2026 IL App (1st) 252138-U

No. 1-25-2138

Sixth Division

Order filed October 30, 2026

NOTICE: This order was filed under Illinois Supreme Court Rule 23 and is not precedential except in the limited circumstances allowed under Rule 23(e)(1).

IN THE

APPELLATE COURT OF ILLINOIS

FIRST DISTRICT

IN RE D.W.M., a Minor,

(Marlo M., Petitioner-Appellant v. Donna W., Respondent-Appellee).

Appeal from the Circuit Court of Cook County.
Honorable Martha V. Jimenez, Judge, Presiding.
No. 25 CONC 445

JUSTICE EVANS delivered the judgment of the court.
Presiding Justice Gamrath and Justice Hyman concurred in the judgment.

ORDER

¶ 1 *Held*: Denial of father's petition to change minor's name affirmed when father failed to provide a sufficient record to enable review of the circuit court's decision.

¶ 2 Marlo M., the father of minor, D.W.M., filed a petition to change the minor's first name. Following a hearing, the circuit court denied the petition. The court found Marlo M. had failed to establish that Donna W. was notified of the petition or that she consented to the name change. The court also found the name change was not in the minor's best interest "for the reasons stated on the record." Marlo M. appeals.

¶ 3 Marlo M. filed an appellate brief. Donna W. did not appear. Thus, we took the case on the common law record and Marlo M.'s brief alone. See *People ex rel. Wofford v. Brown*, 2017 IL App (1st) 161118, ¶ 11 (the appellate court may review a case without an appellee's brief).

¶ 4 A change in the name of a child is a serious matter with far-reaching effects. *In re Tate Oliver B.*, 2016 IL App (2d) 151136, ¶ 30. Section 21-101 of the Code of Civil Procedure (735 ILCS 5/21/101 (West 2024)) 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."

¶ 5 In determining whether a name change is necessary to serve the best interest of a child, a court "shall consider all relevant factors," including the wishes of the child's parents and any other person with physical custody of the child; the child's own wishes; the interaction between the child and any siblings, step-parents, or step-siblings; and the impact of a name change on the child's relationships within the child's home, school, and community. *Id*

¶ 6 A trial court's decision on a name-change request will be affirmed unless it is against the manifest weight of the evidence. *In re M.E.*, 2019 IL App (3d) 170759, ¶ 32. 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. *Id*.

¶ 7 Marlo M. failed to include a transcript or bystander's report for the hearing on the name-change request. The appellant has the burden of presenting a sufficiently complete record to support a claim of error. *Waukegan Hospitality Group, LLC v. Stretch's Sports Bar & Grill Corp.*, 2024 IL 129277, ¶ 20.

¶ 8 Here, without a transcript of the hearing, we cannot determine whether the circuit court's decision was against the manifest weight of the evidence. *BMO Bank N.A. v. Zbroszczyk*, 2025 IL

App (1st) 241333, ¶ 50 (observing that the reviewing court could not find the circuit court abused its discretion in awarding attorney fees without a transcript of the proceedings on the fee petition).

¶ 9 In the absence of such a record on appeal, "it will be presumed that the order entered by the trial court was in conformity with [the] law and had a sufficient factual basis." *Foutch v. O'Bryant*, 99 Ill. 2d 389, 391-92 (1984).

¶ 10 Accordingly, we affirm the judgment of the circuit court.

¶ 11 Affirmed.