

# NAME & GENDER CHANGE GUIDE FOR RESIDENTS OF WASHINGTON, DC

DISCLAIMER: This guide provides information about the legal and administrative steps associated with changing one's name and gender on identity documents. Please note that specific steps may have changed since this guide was printed, and every individual may have unique name and gender change needs. This guide is to be used as a resource only and does not constitute legal advice.

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*Need further assistance? Come to the*  
**NAME & GENDER CHANGE CLINIC**

Whitman-Walker Health Legal Services Program and Trans Legal Advocates of Washington (TransLAW) hold monthly Name & Gender Change Clinics to assist clients navigating the name and gender change process. For more information or to find out about the next clinic, please visit [www.translawdc.org](http://www.translawdc.org) or call (202) 939-7627.



**WHITMAN-WALKER HEALTH**  
*Community. Caring. Quality.*



**INTRODUCTION**

This guide provides an outline for residents of the District of Columbia who wish to change their name and/or gender marker on identity documents and other records. Listed below are the most common steps taken to make these changes in DC. For most clients, we recommend pursuing these steps in the order listed. We understand, however, that some clients may have unique needs and/or goals which require a different approach to pursuing name/gender changes on their identity documents.

We encourage clients to make an appointment with staff from the Whitman-Walker Legal Services Program to discuss their specific situation and goals. We know this can be a daunting process and we are happy to guide clients through the name and gender change steps. Together, we can create a name/gender change strategy that fits each client’s unique needs. Call us at (202) 939-7627 or visit our main office at 1701 14<sup>th</sup> Street, NW, Washington, DC 20009.

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## I. OBTAINING A COURT ORDER FOR CHANGE OF NAME

The first step in changing your name in DC is to apply for a Court Order from the DC Superior Court recognizing your name change. This is a straightforward but time-consuming process, and will require at least two months to complete. Please note that you must adhere to the TIMING requirements, or your application to change your name may be denied, or you may need to re-file your application.

### A. What To File With The Court

To legally change your name in DC, you will need to take the following materials to the DC Superior Court Judge-In-Chambers office, located in the **Moultrie Courthouse, 500 Indiana Ave., NW, Room 4220, Washington, DC 20001**; phone: (202) 879-1450; fax: (202) 879-1579. Natalie Byrd is the Court Clerk for the Judge-in-Chambers. The nearest Metro stop is Judiciary Square on the Red Line. The office is open from 8:30am to 5pm, Monday through Friday.

*Note: If you are involved in (i) an open Family Court case; (ii) an ongoing child support order; or (iii) an open Civil Protection Order, you may be required to file your name change petition with the Family Court Central Intake Center (CIC).<sup>1</sup>*

Be sure that you have the following items before going to the courthouse:

- 1) **Completed paperwork packet.**<sup>2</sup> A blank copy of this packet can be obtained from Whitman-Walker Health Legal Services. Note that the Court released an updated packet, including updated instructions, as of December 13, 2013, but this packet has not yet been uploaded to the Court's website.<sup>3</sup>

The paperwork packet includes these forms:

#### a. **Application for Change of Name of an Adult**

For Line 4, you are required to list reasons for your name change. We suggest: "This is my preferred name and I want to obtain proper identification."<sup>4</sup>

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<sup>1</sup> D.C. Superior Court Administrative Order 11-14.

<sup>2</sup> D.C. Code § 16-2501.

<sup>3</sup> The Court also issued new instructions. This guide incorporates the new instructions, and provides additional advice consistent with the forms, conversations with Court staff, and feedback from clients.

<sup>4</sup> If the client lists "I am transgender," in the past the Court has asked clients to produce a statement from a counselor or physician attesting to the fact that the client is transgender. In other cases, when the applicant listed only "this is my name of common usage" or "this is my preferred name," the Court refused to accept that reason as sufficient. Accordingly, we recommend the language mentioned above.

For Line 7, you must list each of your parent's names EXACTLY as the names appear on your birth certificate.

For Line 9, if you have EVER provided a different name in connection with any medical or legal issue, including criminal matters, you must list this name here.

For Line 13, if you have an open immigration matter, list it here.

For Line 15, if you do not have the complete case information about a past conviction, go to the court's website to search the public case files. For DC Superior Court, go to <http://www.dccourts.gov/internet/CCO.jsf>.

For Line 20, list any creditors with whom you have an open account, regardless of the balance. Examples of creditors include mortgage companies, loan providers (including student loans), credit card companies, finance/loan companies, and utility companies. You must list the complete name and address of the creditor.

On page 4, you must SIGN the Application on the line marked "Signature of Applicant" using your CURRENT legal name. This form does NOT require a notary.

- b. **Order and Notice of Final Hearing.** On this form, you should write your CURRENT legal name at the top of the form, and complete the second section with your current legal name in the first two blanks and your new chosen name in the third blank.
  - c. **Order for Change of Name.** On this form, you should write your CURRENT legal name at the top of the form and complete your address and phone number.
- 2) **The original long form or a certified copy of your birth certificate.** Note that the card-sized version is not accepted. **Foreign birth certificates** in a language other than English must be translated word-for-word, and the translator must sign and have notarized a letter that swears to the accuracy of the translation and provides their name, address, phone number, and email.

**Note:** For information about obtaining a certified copy of a birth certificate issued in DC, see <http://doh.dc.gov/service/birth-certificates>, which will direct you to the Department of Health, Vital Records Division, 899 North Capitol Street, NE, First Floor, Washington, DC 20002, (202) 442-9303. You may request a copy in person, by mail, online, or by phone. See the Fee Schedule appendix for more information. Hours are Monday to Friday, from 8:30 am to 3:30 pm; proper ID is required. The cost is \$23.

- 3) **Valid identification** in the form of a current driver's license, ID card, or passport. An expired document will *not* be accepted.
- 4) **Proof of DC Residency for the past 60 days**, in the form of a current ID card with your current DC address, a utility or telephone bill (issued within the past 60 days; NOT a cell phone bill), a pay stub, W-2 statement, or a letter with photo from Court Services and Offender Supervision Agency (CSOSA). A bank statement will *not* be accepted; and
- 5) **The \$60 filing fee**, payable to "Clerk, DC Superior Court" (cash, certified check, or money order). The Judge-In-Chambers staff will direct you to the appropriate office to submit this payment. Depending on your income, you may qualify for a waiver of the \$60 fee. The application for this waiver (known as an "IFP" application) can be found here <http://www.dccourts.gov/internet/documents/NEW-IFP-application-fill-in-blanks.pdf>. The IFP petition and Application for Change of Name can be filed at the same time at the Judge-in-Chambers office.

#### **SPECIAL NOTE FOR MINORS:**

If you are under the age of 18, you must complete the Application for Change of Name of a Minor (provided by the court) and have a parent/guardian file your application with the Family Court Central Intake Center (CIC), located at Moultrie Courthouse, 500 Indiana Avenue, N.W. John Marshall Level, East Wing, JM 520 Washington, D.C. 20001.<sup>5</sup>

**You must also have the consent of both parents/legal guardians.** If one parent/guardian is missing or absent, the applicant must complete an affidavit form provided by the court outlining the steps taken to locate the missing/absent individual. Having (i) an open Family Court case; (ii) an ongoing child support order; or (iii) an open Civil Protection Order involving the minor applicant will dictate how the Court assigns your case. We encourage minors and their parent/legal guardian to speak to an attorney before pursuing their name change.<sup>6</sup>

#### **B. What You Should Have When You Leave the Court After Filing the Petition**

You should receive the following items from the Clerk before you leave the Judge-In-Chambers office:

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<sup>5</sup> D.C. Superior Court Administrative Order 11-14.

<sup>6</sup> Court rules suggest that anyone under 21 must file with the Family Court Central Intake Center (CIC); but court staff is not consistently enforcing this rule – in our experience any applicant above 18 years old may file with the Judge-in-Chambers office. We encourage applicants under age 21, however, to speak to an attorney before pursuing a name change, especially if (i) there is an open Family Court case; (ii) there is an ongoing child support order; or (iii) there is an open Civil Protection Order involving the applicant.

- 1) One (1) copy of the signed Application for Change of Name (you will use this to notify creditors and other interested parties);
- 2) One (1) copy of the signed and completed Order and Notice of Final Hearing (you will use this to notify creditors and other interested parties); and
- 3) A fixed date on which to return (specified in the Order and Notice of Final Hearing).

**C. Notifying Interested Parties**

The Order and Notice of Final Hearing form provided to you by the court when you file may require that you notify (i) your creditors, and in some cases, (ii) the DC Chief of Police, (iii) the Department of Corrections, (iv) the Court Services and Offender Supervision Agency, (v) your current probation/parole/supervisory release officer, (vi) law enforcement officials in other states; (vii) the Federal Bureau of Prisons, (viii) the Bankruptcy Court, and (ix) the Immigration and Customs Enforcement Agency, Washington Field Office.

- **When:** You must notify these offices **within 10 days** of filing at the court.
- **What:** Send each office a copy of the completed Application for Change of Name and the completed Order and Notice of Final Hearing.
- **How:** You must use **certified mail** with return receipt requested or personally serve these parties. Note that personal service cannot be completed by you, the applicant. Someone else, over the age of 18, must complete personal service.

After you have notified all relevant parties, you must complete and sign the Affidavit / Declaration of Service by Mail or Affidavit of Personal Service. Include the name and address of each notified party, and the date each party was notified. File it with the Court when you return for your final hearing. These forms are found in the name change packet mentioned above.

Below are common parties that need to be notified. Remember, each office must be notified within 10 days of filing the Application for Change of Name.

- 1) **Creditors:** You must notify each of your creditors, including utility companies and all credit cards, even if you have a zero balance. You can look up the mailing address to notify your creditor on your latest statement or on the creditor's website.
- 2) **Department of Corrections, Police, CSOSA, and Parole Officer:**  
*If you have been convicted of a felony in DC*, you must notify the following parties:

D.C. Department of Corrections  
2000 14<sup>th</sup> Street, NW, 7<sup>th</sup> Floor  
Washington, DC 20009

D.C. Chief of Police  
Metropolitan Police Department Headquarters  
300 Indiana Avenue, NW, Room 5080  
Washington, DC 20001

D.C. Court Services and Offender Supervision Agency (CSOSA)  
633 Indiana Avenue, NW  
Washington, DC 20004-2902

*If you have been convicted of a felony in another state*, you must notify the above three DC parties **and** their equivalent in the state where you were convicted.

*If you are currently on parole, probation, or supervised release*, you must notify your current parole/probation/supervisory release officer.

- 3) **Federal Bureau of Prisons:** *If you are currently incarcerated in a jurisdiction other than DC*, you must notify the Federal Bureau of Prisons.

Federal Bureau of Prisons  
320 First St., NW  
Washington, DC 20534

- 4) **Bankruptcy Court:** *If you have filed for bankruptcy*, you must notify the Bankruptcy Court.

United States Bankruptcy Court  
333 Constitution Avenue, NW  
Suite 1225  
Washington, DC 20001

- 5) **Department of Homeland Security/Immigration and Customs Enforcement Agency**

\*\*\*If you are undocumented, we recommend you consult with an immigration attorney BEFORE filing for a name change.\*\*\*

*If you are not a U.S. citizen*, you are required to notify Homeland Security-Immigration and Customs Enforcement Agency.

Homeland Security-US Immigration and Customs  
Washington Field Office – 7  
MS 2480  
US Citizenship and Immigration Services  
2675 Prosperity Avenue  
Fairfax, VA 20598-2480

#### **D. Getting Your Court Order**

In order to receive the final, signed court order approving your name change, you must appear at the date and time listed on the Order and Notice of Final Hearing. If you will be late or will miss your court date, you must call the Clerk in advance at (202) 879-1450.

**What to take with you to Court:** the completed Affidavits of Service and any proof of mailing (receipts or returned green cards).

The Court may or may not hold a brief hearing and, if granted, you will receive two (2) certified copies of the final court order (the signed Order for Change of Name) while you wait.

**Requesting Extra Copies of the Court Order:** If you filed for and were approved for a fee waiver, the Clerk will likely provide you with as many as six original copies of the court order at no charge.

If you did not receive a fee waiver, the clerk may charge you \$5.00 for each certified copy and we recommend that you ask for at least four (4) additional certified copies of the final Order for Change of Name – so be sure to bring cash. These copies are required to make later name changes, and by requesting them when the Order is issued, you can avoid future trips to the courthouse. You can obtain such copies from the Clerk of Court at the courthouse (Room 5000, 5<sup>th</sup> Floor of the Moultrie Courthouse).

After you have received your Court Order for a Name Change, you are ready to change your name with the Social Security Administration, the Department of Motor Vehicles, on your Passport and with all your financial institutions. You should go to the Social Security Administration to change your name first.

## **II. CHANGING YOUR NAME AND GENDER WITH THE SOCIAL SECURITY ADMINISTRATION**

**NOTE:** You can change both your gender marker and name at the SAME TIME.

#### **A. Name Change**

Once you have obtained a court order recognizing your name change, you must report your name change to the Social Security Administration (SSA). You must change your name with SSA **before** updating the name on your DC ID.

The SSA office may provide you with a printout reflecting your name change. The DC DMV may or may not accept the SSA printout to change your name on your DC driver's license or ID card. We recommend that you wait for your updated Social Security card to arrive in the mail (approx. two weeks) before going to the DMV. [Tip: the envelope from Social Security with your name and address on it can also serve as one form of proof of DC residency at the DMV, if you need it.]



To apply for a name change with SSA, you will need:<sup>7</sup>

- 1) Application for a Social Security Card (Form SS-5: <http://www.ssa.gov/online/ss-5.pdf>) that includes your changed name;
- 2) Certified copy of the Court Order for Change of Name;
- 3) An identification document, such as an unexpired driver's license or state-issued identity card, or an unexpired U.S. Passport card (it is okay if your ID document includes your former name); and
- 4) Proof of U.S. citizenship or lawful immigration status, such as a passport, birth certificate or immigration documentation.

You should take these documents in person to your nearest Social Security office during normal business hours. You may also mail these materials to your nearest SSA office. You may find your nearest Social Security office here: <http://www.socialsecurity.gov/regions/>.

Following your visit to SSA, you will receive a new Social Security card in the mail with your changed name and the same social security number.

## **B. Gender Change**

Although your Social Security card does not show a gender marker, other government agencies look to your Social Security records to verify your gender. For example, if your gender marker on your tax or employment records does not match your Social Security records, SSA may contact your employer to question the difference, thereby disclosing your transgender status. Changing your gender marker with SSA will help you avoid this situation.

To apply to change your gender on your Social Security record, you will need all of these items:

1. A completed application for a Social Security Card (Form SS-5: <http://www.ssa.gov/online/ss-5.pdf>);
2. An identification document, such as an unexpired driver's license or state-issued identity card, or an unexpired U.S. Passport (it is okay if your ID document includes your former name/gender). If you do not have one of these documents or cannot get a replacement within 10 working days, the SSA may accept other documents that show your new legal name and biographical information, such as a U.S. military identity card, Certificate of Naturalization, employee identity card, certified copy of medical record (clinic, doctor, hospital), health insurance card, Medicaid card, or school identity card/record. If you are not a U.S. citizen, SSA

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<sup>7</sup> Changing a name on a Social Security Card FAQ, [http://ssa-custhelp.ssa.gov/cgi-bin/ssa.cfg/php/enduser/std\\_adp.php?p\\_faqid=315](http://ssa-custhelp.ssa.gov/cgi-bin/ssa.cfg/php/enduser/std_adp.php?p_faqid=315).

must see your current U.S. immigration document(s) and your foreign passport with biographical information or photograph. Note: SSA will not accept a birth certificate, hospital souvenir birth certificate, Social Security card stub, or a Social Security record as evidence of identity; and

3. **One** of the following items to prove your transition:
- a. Passport: A valid, 10-year U.S. passport with the updated gender marker (NOTE: passports with less than 10 years of validity will not be accepted);  
*or*
  - b. Birth Certificate: An original, state-issued birth certificate reflecting your updated gender marker; *or*
  - c. Court Order: An original court order directing legal recognition of change of gender; *or*
  - d. Doctor Letter: A signed letter on letterhead from your licensed doctor stating that you have had appropriate clinical treatment for gender transition and including the following language:

<p>[DATE]</p> <p>U.S. Social Security Administration</p> <p>I, [physician's full name, physician's medical license or certificate number], issued by [U.S. State/Foreign Country], am the physician of [patient name], with whom I have a doctor/patient relationship and whom I have treated [or with whom I have a doctor/patient relationship and whose medical history I have reviewed and evaluated].</p> <p>[Patient name] has had appropriate clinical treatment for gender transition to the new gender [female or male].</p> <p>I declare under penalty of perjury under the laws of the United States that the forgoing is true and correct.</p> <p>[Signature]</p> <p>Typed Name of Physician Address Telephone Number</p>
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You should take these materials in person to your nearest SSA office. You will receive a new Social Security Card in the mail with the amended name in approximately two weeks and your Social Security account will reflect your preferred gender marker.

### III. CHANGING YOUR NAME AND GENDER WITH THE DC DEPARTMENT OF MOTOR VEHICLES (DMV)

If you need to change BOTH your NAME and GENDER marker on your driver's license, it is best to change them at the SAME TIME at the DMV. We understand that certain clients will only need/want to change one or the other, so we have provided separate instructions for each change below, but if you are changing both items at the same time just combine the documents listed in Sections B and C.

#### A. Real ID Act Requirements

Changes in the law require that all new IDs issued by the DC DMV must comply with the REAL ID Act. These new IDs have a star in the top right corner. If you have one already, you should skip to Section B below. If your current ID does not have a star in the top right corner, you will need to provide the DMV with additional original documents listed below.

*Note: Non-US citizens can obtain a DC REAL ID identification card as long as they have an unexpired document issued by USCIS or US Department of State showing lawful presence.*

#### **Original Documents You Need to Take to DC DMV to Obtain a REAL ID:**

*For a complete list of acceptable documents, go to:*

<http://dmv.dc.gov/sites/default/files/dc/sites/dmv/publication/attachments/DART%20brochure%20revision%204.2014.pdf>

##### **1. One (1) Proof of Full Legal Name and Date of Birth**

- Birth Certificate, Unexpired U.S. Passport, etc.
- Note: Document used for Proof of Identity cannot also be used to satisfy Proof of Ability to Drive or Social Security Number requirements

##### **2. Two (2) Proofs of DC Residency**

- Utility/telephone bills (cell phone bill is accepted)/bank statement, etc., less than 60 days old, that display name and DC address

##### **3. One (1) Proof of Ability to Drive**

- Valid DC license, Out-of-State license not expired more than 90 days, etc.

##### **4. One (1) Proof of Valid Social Security Number**

- Your new Social Security Card or SSA printout<sup>8</sup> reflecting name change

##### **5. Proof of Parental Approval** (if applicant is 16 or 17 years old)

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<sup>8</sup> The SSA office may provide you with a printout reflecting your name change. The DC DMV may or may not accept the SSA printout to change your name on your DC driver's license or ID card. We recommend that you wait for your updated Social Security card to arrive in the mail (approx. two weeks) before going to the DMV.

**B. Changing Your Name with the DMV**

After you have changed your name with SSA, bring the following to the DMV:

1. Your current driver's license or ID card;
2. A certified copy of your court order for a name change; and
3. EITHER your newly issued Social Security Card reflecting your new name OR an SSA printout<sup>9</sup> reflecting your name change.

The DMV will change your name and will mail your ID to the address you have on file (P.O. Boxes are not accepted.) See Appendix B for a list of applicable fees.

**C. Changing Your Gender Marker with the DMV**

1. Complete a Gender Designation Form  
([http://dmv.dc.gov/sites/default/files/dc/sites/dmv/publication/attachments/Gender\\_Change\\_Policies.pdf](http://dmv.dc.gov/sites/default/files/dc/sites/dmv/publication/attachments/Gender_Change_Policies.pdf))

You must complete Part I of this form, and Part II must be completed by a physician, licensed therapist/counselor, or case worker/other social worker. The person completing Part II of the form must only stipulate that, in their professional opinion, your gender identity has changed. No further evidence of your transition (such as medical records or a letter from a surgeon) is required.

2. Take the completed form and the following items to a DMV Service Center Manager at the DMV:
  - Your current driver's license or ID card (which you must surrender);
  - If you do not have a Real ID driver's license or ID card, you will need to bring original versions of the Real ID required documents listed above; and
  - Cash, check, money order, or credit card to pay the fee for a new ID (see Appendix B for a fee schedule)

It is important to take these documents to a DMV Service Center Manager, because not all DMV employees have undergone training on this procedure. Be prepared to take a new photograph for your new ID. The DMV will mail you your new ID with new gender marker, so it is very important to have an up-to-date address on file; P.O. Boxes are not accepted.

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<sup>9</sup> See note 8, above.

## **D. Limited Purpose IDs for People Without a Social Security Number**

### **1. What is a Limited Purpose Driver's License?**

The Limited Purpose driver's license, learner's permit, and ID card are official state-issued identification credentials for those who do not have a social security number or cannot establish legal presence in the U.S. The limited purpose driver's license and learner's permit allow you to legally drive, but cannot be used for official federal purposes (such as boarding commercial airline flights, accessing federal buildings or purchasing firearms), and will be marked to reflect this requirement.

### **2. Eligibility Requirements:<sup>10</sup>**

- You must have never been issued a social security number; or previously been issued a social security number but cannot establish legal presence in the United States at the time of application; or not be eligible for a social security number.
- You must be a DC resident for at least 6 months from the date of application.
- You must have no outstanding debts to the District of Columbia or unpaid fines for moving traffic violations in other jurisdictions.

### **3. Steps to Obtain Limited Purpose Identification Credentials:**

#### **a. You Must Make an Appointment**

(<https://www.flashappointments.com/client/lgn/launch.cfm?busId=10140>)

#### **b. You Must Take the Knowledge Test and Road Skills Test**

Prior to your DMV appointment, be sure to study and review the Driver Manual because you will be required to take a knowledge test. If you fail the knowledge test, you will be required to make another appointment.

DC Driver's Manuals are available in English, Amharic, Chinese, French, Korean, Vietnamese and Spanish. <http://dmv.dc.gov/page/dmv-manuals>

#### **c. You Must Bring the Following Documents (for complete list of acceptable documents see the required and acceptable identification documents for limited purpose credential applicants; also found here: <http://dmv.dc.gov/page/limited-purpose-credential-required-and-acceptable-documents> )**

- Proof of Identity - full legal name and date of birth (must be at least 16 years of age)
- Proof of DC Residency (2 required)
- Proof of 6-Month DC Residency (2 required)

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<sup>10</sup> District of Columbia, Department of Motor Vehicles, <http://dmv.dc.gov/page/obtain-limited-purpose-driver-license> (last visited June 4, 2014).

- Social Security Number Declaration Form (see multi-lingual lists of SSN declaration forms: <http://dmv.dc.gov/page/social-security-number-declaration-limited-purpose-credential>)
- Driver's License Application Form (or Non-Driver ID Application Form)
- Proof of Parental Approval (if applicant is 16 or 17 years old) (see multi-lingual lists of parental approval forms: <http://dmv.dc.gov/node/136072>)

d. At the DMV You Will

- Provide the required documents
- Take and pass a vision screening (driver's license/learner's permits only)
- Take and pass knowledge test and road skills test (driver's license/learner's permit only)
- Take a digital photograph (DC law and policy requires a full frontal digital photo that shows either the ears or up to the hairline without exposing the hair)
- Pay the appropriate fees (see Appendix B for fee schedule)
- Obtain your paper DC limited purpose driver's license, learner's permit or non-driver ID card
- Driver's licenses, learner's permits and non-driver IDs are mailed to your listed address. P.O. Boxes are not accepted

## IV. CHANGING YOUR NAME & GENDER ON YOUR U.S. PASSPORT

If you are a U.S. citizen you can easily apply for a U.S. Passport that reflects your new name and gender. All you need is a court order for a name change and a letter from your physician certifying to your transition. For more detailed information on how to change your name or gender marker on your passport, please see the U.S. Department of State's "Gender Designation Change" page (<https://travel.state.gov/content/passports/en/passports/information/gender.html>) or the National Center for Transgender Equality's "Know Your Rights- Passports" guidance (<http://www.transequality.org/know-your-rights/passports>).

This change can be made at either an earlier or later stage in the name/gender change process. If you have plans for international travel, you should prioritize this change and may want to consider completing this step earlier in the process. If you do not have a Passport and do not intend to travel internationally, you do not need to obtain a Passport.

## V. CHANGING YOUR NAME WITH THE SELECTIVE SERVICE

### A. Female to Male (FTM) Individuals

If you were designated female at birth, you do not have to register with the Selective Service, even if you have had sexual reassignment surgery.<sup>11</sup> However, if you are applying for federal financial aid, grants, loans, or other benefits as a male, you may be asked to provide proof that you are exempt from the Selective Service. To obtain such proof, you should request a Status Information Letter (SIL) from the Selective Service.

To request a SIL that shows you are exempt, you can either download a SIL request form ([http://www.sss.gov/PDFs/SilForm\\_Instructions.pdf](http://www.sss.gov/PDFs/SilForm_Instructions.pdf)) or call them at 1-888-655-1825. The SIL request form requires female to male individuals to identify as such and attach a copy of a birth certificate showing the birth-assigned sex. If you have already amended the sex on your birth certificate, attach any proof you have to that affect. This service is free and the exemption letter you will receive does not specify why you are exempt so it will not force you to ‘out’ yourself moving forward. Once you receive your SIL, keep it in your files.<sup>12</sup>

### B. Male to female individuals:

If you were designated male at birth, you must register for the Selective Service if you are between the ages of 18 and 26, even if you have had sexual reassignment surgery. You may register online at <http://www.sss.gov/default.htm> or you may complete and mail a “mail-back” registration form available at any post office. In the unlikely event that the draft is resumed and you receive an order to report for examination or induction, you may file a claim for exemption from service.<sup>13</sup>

While you do not need to notify the Selective Service of a change in gender, you are obligated to inform them of a change in name. To notify the Selective Service of your name change you must fill out Form SSS 2 (technically a change of address form), available at your local post office. You must attach a certified copy of the court order changing your name.

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<sup>11</sup> <http://www.sss.gov>.

<sup>12</sup> Information taken from National Center for Transgender Equality article on Transgendered People and the Selective Service, [http://transequality.org/Resources/Selective\\_Service\\_only.pdf](http://transequality.org/Resources/Selective_Service_only.pdf)

<sup>13</sup> <http://www.sss.gov/>.

## **VI. CHANGING YOUR NAME AND GENDER WITH U.S. CITIZENSHIP AND IMMIGRATION SERVICES (USCIS)**

If you are a foreign-born individual who intends to apply for legal status with USCIS, has already applied for legal status with USCIS or who has already been granted some form of legal status here in the United States, Whitman-Walker Legal Services can help you obtain immigration documents (such as green cards, work authorization cards or naturalization certificates) that match your changed name and/or gender. If this section applies to you, please contact Whitman-Walker Legal Services at 202-939-7627 for further information.

## **VII. CHANGING YOUR NAME & GENDER WITH THE DC DEPARTMENT OF HUMAN SERVICES ECONOMIC SECURITY ADMINISTRATION (DC-ESA), YOUR INSURANCE CARRIERS, CREDITORS, AND OTHERS**

### **A. Food Stamps and Medical Assistance**

You should inform the DC Department of Human Services Economic Security Administration (ESA) (formerly the Income Maintenance Administration or IMA) about your name and gender change. In order to update your records, you must submit a copy of your new DC identification card or driver's license reflecting your updated information, your new Social Security card, and a copy of your court order for the name change. You can change both your name and gender at the same time if you have an ID reflecting both changes. You can do this at the ESA offices at 645 H Street NE. Whitman-Walker can assist you with this notification process.

### **B. Insurance Concerns**

You should inform your insurance companies (including health, property, auto, and life) immediately after you receive your court order for a name change. They may require that you submit a certified copy of your court order for a name change.

You should update your health insurance company about your name change but not necessarily a gender change. Note that it is important that your health insurance company's records match your doctor's records in order to avoid confusion and delay or a denial of claims. Your doctor may opt to continue to file claims reflecting your sex assigned at birth. If you update your gender with your doctor, you must also change your gender with your health insurance company.

If you have changed your gender and encounter issues with your health insurance company due to medical care related to either your new or previous gender, contact Whitman-Walker Legal Services for assistance.



**C. Banks, Creditors, and Financial Institutions**

You must inform your banks, any creditors, and any financial institutions where you hold an account when you legally change your name. You will most likely be asked to provide a certified copy of the court order.

**D. Other Legal Documents**

After you receive a court order changing your name, we recommend that you change your name in any legal documents in which you are named. These include your lease, wills, powers of attorney, advanced health directive, deeds, etc., or such documents that name you as a party. Changing your name on these documents ensures that your rights and powers in the document remain intact.

Some clients also want to change their name and/or gender marker in their education records, such as high school or college transcripts and diplomas. Whitman-Walker Legal Services can assist with these changes.

## **VIII. OBTAINING A COURT ORDER FOR CHANGE OF GENDER**

You may want to obtain a court declaration or order recognizing your gender change in order to update other personal records, such as military records or birth certificates from other states. Thanks to the JaParker Deoni Jones Birth Certificate Equality Amendment Act of 2013, you have the following two options:

Declaration: Any District resident may seek a declaration by the Superior Court reflecting a change of gender. The Superior Court shall grant the declaration if the individual seeking the declaration provides a statement, signed under the penalty of law, by a licensed healthcare provider who has treated or evaluated the individual, stating that:

- The individual has undergone surgical, hormonal, or other treatment appropriate for the individual for the purpose of gender transition, based on contemporary medical standards; or
- The individual has an intersex condition, and that in the healthcare provider's professional opinion, the individual's gender designation should be changed.

If granted, the declaration shall be effective from the date of gender transition as specified in the healthcare provider's statement.

Court Order: Any District resident who was born in a state or foreign jurisdiction that requires a court order to amend a birth certificate to reflect a change in gender may request a court order by the Superior Court directing the birth state or foreign jurisdiction to amend the original birth certificate or issue a new birth certificate reflecting a change of gender. The Superior Court shall grant the order if the individual seeking the order provides a statement, signed under the penalty of law, by a licensed healthcare provider who has

treated or evaluated the individual, stating one of the two items listed above. Whitman-Walker Legal Services can assist with this process.

## **IX. CHANGING NAME & GENDER ON A BIRTH CERTIFICATE**

### **A. Birth Certificate Issued in a State Other than D.C.**

**Name Change:** Most states will allow you to change the name on the birth certificate upon presentation of a court order recognizing the name change. Some states will issue new birth certificates while others will issue an “amended” birth certificate which reflects the old and new names. Note that some states will NOT accept a court order from another state to change one’s name (e.g. Louisiana which requires the client to file for a name change in Louisiana regardless of where you live now).

**Gender Change:** Most, but not all, states will allow you to change the gender marker on the birth certificate upon presentation of a court order recognizing the gender change. Some states will issue new birth certificates while others will issue an “amended” birth certificate which reflects the previous and updated gender markers. States that will NOT change the gender marker on a birth certificate include Idaho, Ohio, and Tennessee.

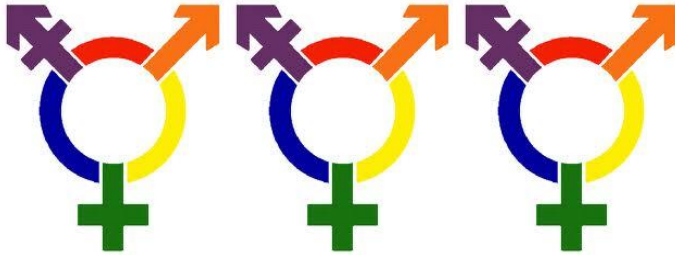
### **B. Birth Certificates Issued in D.C.**

**Name Change:** If you have obtained a court order recognizing your change of name, you may present this to the Registrar of Vital Records and request a new birth certificate.

**Gender Change:** If you were born in D.C. and wish to amend your birth certificate to reflect your gender, you can mail or hand-deliver the following documents to the Registrar of Vital Records. The process takes approximately 3 business days; there is no surgery requirement.

- Completed and signed Birth Certificate Gender Designation Application Form, signed by the applicant (address on the application should be the address where you want your certificate mailed) (<http://doh.dc.gov/node/778482>),
- Completed and signed Statement of Licensed Healthcare Provider Certifying the Applicant’s Gender Designation, signed by your healthcare provider (<http://doh.dc.gov/node/778492>).
- Photocopy of applicant’s photo ID
- Check or money order payable to DC Treasurer for total cost (the change fee is \$28 and each copy of birth certificate costs \$23)
- Mail to: Department of Health, Vital Records Division, 899 North Capitol Street, NE, 1st Floor, Washington, DC 20002.

\* \* \* \* \*



If you have any questions about the steps described in this guide, please do not hesitate to contact us at the numbers listed below.

Whitman-Walker Health Legal Services Program  
1701 14th Street NW  
Washington DC 20009  
Main telephone (202) 939-7627 - Fax (202) 939-7651  
[whitman-walker.org/legal](http://whitman-walker.org/legal)

Legal Director: Amy Nelson  
[anelson@whitman-walker.org](mailto:anelson@whitman-walker.org)  
202-939-7625

Equal Justice Works  
AmeriCorps Legal Fellow: Elizabeth Ehret  
[eehret@whitman-walker.org](mailto:eehret@whitman-walker.org)  
202-745-6166

Equal Justice Works  
AmeriCorps Legal Fellow: Sam DePrimio  
[sdeprimio@whitman-walker.org](mailto:sdeprimio@whitman-walker.org)

Operations Manager: Lee Hicks  
[lhicks@whitman-walker.org](mailto:lhicks@whitman-walker.org)  
202-939-7627

Intake Coordinator: Leonor Suarez  
[lsuarez@whitman-walker.org](mailto:lsuarez@whitman-walker.org)  
202-939-7630

**APPENDIX A: STEPS TO COMPLETE  
THE NAME/GENDER CHANGE PROCESS IN DC**

**DATE**

- \_\_\_\_(Step 1) **File the Application for Change of Name with the Court**
- Moultrie Courthouse Judge-in-Chambers, 500 Indiana Ave. NW, Room 4220
- \_\_\_\_(Step 2) **Mail notices to interested parties (including, creditors) as checked off on the signed Order and Notice of Final Hearing [must mail notices within 10 days of filing]**
- Go to Post Office to send each notice, including the
    - Application for Change of Name
    - Order and Notice of Final Hearing
  - Send by Certified Mail (or registered mail) with Return Receipt Requested
  - Keep all receipts from the U.S. Postal Service showing that you paid to mail the letters by certified or registered mail.
- \_\_\_\_(Step 3) **Return to the Court on the date written in the Order and Notice of Final Hearing provided by the Court**
- File the completed “Affidavit / Declaration of Service” forms with the Court
  - Attach the receipts from the Postal Service showing that you paid to mail the letters, and attach any Return Receipts you collected prior to the Final Hearing.
  - The judge may or may not hold a brief hearing.
  - The Court will provide 2 certified copies of the signed Order for Change of Name. You should request 4 extra copies at this time and pay related fee.
- \_\_\_\_(Step 4) **Go to Social Security Administration to change name and gender**
- Bring original copy of court order for name change
  - Bring letter signed by doctor for gender marker change
  - Request new SSA card
  - Ask SSA agent for a printout showing correct name
- \_\_\_\_(Step 5) **Go to DMV to get new ID/License with correct name and gender**
- Bring original copy of court order for name change
  - Bring proof of name change with Social Security
  - Bring gender designation form signed by doctor
  - Request new card and pay related fee
- \_\_\_\_(Step 6) **Change your information with your bank, creditor, school, employer, insurers, etc.**

**APPENDIX B: SCHEDULE OF FEES AND RELATED EXPENSES**

Below are the projected costs associated with legal name and gender changes for DC residents.

COMMON STEPS TAKEN IN ORDER TO LEGALLY CHANGE NAME AND/OR GENDER IN D.C.	PROJECTED COSTS (in dollars)
<b>Obtaining a Court Order for Change of Name</b>	
<ul style="list-style-type: none"> <li>▪ Court Filing Fee<sup>14</sup>            Note: Persons who receive public assistance and can demonstrate financial hardship can have the Court Filing Fee waived by filling out an IFP Waiver application.            ✓ Fees are payable to “Clerk, DC Superior Court”</li> </ul>	\$60
<ul style="list-style-type: none"> <li>▪ A certified copy of your existing birth certificate is required. If born in the District of Columbia, this can be obtained from the D.C. Dept. of Health, Vital Records Division.<sup>15</sup>            ✓ Fees are payable to “DC Treasurer.” Mail-in requests must include a check or Money Order.            ✓ You can order requests online or over the telephone through VitalChek Network, Inc. VitalChek can be reached through its website, <a href="http://www.vitalchek.com">www.vitalchek.com</a> or by phone at (877) 572-6332. An additional fee is charged by VitalChek for using this service; all major credit cards are accepted.</li> </ul>	\$23
<ul style="list-style-type: none"> <li>▪ Notification to Required Parties of Intent to Change Name (via Certified or Registered Mail)<sup>16</sup>            Note: This fee does not include a return receipt. A return receipt can be purchased for \$1.25(email copy) or \$2.55 (hard copy).</li> </ul>	\$3.10 (per party)
<ul style="list-style-type: none"> <li>▪ Certified Copy of Final Order of Name Change<sup>17</sup>            Note: The DC Superior Court provides each applicant with 2 copies; however, we recommend purchasing at least 3 additional copies.</li> </ul>	\$5 (per copy)

<sup>14</sup> District of Columbia Superior Court, <http://www.dccourts.gov/internet/documents/InstructionsApplyingChangeName.pdf> (last visited June 4, 2014) [hereinafter “Court Instructions”].

<sup>15</sup> District of Columbia Dept. of Health, Vital Statistics Division, <http://doh.dc.gov/node/118222> (last visited June 4, 2014).

<sup>16</sup> United States Postal Service, <https://www.usps.com/ship/insurance-and-extra-services.htm> (last visited June 4, 2014).

<sup>17</sup> See Court Instructions, *supra* note 1.

COMMON STEPS TAKEN IN ORDER TO LEGALLY CHANGE NAME AND/OR GENDER IN D.C.	PROJECTED COSTS (in dollars)
<b>Obtaining a New Social Security Card<sup>18</sup></b>	<b>\$0</b>
<b>Obtaining New Identification Reflecting Name and/or Gender Change<sup>19</sup></b>	
<ul style="list-style-type: none"> <li>▪ Duplicate Driver’s License and Learner’s Permit               <ul style="list-style-type: none"> <li>▪ If license is not due for renewal or expired, duplication fee applies for changing name or gender marker.</li> </ul> </li> </ul>	\$20
<ul style="list-style-type: none"> <li>▪ Driver’s License: New &amp; Renewal               <ul style="list-style-type: none"> <li>▪ Fees are payable to “DC Treasurer.” DMV accepts payments in the form of cash, money order, or credit card. DMV only accepts VISA, MasterCard and Discover credit cards. American Express credit cards are not accepted.</li> </ul> </li> </ul>	\$44
<ul style="list-style-type: none"> <li>▪ Learner’s Permit: New &amp; Renewal Note: Must be at least 16 years old</li> </ul>	\$20
<ul style="list-style-type: none"> <li>▪ Non-Driver ID Card: New, Renewal and Duplicate Note: Persons who are 65 or older, criminal offenders released from prison within 6 months of ID application and HOMELESS residents are eligible to obtain a Non-Driver ID Card free of charge. You must have appropriate documentation.</li> </ul>	\$20
<ul style="list-style-type: none"> <li>▪ Driver’s License Reinstatement (if license was suspended or revoked) (to be paid with personal check, money order or credit card only, not cash)</li> </ul>	\$98
<b>Changing Your Gender with the Social Security Administration<sup>20</sup></b>	<b>\$0</b>

<sup>18</sup> United States Social Security Administration, [http://ssa-custhelp.ssa.gov/app/answers/detail/a\\_id/1120/~/-cost-for-a-social-security-card](http://ssa-custhelp.ssa.gov/app/answers/detail/a_id/1120/~/-cost-for-a-social-security-card) (last visited June 4, 2014) [hereinafter “SSA”].

<sup>19</sup> District of Columbia Dept. of Motor Vehicles, <http://dmv.dc.gov/book/vehicle-registration-fees/driver-license-fees> (last visited May 21, 2014).

<sup>20</sup> See SSA, *supra* note 16.

<b>Obtaining a New Passport Reflecting Name and/or Gender Change</b>	
The following fees cover (1) the cost of a passport book and/or passport card payable to “Department of State,” and (2) the separate “Execution Fee” payable to the local passport agency you go to submit your application. <sup>21</sup>	
<ul style="list-style-type: none"> <li>▪ First-time Applicant: see our Passport Guide for information on what to include in your application. If any of the required documents have names or gender markers that do not match (such as a birth certificate that cannot be updated), you will need to apply in person at a passport agency and pay the execution fee.</li> <li>• If (1) you already have a passport issued <i>more than 1 year ago</i>, (2) have obtained a court-ordered name change, and (3) only need to update your legal name but not your gender marker → you can apply for an amended passport <i>by mail</i> for the same cost of a new passport <i>without</i> paying the additional execution fee. However, if (1) and (2) apply to you but you also need to update your gender marker, you must apply for an amended passport <i>in person</i> at a local passport agency and pay the additional execution fee.</li> </ul>	\$140 (book & card) \$110 (book only) \$30 (card only) + \$6 – 10 (two passport sized photos) + \$25 execution fee
<ul style="list-style-type: none"> <li>▪ If (1) you already have a passport issued <i>less than 1 year ago</i>, (2) have obtained a court-ordered name change, and (3) only need to update your legal name but not your gender marker → you can apply for the amended passport <i>by mail at no cost</i>. However, if (1) and (2) apply to you but you also need to update your gender marker, you must apply for an amended passport <i>in person</i> at a local passport agency and pay the execution fee.</li> </ul>	\$0 (book or card) + \$25 execution fee (applies to gender marker changes only)
<ul style="list-style-type: none"> <li>▪ Expedited Service<sup>22</sup>            Note: This is an additional cost for persons who need to receive their first-time or renewal passport within two weeks or less from the time of application submission. By mail, make a check or money order out to “Department of State.” In person, ask a local passport agency what payment they accept.</li> </ul>	\$60
<b>Amending a DC Birth Certificate to Reflect New Name and/or Gender<sup>23</sup></b>	
<ul style="list-style-type: none"> <li>▪ Change fee for Name Change on Birth Certificate</li> </ul>	\$23
<ul style="list-style-type: none"> <li>▪ Change fee for Gender Change (including simultaneous Name Change if applicable) on Birth Certificate</li> </ul>	\$28
<ul style="list-style-type: none"> <li>▪ Obtaining a certified copy of the [new or original] Birth Certificate with Name and/or Gender Change Information</li> </ul>	\$23
Add appropriate change fee (\$23 or \$28) and cost of new certified copy of birth certificate (\$23) for total cost.	

<sup>21</sup> U.S. Dept. of State, Bureau of Consular Affairs, Passport Fees, <http://travel.state.gov/content/passports/english/passports/information/fees.html> (last visited Jan. 21, 2015).

<sup>22</sup> U.S. Dept. of State, Bureau of Consular Affairs, Expedited Passport Processing Fees, <http://travel.state.gov/content/passports/english/passports/services/expedited.html> (last visited Jan. 21, 2015).

<sup>23</sup> District of Columbia, Department of Health, <http://doh.dc.gov/service/birth-certificates> (last visited June 4, 2014).