



This page has been automatically translated. Please refer to the page in French if needed.

After a divorce, can you keep the name of your ex-husband or ex-wife?

Verified 06 avril 2022 - Directorate of Legal and Administrative Information (Prime Minister), Ministry of Justice

Additional cases ? [Rights and obligations of ex-spouses after divorce \(https://www.service-public.fr/particuliers/vosdroits/F36139\)](https://www.service-public.fr/particuliers/vosdroits/F36139)

After a divorce, you lose the use of the [name of your husband or wife \(https://www.service-public.fr/particuliers/vosdroits/F868?lang=en\)](https://www.service-public.fr/particuliers/vosdroits/F868?lang=en).

However, you can keep it in use either **with the consent of your ex-spouse** either **with the agreement of the judge**.

With the consent of your ex-spouse

You can keep the use of your ex-spouse's or ex-wife's name **with**.

This agreement must be formalised **in writing**.

Agreement may be **temporary**.

For example, up to the majority of the youngest child.

Agreement may be **limited to your business**.

⚠ Warning : your former spouse may at any time ask the judge, through his or her lawyer, to cancel this agreement.

With the agreement of the judge

The judge may allow you to continue using the name of your former spouse.

You can apply to the judge **at the time of divorce or after divorce**.

You **justify a particular interest** for yourself or your children.

This is the case, for example, if you are known by this name in your business.

Agreement may be **temporary**.

For example, up to the majority of the youngest child.

Agreement may be **limited to your business**.

➡ FYI : permission to use the name of her ex-spouse **ceases in case of remarriage**.

Statute and miscellaneous references

- Civil Code: Articles 263 to 265-2 [↗ \(https://www.legifrance.gouv.fr/codes/section_lc/LEGITEXT000006070721/LEGISCTA000006165472\)](https://www.legifrance.gouv.fr/codes/section_lc/LEGITEXT000006070721/LEGISCTA000006165472)
Retention of former spouse's name
- Ministerial Response No. 09534 of 8 October 2009 [↗ \(http://www.senat.fr/questions/base/2009/qSEQ090709534.html\)](http://www.senat.fr/questions/base/2009/qSEQ090709534.html)
In case of remarriage