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Carrying on the Family Name: The Influence of Court Rulings and Maiden Surnames

By Tharanpreet Chahal

"It takes a great deal of courage and independence to decide to design your own image instead of the one that society rewards, but it gets easier as you go along."

— Germaine Greer, *The Female Eunuch*

I. Introduction

Imagine if mainstream society and its expectations had normalized females carrying on the family name after marriage as opposed to their male counterparts. After all, the assumption that males "carry on the family name" is a complete social construction that is based on centuries of tradition.[1] There are no biological arguments that justify why men assumed the role of continuing the family name and why women, in turn, give up their maiden surnames.[2] So why is there a heavy expectation for women in traditional and modern society to take their husbands' last names once they are married?

Custom and tradition are arguably the two main reasons women forgo their maiden names for their husbands' names when they get married.[3] Though this occurrence may not be as prevalent now, many women change their last names for those of their husbands once they are married. However, custom and tradition are not the sole cause of this traditional structure. Court cases and various acts implemented throughout history have also contributed to the practice of women adopting their husbands' surnames.[4] Various court rulings coerced women to change their last names once they were married based

on the assumption that tradition equated to the rule of law.[5]

This article examines how past cases across the United States contributed to the prevailing idea that women should take on their husbands' last names upon marriage in the heterosexual romantic couple context. This article analyzes a recent study that explores the prevalence of societal expectations placed upon women and their ability to decide what surname to use at the time of marriage.[6] Further, this article provides a brief history about maiden names and prevalent historical figures in North America that fought to allow women to have the choice between keeping their maiden names or taking their husbands' surnames. Lastly, this article provides recommendations and concludes that women should have the ability to choose their paths free from the judgment and expectations of society.

II. A Brief History on Surnames and Maiden Names

A. Background

Gender norms in heterosexual romantic relationships have been resistant to change over the past several decades.[7] "Although adherence to romantic relationship traditions may appear to be

harmless, scholars have argued that many of these traditions are infused with power dynamics that afford men greater status and power than women.”[8] The tradition of wives adopting their husbands’ surnames started in a time when women did not have many legal rights and were perceived as their husbands’ property.[9]

While women around the world are legally able to retain their maiden names after marriage, custom and tradition seem to take precedent in determining whether a woman retains her surname or not.[10] In a 2017 study, when unmarried young adults were asked about their future plans, most undergraduate men and women preferred that the woman in the relationship should adopt the man’s surname.[11]



A natural connection exists between names and identity, the sexist norms brought about by tradition, and the professional implications of changing an individual’s surname.[12] Under common law, the surname that a person uses was considered that person’s legal last name.[13] However, surnames were essentially unknown in England before the ninth century. Surnames would not come into use for another 100 years.[14] This is when hereditary, or genetically transferred, surnames became the custom or law of the land when it came to surname usage.[15] Later, a person’s Christian or given name was considered more important than a hereditary name because it was given at baptism.[16] Essentially, the Christian name could be changed upon confirmation, otherwise no change was possible.[17] As stated in a widely recognized foundational document on English common law by Sir William Coke, “And this [practice] doth agree with an ancient book, where it is holden that a man may have divers names at divers times but not divers Christian names.”[18] In general, surnames were often adopted by a person or given to that person because of certain characteristics, place of birth, or even occupation. In fact, a person could accrue many surnames in one lifetime.[19]

No other aspect in society showed how important a person’s surname was than the fact that common law allowed a person to change his or her surname at will, without legal proceedings.[20] A person could simply adopt a new name and become known by that name: “Subject to certain restrictions imposed in the case of

aliens, the law prescribed no rules limiting a man’s liberty to change his name.”[21] Accounts from England show upper class men took the surnames of their wives or that wives retained their surnames if they came from prominent families.[22] It was not until Henry VII passed an act establishing the parish registry that the practice of having all family members under the same surname became institutionalized.[23] Under this particular act, all deaths, marriages, and births were recorded.[24] The father’s name was used for recording purposes.[25]



Women have a long history of switching out their maiden names for their husband’s last name.[26] *Coverture* is the idea that a woman’s perception of “her legal existence as an individual was suspended under marital unity, where the legal fiction was that husband and wife are considered a single entity: which is dependent on the husband.”[27] *Coverture*, starting as early as 1340, idolized the belief that when a woman weds her husband, she lost every surname except *wife of* and that became her only identity.[28] During the fifteenth century, the English added another prong to the French doctrine of *coverture*. [29] Through scripture, the interpretation of *coverture* focused more on the unity of husband and wife as opposed to a husband’s power over the wife.[30]

Henry de Bracton stated that husband and wife “become a single person because they are one flesh and one blood.”[31] This idea furthered the fabled need that married women must take their husband’s surname because the sharing of his surname was a symbol of both spiritual and legal unity.[32] It became customary in seventeenth century Britain for a woman to adopt her husband’s surname out of symbolism, legality, and tradition.[33]

A woman in the United States does not lose her maiden name through marriage under civil law and her legal name does not change according to her marital status.[34] A woman could be known by her husband’s name in social circumstances, but she does not acquire his surname as her legal name upon marriage.[35] The Married Women’s Property Act was enacted in most states in the United States and in England during the nineteenth century.[36] These acts empowered women by allowing them to have control over their own property, make contracts, and

take part in business activities after marriage.[37] However, women were not granted full legal status through these acts.[38] While the passage of these acts and statutes spurred recognition of separate legal existence between husband and wife, women still adopted their husband's surnames.[39] Courts around the United States still deemed the husband as the dominant party in the marriage.[40]



However, Lucy Stone, a nineteenth century U.S. suffragist and abolitionist, was one of the earliest advocates for the ability of women to have the choice to retain their maiden names.[41] She faced challenges with legal officials upon her refusal to sign her husband's name when she tried to purchase land.[42] These legal issues forced her to seek legal counseling, which confirmed there was no law in existence that required her to purchase land under her husband's name.[43] Thus, after her marriage in 1855, Stone made a public announcement that she did not change her name when she married her husband, and she never will.[44] Her fellow activist Elizabeth Cady Stanton wrote:

“Nothing has been done in the woman's rights movement for some time that has so rejoiced my heart as the announcement by you of a woman's right to her name. It does seem to me a proper self-respect demands that every woman may have some name by which she may be known from cradle to grave.”[45]

Therefore, custom and tradition, not common law, are the main propellants for women adopting their husband's surnames.[46] As scholar Patricia Gorence stated, “No state statutes today specifically require that a woman assume her husband's surname.”[47]

However, certain court rulings had other interpretations of custom versus law regarding married women and their surnames.[48] In a Massachusetts case, the plaintiff, a woman who married in 1921, registered her car in 1923 under her maiden name. Soon after, she and her husband were injured in an automobile accident where she brought an action for damages. The Massachusetts court

refused to allow her to recover damages. The court's reasoning was that the car was not properly registered and was a nuisance on the highway. The court held, as a matter of law, that after the plaintiff's marriage her legal surname was that of her husband. So, when she registered the automobile, she did so in a name that was not hers. Given that the statute governing such matters states that a motor vehicle shall be registered in the name of its owner, the car was not legally registered at the time of the accident and so she was not entitled to recover.[49]

Before the 1970s women could not get their paychecks, passports, driver's licenses, bank accounts, or even vote, using their birth surnames.[50] However, since 1975 there have been court rulings that make it easier for women to keep their birth names by alerting government agencies individually that one's name is or is not changing.[51]

B. Historical Figures That Impacted Female Surname Retention



Hester Piozzi

Mary Wollstonecraft

1. Mary Wollstonecraft

Mary Wollstonecraft, daughter of a farmer, taught and worked as a governess in the mid-eighteenth century.[52] Her choice in keeping her maiden surname for her publications was incredibly unique for that time. She was one of the first documented women to have her work published using her maiden name instead of using a false male name or her husband's name. Her use of her maiden name was not only in passing, but also used in her professional identity during a time where few women were considered to have a professional identity.[53]

2. Hester Piozzi

Hester Piozzi was a famed literary mind. In the eighteenth century, she petitioned to have her husband's nephew adopt her maiden name of Salusbury.[54] She wrote to the king that “the fact that he adopted my maiden name made him my son at last; my son by adoption.”[55] Hester was one of the first women in Great Britain to petition to Parliament to pass the private act to ensure the continuation of their maiden names. However, this solution was only available and beneficial to very few wealthy women.[56] Hester's positive outcome is a prime

example of how wealthy women had much autonomy in using their maiden surnames versus their husband's maiden surnames. It was extraordinary that she was able to convince the king to allow her husband's nephew to adopt her maiden surname. However, one must note how instrumental her status in the community was to her ability to convince a king to side with her viewpoint.

C. *The study "Does a Woman's Marital Surname Choice Influence Perceptions of Her Husband?" demonstrates the prevalence of societal expectations.*

The article *Does a Woman's Marital Surname Choice Influence Perceptions of Her Husband?* attempts to explain the stereotypes women in heterosexual relationships face when they do not take their husband's surnames after marriage or when they break tradition.[57] The article also examines how participants predominantly referenced "expressive" traits when describing a man whose wife retained her surname.[58] The overarching goal of the study is to test for links between a woman's surname choice and other people's perceptions of her husband.[59] Researchers conducted three studies in the United States and the United Kingdom.[60] The goal of Study 1 was to provide initial evidence that participants readily use traits related to expressivity to describe a man whose wife retains her surname after marriage.[61]

The overall purpose of the study was to examine how participants characterize a man whose wife retains her surname after marriage.[62] This study showed that there were gender differences in attitudes toward the marital surname tradition." [63] For the purposes of this study, "expressivity" is connected to passivity, warm heartedness, and an interest in pleasing rather than causing an argument to jeopardize the fate of the relationship.[64] Expressivity is a term used to describe males with non-traditional masculinity.[65] Findings from Study 1 give preliminary insight into how people characterize men whose wives retain their surnames after marriage.[66] When asked to describe the man in the relationship, over half of the sample referenced expressive traits.[67] This pattern complements research showing that women who retain their surnames tend to be associated with masculinity.[68]

III. How Various Cases "Encouraged" Women to Take Their Husbands' Surname

A. *Chapman v. Phoenix National Bank of N.Y.*, 85 N.Y. 437 (1881).

Chapman v. Phoenix National Bank of N.Y. is a prime example of a court ruling that is based on traditional common law. The case is considered one of the most influential cases regarding a married woman's surname.[69] *Chapman* explored the issue of

adequacy of notice. The proceeding was set aside because she brought the suit using her married name and the court insisted that it was invalid for lack of notice.[70] The court moved to vacate the judgment, in which it was stated in dicta that:

For several centuries, by the common law among all English-speaking people, a woman, upon her marriage, takes her husband's surname. That becomes her legal name, and she ceases to be known by her maiden name. By that name she must sue and be sued, make and take grants and execute all legal documents. Her maiden surname is absolutely lost, and she ceases to be known thereby.[71]



B. *Roberts v. Grayson*, 233 Ala.658, 173 So. 38 (1937)

Similar to *Chapman*, the *Roberts* case ruling relied heavily on tradition and custom. *Roberts* involved a claim against a decedent estate in which the deceased Hattie W. Jones was recognized as Mrs. J.C. Jones.[72] The case explored whether the use of a woman's maiden name was sufficient to give notice to that individual, despite being married.[73] Here, the court holds that "a woman's maiden name ceases upon her marriage, and she ceases to be known thereby." [74]

The court notes that "Alabama has adopted the common law rule that upon marriage the wife by operation of law takes the husband's surname." [75] In fact, the court cited the opinion of the Nebraska Supreme Court case, *Carroll v. State*, 53 Neb. 431, 73 N.W. 939, 940, which meets with our approval:

"It is argued that 'Mrs. Fred Steinburg' was not the name of the witness, and this, being the name written on the instrument, was insufficient,—did not fulfill the requirements of the law. It must be said that, in a strict sense or meaning, this was not the name of the witness. A married woman takes her husband's surname, and by a social custom, which so largely prevails that it may be called a general one, she is designated by the use of the Christian name, or names, if he has more than one, of the husband, or the initial letter or letters of such Christian name or names of the husband, together with the appellative

abbreviation 'Mrs.' prefixed to the surname; and all married women (there may be, possibly, a few exceptions) are better known by such name than their own Christian name or names, used with their husband's surname, and their identification would be more perfect and complete by the use of the former method than the latter.”[76]



In this context, the court was interested in maintaining a precedent that all states could follow and continue to follow when similar cases are brought to each court.

C. Rago v. Lipsky, 327 Ill. App. 63, 63 N.E.2d 642 (1945).

Custom and tradition were the backbone behind the court ruling in *Rago v. Lipsky*. *Rago* involves a prominent Chicago lawyer.[77] She exclusively, socially, and professionally used her maiden surname after marriage.[78] However, she was denied permission to remain registered under her maiden name. The Illinois statute provides that “any registered voter who changes his or her name by marriage . . . shall be required to registered anew.”[79] The court held that the statute made it mandatory for *Rago* to re-register under the surname of her husband.[80] The reasoning behind this decision was that it was a well-known custom for a woman upon marriage to abandon her maiden name and take the husband's surname, which is interpreted to be used with her own given name.[81] The court further referred to the long-established custom and common law that a woman's name is changed by marriage and her husband's surname becomes, as a matter of law, her surname.[82]

D. Forbush v. Wallace, 341 F.Supp 217 (M.D. Ala. 1971).

Forbush v. Wallace was a class action that challenged the Alabama Department of Safety's rule that required married women to use their husbands' surnames on their driver's licenses.[83] The class action asserted that this requirement was a violation

of the Equal Protection Clause of the Fourteenth Amendment: “The *Forbush* court held that the requirement that a married woman obtain a driver's license under her husband's surname found a rational basis in administrative convenience.”[84]

The administrative convenience rationale provides that the state has a legitimate interest in preventing fraud in vehicle registration along with administering its registration process in the most efficient way possible.[85] In addition, the state has a valid interest to make this process as efficient as possible.[86] Furthermore, the state does have a legitimate interest in accurately identifying people across various agencies and departments as well as an interest in preventing people from fraudulently misrepresenting themselves.[87] However, these state interests are not served by forcing married women to adopt their husband's surnames.[88] In fact, forcing married women to change their names could create the opposite effect and in turn render the identification and tracking process more difficult. In contrast, the administrative convenience test was rejected by the Supreme Court because the Court stated that the possible outcome of unequal treatment between males and females vastly outweighs the justification of convenience in *Reed v. Reed*, 404 U.S. 71 (1971).[89]

Historical Impacts These Cases Have Had on Women

Though the practice of women taking their husband's last name is not governed by black letter law, common practices have continued this aged tradition.[90] This was the set precedent until a Tennessee court upheld women's right to vote using their maiden name, courtesy of *Dunn v. Palermo*. [91] Prior to the 1970s, women would need to use their husband's last names for various administrative proceedings.[92] For example, women could not get passports, driver's licenses, or register to vote unless they adopted their husband's last name.[93]

IV. Cases that Encouraged Married Women to Choose

A. Dunn v. Palermo, 522 S.W.2d 679 (Sup. Ct.Tenn.1975).

In *Dunn v. Palermo*, the court's reasoning exemplified and acknowledged a woman's ability to choose whether she wanted to change her last name.[94] Rosary Palermo is a Nashville lawyer.[95] In 1973, she married Denty Cheatham, another lawyer. Ms. Palermo continued to use her maiden name professionally, socially, and for all purposes.[96] She filed a change of address with the Tennessee Registrar listing her name as Palermo after the marriage.[97] She was advised by the Registrar that she was required to register her name under her husband's last name or have her name expelled from the registration records. When she refused to register

under her husband's last name, her name was purged from the registrar's list. The Supreme Court of Tennessee held that "a woman, upon marriage, has a freedom of choice. She may elect to retain her own surname or she may adopt the surname of her husband. The choice is hers." [98] The court also held that one's legal name is either given at birth, voluntarily changed at the time of marriage, or changed by affirmative acts as provided under the Constitution and the laws of the state. [99]

B. Krupa v. Green, 177 N.E.2d 616 (Ohio Ct. App. 1961).

The court in *Krupa v. Green* questioned the "custom" reasoning found in previous court decisions. [100] A well-known lawyer retained her own name in professional and social settings after she married. [101] She ran for municipal court judge, which was challenged on the basis that she used her birth name on the nomination petition. [102] The court in pertinent part said:

"It is only by custom, in English speaking countries, that a woman, upon marriage, adopts the surname of her husband in place of the surname of her father. *Krupa* is the primary American authority cited in support of *Stuart v. Board of Supervisors*, *infra*, and is said to be 'the only previous American decision to approach the issue of married women's surnames from the general context of the legal history of surnames and to bring a searching common law analysis to bear upon the question.'" [103]

This case then held that no black letter law requires women to take their husband's surname. Instead, the practice happens through society's customs, traditions, and expectations. The mere questioning of the custom requiring women to take their husband's last names is significant, because it was an early case highlighting the custom.

C. Stuart v. Board of Supervisors of Elections for Howard County, 266 Md. 440, 295 A.2d 223 (1972).

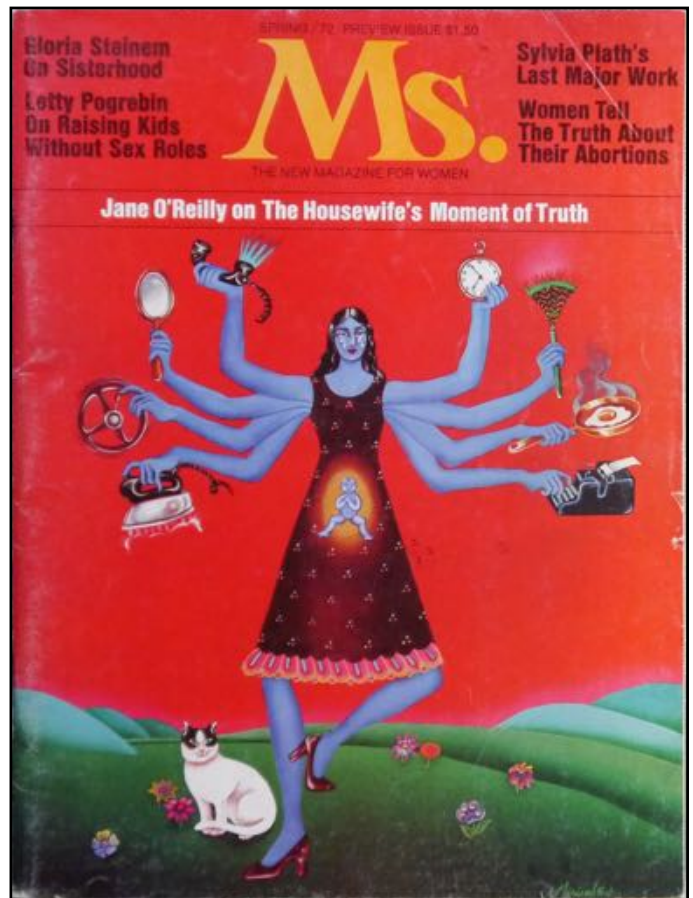
Stuart acknowledged that custom and tradition should not be binding factors of law. Mary Stuart, the plaintiff, was married and registered to vote using her maiden name. [104] When she refused to register using her husband's surname, the Board canceled her registration, reasoning the necessity of accurate recordkeeping. [105] She exclusively used her maiden name, just like Rosary Palermo. [106] The Maryland Court of Appeals reversed the prior ruling. [107] The court's reasoning for this reversal was that a married woman's surname does not automatically change to that of her husband. [108] This shows that the woman, in fact, makes a clear intent to exclusively, consistently, and non-fraudulently use her birth name after marriage. Simply put, "the mere fact of marriage does not, as a matter of law, operate to establish the custom and tradition of the majority as a rule of law binding upon all." [109]

D. Matter of Natale, 527 S.W.2d 402 (Mo. App. 1975).

Matter of Natale found for the woman's choice in changing her name and that there was no written requirement that a woman must change her name upon marriage. *Matter of Natale* held that a married woman, in her request for a name change, is not limited to a choice between her antenuptial name or her husband's name. [110] The court granted a statutory name change to a married woman who had used her husband's surname after marriage. [111] She had been known by three surnames due to her mother's name change after remarriage and because of her formal adoption. [112] In reversing the trial court, the appeals courts recognized both the common law right and the statutory right of a married woman to change her name. [113] The court held that there was no requirement of a common surname. [114]

Historical Impacts These Cases have had on Women

In the 1970's the U.S. Supreme Court struck down a Tennessee law requiring a woman to assume the last name of her husband before registering to vote. [115] During this time the prefix "Ms." became a normalized identity, allowing women to assert their identity apart from their marital status. [116]



The use of "Ms." became normalized during the second-wave feminism movement and the cultural impact of *Ms. Magazine* in the 1970s. [117] The thought behind the spelling was that "Ms." as a blend

of Miss and Mrs., but there is also evidence that “Ms.” also derives directly from “Miss” and from “Mistress.”[118] “The 1885 citation from the Vermont Watchman, which has just come to light, provides a new link in the development of “Ms.” This newspaper ad, masquerading as a news story, contrasts *Ms. Parrington* with Mrs. Dull, suggesting that “Ms.” is meant to abbreviate ‘Miss.’”[119] In modern society, “Ms.” has indeed replaced “Miss” for all English speakers who are pairing “Ms.” with “Mrs.” to signal unmarried/married just like the Miss/Mrs. pair that it was supposed to replace.[120]

Contemporary Impacts These Cases Have Had on Women

Numerous milestones exist on women’s rights and marriage equality. In fact, full marriage equality finally arrived on June 26, 2015.[121] With the Supreme Court decision in *Obergefell v. Hodges*, marriage equality became the law of the land and granted same-sex couples in all 50 states the right to full, equal recognition under the law.[122] Some couples equated taking their married partner’s name to being reduced to a piece of property and see taking their married partner’s last name as heteronormative, patriarchal, traditional, archaic and old-fashioned.[123]

“For some, having argued and fought for marriage equality for so long, they found it difficult to explain why they would want to suddenly follow heteronormative naming conventions.”[124]



V. Recommendations

Tradition and custom dominate the notion that married women must take on their husbands’ surnames upon marriage. This custom is not written within common law. In fact, many women today choose to hyphenate their maiden names with their husband’s surname once they are married. This contemporary choice for married women could stem from the fact that choices for US and UK women have expanded. More and more women today focus on their own careers out of choice or by necessity. This change sparked an evolution about the concept of identity.

Not all countries and societies follow the old tradition of changing the woman’s last name. Societies in Greece, France, Italy, Nederland, Belgium, Malaysia, Korea, Spain, Chile (and many other Spanish speaking countries) are countries where women are not expected to take their husband’s last name upon marriage.[125] Women often keep their maiden name after they get married without any societal pressure.

Women have their own identities that are not contingent on who they marry, a far cry from the thought processes of the past. Past cases have conflated the tradition and custom of a woman taking her husband’s last name with it being a matter of law, causing a widespread belief that it is legally required. On the contrary, when an aspect of society hinges on being carried on through custom and culture, it does not necessarily equate that it is carried on by the matter of law. Laws should not facilitate the outcome of ones’ identity or recognition based on societal expectations and constructions.

There is absolutely nothing wrong with a woman taking her husband’s last name, but this tradition is not for everyone. The point of this entire article is to highlight the evolution of an aged tradition that does not need to be followed if one prefers not to. No law in the U.S. requires women to change their last names upon marriage. Women should have the ability to make this choice without the societal expectations and pressures. Society should not have the dialogue that “women have earned this right...” Women do not and should not need to have to earn this right. Women’s rights are and have always been embedded in themselves as women, but society seems to take issue with this fact.

[1] Sophie Coulombeau, *Why Should Women Change Their Names on Getting Married?*, BBC News (Nov. 1, 2014), <http://www.bbc.com/news/magazine-29804450>.

[2] *Id.*

[3] *Id.*

[4] Joni Erdmann, *Why are Women Still Changing Their Last Names?*, HuffPost (Nov. 10, 2016), http://www.huffpost.com/entry/why-are-women-still-chang_b_8486370.

[5] *Id.*

[6] Rachael D. Robnett, Marielle Wertheimer, Harriet R. Tenenbaum, *Does a Woman’s Marital Surname Choice Influence Perceptions of Her Husband? An Analysis Focusing on Gender-Typed Traits and Relationship Power Dynamics*, *Sex Roles* 59, 60 (2017).

[7] *Id.*

- [8]*Id.*(internal citation omitted).
- [9]*Id.*
- [10]*Id.*
- [11]*Id.*
- [12]*Id.*
- [13]Patricia J. Gorence, *Women's Name Rights*, 59 Marq. L. Rev. 876, 882 (1976).
- [14]*Id.*
- [15]*Id.*
- [16]*Id.*
- [17]*Id.*
- [18]Coke. A Commentary Upon Lit'tleton 3a (1883).
- [19]Gorence, *supra* note 15, at 882.
- [20]*Id.*
- [21]*Id.*
- [22]*Id.*
- [23]*Id.*
- [24]*Id.*
- [25]*Id.* at 883.
- [26]Erdmann, *supra* note 4, at 6.
- [27]*Id.*
- [28]*Id.*
- [29]Coulombeau, *supra* note 1, at 3.
- [30]*Id.*
- [31]*Id.*
- [32]*Id.*
- [33]*Id.*
- [34]Gorence, *supra* note 15, at 884.
- [35]*Id.*
- [36]*Id.*
- [37]*Id.*
- [38]*Id.*
- [39]*Id.*
- [40]*Id.*
- [41]"For example, not until 1920 with the passage of the nineteenth amendment to the U.S. Constitution were women granted universal suffrage in the United States." Claudia Goldin, Maria Shim, *Making a Name: Women's Surnames at Marriage and Beyond*, 18]. Econ. Persps. 143, 144 (2004).
- [42]*Id.*
- [43]*Id.*
- [44]*Id.*
- [45]*Id.*
- [46]Gorence, *supra* note 15, at 885.
- [47]*Id.*
- [48]Lawrence G. Greene, *How to Change Your Name and the Law of Names*. 62 (1954).
- [49]*Id.*
- [50]*Id.* at 144.
- [51]*Id.*
- [52]Coulombeau, *supra* note 1.
- [53]*Id.*
- [54]<https://www.bbc.com/news/magazine-29804450>
- [55]*Id.*
- [56]*Id.*
- [57]Robnett, *supra* note 6, at 61.
- [58]*Id.*
- [59]*Id.*
- [60]*Id.*
- [61]*Id.* Studies 2 and 3 are irrelevant for the purposes of this article.
- [62]Robnett, *supra* note 6, at 3.
- [63]*Id.* (citation omitted) at 9.
- [64]*Id.* at 31.
- [65]*Id.* at 6-7.
- [66]*Id.* at 12.
- [67]*Id.*
- [68]*Id.*
- [69]Gorence, *supra* note 15, at 891.
- [70]*Id.*
- [71]*Id.*
- [72]*Id.*
- [73]*Id.*
- [74]*Id.* at 789-90.
- [75]Lamber, *supra* note 72, at 786.
- [76]Roberts v. Grayson, 233 Ala. at 660
- [77]Lamber, *supra* note 72, at 791.
- [78]*Id.*
- [79]*Id.* at 791.
- [80]*Id.*
- [81]*Id.* at 791.
- [82]*Id.*

- [83]Lamber, *supra* note 72, at 795.
- [84]*Id.*
- [85]*Id.* at 797-98.
- [86]*Id.*
- [87]*Id.*
- [88]*Id.*
- [89]*Id.* at 803.
- [90]*Id.*
- [91]Kerr, Jennifer Kerr, "Maiden Name Retention, 79 UW Tacoma Digit. Commons" (2021), https://digitalcommons.tacoma.uw.edu/gender_studies/79). *Sociology Student Work Collection*. 79. https://digitalcommons.tacoma.uw.edu/gender_studies/79
- [92]*Id.*
- [93]*Id.*
- [94]*Id.*
- [95]Gorence, *supra* note 15, at 887.
- [96]Lamber, at 780.
- [97]*Id.*
- [98]*Id.*
- [99]*Id.*
- [100]*Id.*
- [101]*Id.* at 888.
- [102]*Id.*
- [103]*Id.*
- [104]Lamber, *supra* note, at 793.
- [105]*Id.*
- [106]*Id.*
- [107]*Id.*
- [108]*Id.*
- [109]GORENCE, *supra* note, at 887.
- [110]*Id.* at 889.
- [111]*Id.*
- [112]*Id.*
- [113]*Id.*
- [114]*Id.*
- [115]Jennifer Kerr, Maiden Name Retention, SOCIOLOGY STUDENT WORK COLLECTION (8-25-2021) https://digitalcommons.tacoma.uw.edu/cgi/viewcontent.cgi?article=1083&context=gender_studies (last visited May 22, 2022).
- [116]*Id.*
- [117]Dennis Baron, "What's in a Name? For 'Ms.' a Long History, MS. MAGAZINE (8/7/2010)), <https://msmagazine.com/2010/08/27/whats-in-a-name-for-ms-a-long-history/>(last visited May 22, 2022).
- [118]*Id.*
- [119]*Id.*
- [120]*Id.*
- [121]*Id.*
- [122]*Id.*
- [123]*Id.*
- [124]Kerr, Jennifer, "Maiden Name Retention" (Aug. 25, 2021). *Sociology Student Work Collection*. 79. https://digitalcommons.tacoma.uw.edu/gender_studies/79(last visited May 22, 2022).
- [125]*Id.*