Peoria, and Madelyn often sees her cousins, aunts, uncles, and extended family in Peoria. According to respondent, Madelyn's generation has about 600 people in his family, who have mostly stayed in the Peoria area. Most people in Peoria know at least one of his Couri relatives and have had good experiences with them. There is a street sign that says, " 'In memory of Dr. Gerald S. Couri,' " who was respondent's father. It has been hanging in the entryway to Peoria Notre Dame High School for 26 years. Respondent tendered a photo of that sign to the trial court. It was admitted into evidence without objection. A sign entitled "Archbishop Fulton J. Sheen Distinguished Alumni of the Year" hangs in the front foyer of the school by the front office. It lists respondent's brother, Chris Couri, as the "Distinguished Alumni of the Year" for 2024. That sign is displayed at the school Madelyn attends and respondent attended. A photo of that sign was tendered by respondent and admitted into evidence with no objection. Respondent estimated that a total of approximately 800 to 1,000 Couris live in the Peoria area. Respondent tendered a family picture of the Couris into evidence that was taken on November 26, 2022. Over petitioner's objection, the court admitted the photo. Madelyn spends time with her Couri cousins, with whom she attends high school. Madelyn also sees many Couri relatives at church.

¶ 17 Respondent believed it was in Madelyn's best interest to change her name to Couri while she is in high school because

"[t]his is when her brand is being established, is being created, and she has the opportunity to be affiliated with and connected with a very large family, a loving family that's very committed to taking care of each other and committed to doing things in this community and is known for being honorable and charitable."

Respondent testified that he would support Madelyn if she did not want to change her name. He

denied ever pressuring Madelyn to change her name or use the Couri name. Respondent agreed that Madelyn is intelligent and mature enough to have an opinion on what her last name should be and trusts her opinion. Over petitioner's objection, respondent testified that he hears Madelyn praying at night about her last name being changed to Couri. Respondent believes that a name change will improve, enhance, and enrich Madelyn's experience in high school.

¶ 18 On cross-examination, respondent testified that Madelyn's Instagram page is "set up as Madelyn Monge," even though she could have used a different name. Respondent did not agree that Madelyn had already established her brand as Madelyn Monge because "she's still in the early stages of high school," and she writes her name as Madelyn Couri outside of school events and is listed in the yearbook as Madelyn Monge-Couri, "so [he] think[s] that's a little bit all over the board." Respondent has two brothers who live in the Peoria area. One has nine children. The other has four children. Two of those cousins currently attend Peoria Notre Dame High School with Madelyn. Madelyn also has second, third, fourth, and fifth cousins with the name Couri who attend Peoria Notre Dame High School. He did not believe that Madelyn having the name Monge has hurt her, except that it has "caused emotional discomfort."

¶ 19 Madelyn testified that she went to Peoria Notre Dame High School with 11 of her Couri cousins. She also has a first cousin who teaches there. Madelyn testified that her last name is Monge, but she would prefer it to be Couri. She has wanted her last name to be Couri for years. If her name is in the newspaper, she would prefer that it be Madelyn Couri. When she plays sports, she would like to have Couri on the back of her uniform. She would like her friends at school to call her Madelyn Couri. She denied that respondent put pressure on her to change her name. She testified that outside of school, she has written her name as Madelyn Couri, specifically, on a nametag and a plaque.

¶ 20 Madelyn testified that she has wanted her name changed for as long as she can remember because she does not have the same last name as either of her parents and does not like to have to explain why that is. She spends time with her Couri cousins at school, outside of school, at church, and during holidays. She said, “It would be nice to be associated with them.” She testified that respondent has a “[b]ig family” with “[a] lot of Couris.” She testified that there are a lot of Couris in Peoria and that she and respondent “see a lot of Couris often.” She would prefer to change her name now, as opposed to when she turns 18, because she does not “feel like there’s a point in waiting.” She believes that because she is going through high school right now, her name is how everyone is going to know and recognize her.

¶ 21 On cross-examination, Madelyn admitted that the Monge name has never stopped her from doing anything and has never been detrimental to her. Madelyn agreed that it has been hard on petitioner ever since she moved to Peoria. She said she did not know why her last name was Monge instead of Couri.

¶ 22 After the parties made their arguments, the trial court issued its ruling. First, the court went through the statutory factors and noted that petitioner sometimes goes by Schleeter and sometimes goes by Monge-Schleeter, so “Monge is part of [petitioner’s] last name.” In discussing the “nature of the family situation,” the court stated:

“I think it’s really important, this case has seen a decade and a half of litigation. Madelyn was always in [petitioner’s] primary care until last August of 2024. Then she goes to Peoria Notre Dame. That is a major event in the life of Madelyn and the two of you.

Clearly through [petitioner’s] examination of Madelyn today, something is going on there, things between [petitioner] and daughter, at least to my eyes and

what I witnessed in the courtroom, there's some strain there. There's hurt feelings.

I think [petitioner's] making it an awful lot about her as opposed to Madelyn. No offense intended. That's my finding. I'm being honest, and here is the way I think that finding and that issue cuts. And that is [petitioner's] kind of on the ropes here.

[Petitioner] has been dealt a blow by having the child transfer into [respondent's] care. I'm not being critical of that move. It's fine. It sounds like she's doing great at Notre Dame. That's wonderful, but [petitioner's] been dealt this blow. [Petitioner] is a little bit on the ropes here. She's taken some hits in terms of her relationship with Madelyn.

Changing Madelyn's last name to Couri is another blow to that relationship. So, while it makes—it doesn't make bad sense to gravitate towards [respondent's] family in Peoria, gravitate towards Peoria Notre Dame, gravitate, you know, towards her current life, but that cuts the other way as well which is it is another blow to [petitioner] and daughter's relationship, and I think that's the way that issue cuts on balance.”

¶ 23

The trial court concluded its ruling by stating as follows:

“My closing comment is the legislature placed the burden of proof on [respondent], not just any only burden of proof, a burden of proof by clear and convincing evidence. I think [respondent] has presented plenty of good reasons to change Madelyn's name to Couri.

I think [petitioner] has offered various reasons why it's a good idea not to do that, and so the legislature has imposed that heavy burden on [respondent]. And

I sit here at the end of our hearing session this afternoon saying I don't know. I don't know.

I have not been convinced that changing her last name to Couri serves her best interest, and so under the legal burden of proof, I've got to deny the motion."

¶ 24 The following day, on November 18, 2025, the trial court entered a written order denying the motion to change Madelyn's last name.

¶ 25 This appeal followed.

¶ 26 II. ANALYSIS

¶ 27 Respondent argues that the trial court erred in denying his motion to change Madelyn's last name because clear and convincing evidence established that a change was in her best interest.

¶ 28 Section 21-101(c) of the Code of Civil Procedure (735 ILCS 5/21-101(c) (West 2024)) applies to the name change of a minor. That section provides:

"An order shall be entered as to a minor only if the court finds by clear and convincing evidence that the change is necessary to serve the best interest of the child. In determining the best interest of a minor child under this Section, the court shall consider all relevant factors, including:

(1) The wishes of the child's parents and any person acting as a parent who has physical custody of the child.

(2) The wishes of the child and the reasons for those wishes. ***

(3) The interaction and interrelationship of the child with his or her parents or persons acting as parents who have physical custody of the child, step-parents, siblings, step-siblings, or any other person who may

significantly affect the child's best interest.

(4) The child's adjustment to the child's home, school, and community." 735 ILCS 5/21-101(c) (West 2024).

¶ 29 "Because a change in the name of a child is a serious matter with far-reaching effects, section 21-101 permits such a change *only* if the court finds by *clear and convincing* evidence that the change is *necessary* to serve the best interest of the child." (Emphases in original and internal quotation marks omitted.) *In re Tate Oliver B.*, 2016 IL App (2d) 151136, ¶ 30. The requirement of "clear and convincing evidence" indicates that a child's name should be changed "only where the evidence unmistakably supports such a change." *Tate Oliver B.*, 2016 IL App (2d) 151136, ¶ 35. "Clear and convincing evidence is that quantum of proof that leaves no reasonable doubt in the mind of the fact finder as to the truth of the proposition in question." *In re M.E.*, 2019 IL App (3d) 170759, ¶ 34.

¶ 30 A trial court's decision on a name-change petition will be reversed only if it is against the manifest weight of the evidence. *Tate Oliver B.*, 2016 IL App (2d) 151136, ¶ 30. "A ruling is against the manifest weight of the evidence only if it is clearly apparent from the record that the trial court should have reached the opposite conclusion or if the ruling itself is unreasonable, arbitrary, or not based upon the evidence presented." *M.E.*, 2019 IL App (3d) 170759, ¶ 32. Under this standard, "deference is given to the trial court as finder of fact because the trial court is in a better position than the reviewing court to observe the conduct and demeanor of the parties and witnesses." *M.E.*, 2019 IL App (3d) 170759, ¶ 32.

¶ 31 Here, the trial court examined all the relevant statutory factors and concluded that respondent did not meet his burden of proving by clear and convincing evidence that Madelyn's last name should be changed. After reviewing the record, we hold that the court's denial of the

name-change motion was against the manifest weight of the evidence. Contrary to the court's ruling, nearly all the evidence presented at the hearing supported granting the motion, and the only evidence against the motion was petitioner's own testimony that she opposed the name change for reasons she and the court did not directly tie to Madelyn's best interest.

¶ 32 Turning to the first statutory factor, the wishes of the parents, there is no question that both parents wanted opposite things: petitioner wanted Madelyn's name to remain Monge, while respondent wanted Madelyn's name to be Couri. It is the reasons for their wishes that are relevant here. Petitioner testified that she wanted Madelyn's name to remain Monge because that is what it has always been. She also expressed the opinion that Madelyn, though 15 years old and adamantly in favor of changing her name, was not old enough to make such a decision. However, case law indicates that children as young as 11 can express a desire to change their name where the child's opinion is "well-considered." *In re Howard ex rel. Bailey*, 343 Ill. App. 3d 1201, 1207 (2003); see *M.E.*, 2019 IL App (3d) 170759, ¶¶ 5, 9, 37 (granting the petition filed by the mother of an 11-year-old). Where a child is sufficiently mature, "his or her preferences should be accorded great weight." *Howard*, 343 Ill. App. 3d at 1207. Additionally, in *In re Craig by Ahlden*, 164 Ill. App. 3d 1090, 1093 (1987), the appellate court reasoned that a 12-year-old could express her desire that her name be changed since there was "no evidence of confusion or pressure." Here, the trial court found that respondent did not pressure or encourage Madelyn to ask for the name change. Respondent testified that he wanted the change because it was what Madelyn wanted. Additionally, both parties agreed that Madelyn was mature and intelligent. If a child four years younger than Madelyn should be allowed to express a desire to have his or her name changed, surely a 15-year-old high school sophomore is not too young to have her wishes meaningfully considered with respect to such an important decision. Thus, this factor weighs in favor of the name change.

¶ 33 The second factor, the child’s wishes and the reasons therefore, strongly supports the name change. Madelyn has been consistently expressing her desire to have her name changed for several years, and that desire only grew stronger when she began attending Peoria Notre Dame High School, where a street sign bears the name of her grandfather and her uncle was recently named alumni of the year. Madelyn wants to share the last name of those individuals as well as her father, with whom she lives and has a close relationship. Madelyn also expressed discomfort in having a different last name than both of her parents, a legitimate concern when considering the best interest of a child in a name-change proceeding. See *Howard*, 343 Ill. App. 3d at 1206 (finding that the child having a last name different from others in his family created difficulties for him in school and elsewhere). It is important for Madelyn to feel like a part of her extended family, which the evidence overwhelmingly showed will happen if her name is changed to Couri.

¶ 34 The third factor, the minor’s interactions with her parents, is what the trial court decided was the most important factor and favored petitioner. However, the court, in reviewing this factor, focused almost exclusively on how the name change would affect petitioner, which is not a proper consideration in a name-change case. In deciding a name change, it is only the best interest of the minor that is at issue. See 735 ILCS 5/21-101(c) (West 2024). Although the court was sensitive to preserving the mother-daughter relationship, there was no evidence that Madelyn’s and petitioner’s relationship will deteriorate as a result of the name change, just that petitioner would be “disappointed.” Furthermore, petitioner’s desire for Madelyn to have “her name” (*i.e.*, petitioner’s name) was not a reason to deny the motion which had a basis in the evidence. While petitioner testified that she sometimes goes by Molly Monge, the evidence showed that she typically goes by Molly Monge-Schleeter or Molly Schleeter. Because Madelyn did not share a name with her mother, that provides even more reason to allow the name change.

¶ 35 Finally, the fourth factor, the child's adjustment to her home, school, and community, overwhelmingly supports the name change. While Madelyn is an intelligent young woman who is doing well in school, she testified that she is uncomfortable having to explain to others why she has a different last name than either of her parents. Further, the evidence established that Madelyn is already using the name Couri whenever she can, as evidenced by the exhibits provided at the hearing. Thus, the evidence established that allowing the name change would comport with the adjustments Madelyn has already undertaken on her own initiative since moving to a new community to live with her father.

¶ 36 In all, the evidence presented and the pertinent considerations under the statute compel the conclusion that the trial court's decision to deny the name change was against the manifest weight of the evidence. All the factors supported the name change of a mature 15-year-old, who wants to feel closer to her father and his side of the family because she is living in Peoria with them and wants to share her family's history and legacy. Madelyn is not a young child who on a whim has asked for her name to be changed. She has been asking about having her name changed for at least two years, and both parents agreed that she has not wavered in that desire. While Madelyn admitted that the Monge name has not hindered her (something that would rarely ever be the case), she clearly expressed that she would be happier if her name was Couri. The evidence did not give rise to any articulable reason to deny the petition that could even arguably justify disregarding Madelyn's testimony about what would make her happier.

¶ 37 It is clearly apparent from the record that the statutory factors weighed in favor of granting the name-change motion. The facts and circumstances unmistakably indicate by clear and convincing evidence that the name change is necessary to serve Madelyn's best interest. We hold, therefore, that the trial court's ruling to the contrary was against the manifest weight of the

evidence.

¶ 38

III. CONCLUSION

¶ 39 For the reasons stated, we reverse the trial court's judgment and remand the cause to the trial court with directions to grant the name-change motion.

¶ 40 Reversed and remanded with directions.