

OFFICERS: A County Treasurer who marries after being elected may sign her marital name to official documents.

March 6, 1943

Miss Pauline Hopen  
Treasurer, Cole County  
Jefferson City, Missouri



Dear Miss Hopen:

This is to acknowledge receipt of your opinion request dated March 4, 1943, which we quote:

"I have just recently married and would like an opinion as to the correct style of name to use when executing papers in the future.

"Would it be correct for me to sign same with my married name or let it remain Pauline Hopen under which I was elected?"

There is no constitutional or statutory provision which covers your situation, nor could any cases, directly in point, be found. However, the purpose of a signature is first to authenticate the document to which it is attached, and secondly, it is made for the purpose and with the intent that the individual signing the writing will be bound thereby, C. J. Volume 59, Section 3, page 719. It might also be considered as an act of identification, that is, the signing of the name identifies the document as being signed by that particular person. Names are given for the purpose of identification, for separating that object or individual from similar objects or individuals. You, as a person, have not ceased to be the person you were when elected, merely because you married. You merely accepted a new status and assumed your husband's name. Henceforth you will be known and identified by your married name. Your purpose and intent to be bound by the signing of your married name will be the same as when you signed under your maiden name.

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However, in order to be perfectly safe you may sign your married name, and below it in parenthesis put your maiden name. For example:

Mrs. Sam C. Black (married name)  
(nee Miss Jessica Cox)

At least you could effectively sign your documents as shown by the example for a reasonable length of time, or until you became sufficiently identified by your married name to dispense with the addition of your maiden name.

It is also the suggestion of this office that you have your marriage certificate put on record in this county.

CONCLUSION

A signature by you, in your official capacity as County Treasurer, under your married name would be legal and effective.

Respectfully submitted

WILLIAM C. BLAIR  
Assistant Attorney General

APPROVED:

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ROY McRITERICK  
Attorney General of Missouri

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