



Changing Name and Gender on your documents

Information added to and adapted from OutsideIn Trans ID Clinic

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WHAT IS IDENTITY CHANGE?

Identity change refers to the process of legally changing of your name and gender on your official documents. In reality it is not one process, but many different processes at various different agencies.

WHAT DO I NEED TO GET STARTED?

For people over 18: To get started the only document that you absolutely need is a valid, state-issued photo ID. This does not have to be updated with your new name and/or gender yet (obviously, since you're just getting started). It is also a good idea to track down your birth certificate as well. You will not need it right away, but it is important to have for some steps.

For people under 18: You will need your birth certificate. If your legal guardian is NOT listed on your birth certificate, your legal guardian/parent will also need to provide proof of legal guardianship with authority to act in your behalf.

SEQUENCE

Follow the sequence laid out below for the easiest, most economical pathway forward.

FINANCES

Expect to pay a fee for many of these changes. **The following is an estimate of what you might pay, and may vary by state or county.**

Oregon Birth Certificate: \$35

Social Security: FREE

Court order fee: \$116 + \$5 for additional copies (may want to get 3-4)

DMV ID: about \$40

DMV Driver's License: \$60 (new), \$26.50-\$40 (renewal)

For those who are facing financial challenges, Outside In has the **ID Project**. The **ID Project** assists and supports individuals changing their documents to match their gender identity through limited financial assistance and advocacy. Contact the ID Project at: **(503) 535-3828** or kirbyp@outsidein.org

Were you born in Oregon?

If **YES**, go to step 1 and SKIP step 3.

If **NO**, go to step 2.



1. CHANGING NAME AND GENDER ON AN OREGON BIRTH CERTIFICATE

Changing your birth certificate in Oregon became much easier starting Jan 1, 2018. You do NOT need a court order to change this document.

- a. It is strongly recommended that you have your original birth certificate on hand, because the name on the application must exactly match the original.
- b. Obtain the "Application to Change the Name and/or Sex on a Record of Live Birth to Support Gender Identity" at www.healthoregon.org/changevitalrecords, or in person at 800 NE Oregon St, Ste 225, Portland OR 97232. They are open 9:00a-4:00p, M-F.
- c. **If you plan on mailing the form:** fill out the form WITHOUT signing it. Take the form to a Notary Public (any bank will have one, and they may charge a fee). Sign the form in front of the Notary and have them stamp it. Mail the form and a check made out to Oregon Vital Records for \$35 to: Oregon Vital Records, PO Box 14050, Portland OR 97293-0050
- d. **If you submit the form in person:** fill out the form WITHOUT signing it. Take the form to 800 NE Oregon St, Ste 225, Portland OR 97232. They are open 9:00a-4:00p, M-F.
- e. ***This is a new process and we are unsure if other agencies, such as Passport, will accept these amended certificates to change information **already on file with the agency**. For records that amended sex, nothing on the record will indicate that an amendment occurred. This will make it difficult to connect the current record with the previous name on documentation at other agencies. In some cases, agencies might require a court order to recognize the new name and/or sex. **If you do not have an existing file with an agency, there should be no reason for them to question the record.**

2. GETTING A PHYSICIAN'S STATEMENT

A physician statement is a letter written and signed on official letterhead by a healthcare provider who is either a Medical Doctor (M.D.) or Doctor of Osteopathy (D.O.). This letter is required by most federal agencies in order to change your gender marker if you do not have a Court Order for Sex Change. Some agencies, such as the Passport Center, require this letter even if you do have a court order.

You will need to ask an MD or DO if they will create the following letter for you. If you need recommendations of who to ask, contact kate@bravespacellc.com. Ask to get 2-3 copies of the letter.

The letter should be in the following format:

PHYSICIAN LETTERHEAD

I, Physician's Full Name, Physician's medical license or certificate number, Issuing U.S. State/Foreign Country of medical license/certificate, am the physician of Name of Patient, Date of Birth of Patient, 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).

Name of Patient has had appropriate clinical treatment for gender transition to the new gender (specify new gender male or female).

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Signature of Physician

Typed Name

Address

Phone

Date

3. OBTAINING A COURT ORDER FOR NAME AND/OR GENDER CHANGE

A court order is a piece of paper obtained from a judge. It serves as legally binding notice of your name change and sometimes your gender change. While Oregon has adopted rules that they **no longer require you to stand in front of a judge or post the paper in two public places, some counties have yet to implement this.** If you are not in Multnomah county, you may still be required to do these things.

Showing this document along with necessary forms at most agencies will allow them to change your name and gender in their system.

Instructions and the necessary forms can be found at:

http://www.courts.oregon.gov/Multnomah/docs/FamilyCourt/SexChangePacket_ChangeOfSexAndName.pdf

1. Legal name changes must take place in the county where you live. The Multnomah County courthouse is located at 1021 SW 4th Ave in downtown Portland.
2. The name change process can take as long as 2 months and can be up to two trips to the courthouse—a trip to file your petition to change your name and/or gender and a trip for your name and/or gender change hearing with a judge.
3. It is possible to legally change your name and your gender at the same time, to change only one of these, or to change them at separate times.
4. When you travel to the Multnomah County Courthouse, be prepared to go through a security station when you arrive. Do not bring any weapons (including pepper spray and pocket knives) and drugs/drug paraphernalia with you to the courthouse.
5. Go to the Family Law Office in Room 211 on the second floor. Ask the clerk for name change forms for an adult (if you are over 18) or a child (if you are under the age of 18) if you are trying to change only your name. **If you are trying to change both your name and gender, ask for a combined name and gender change form appropriate for your age.** These form packets cost \$1.25 each; you may obtain a free copy from the ID Project.



6. The packet of forms will include a document of instructions; follow these instructions to complete your forms. Bring valid photo ID with you with your old legal name on it (Oregon state ID, valid out of state ID, passport, Military photo identification). If you are under the age of 18, you will need to bring a legal guardian to complete your paperwork.
7. Once you have completed your forms, file your paperwork with the clerk in the Family Law Office. They will direct you to the cashier to pay your court fees.
8. The fee for a name change is \$116.00. This includes the filing fees and a certified copy of your name change form signed by the judge. You may purchase additional certified copies of the name change for \$5.00 a copy. If you would like assistance with your court fees, please contact the ID Project.
9. **For rural counties: Return to the Family Law Office and schedule your court date with the clerk. Hearings are generally scheduled 4-6 weeks in advance. Post your notice of the name change on the board in the Family Law Office.
10. **For rural counties: On your scheduled court date, return to the Family Law Office in Room 211. The clerks will examine your completed forms and direct you to the courtroom for your hearing. There will be other people also present for their changes. The judge may call you by *your current legal name* and may ask you for documentation of your transition. It is within the law for the judge to ask for this document. This document can be your physician's statement as described above, or can be a similar letter written by a therapist, or other professional working with you in relation to your transition.
11. Review and sign your forms, and direct you back to Room 211.
12. **For rural counties: The clerk will direct you to post a second notice of name change on a board in the Family Law Office. Once you have posted this notice, you should expect to receive your certified copy of name change in the mail within 5-7 business days.

4. SOCIAL SECURITY NAME AND/OR GENDER CHANGE

When changing your name through the Social Security Administration, you will receive a new card with your new legal name printed on it. You will not be issued a new Social Security number. (See Section 4 for information on changing your gender with Social Security.)

1. Fill out "Social Security Name Change Form (SS-5 form)." There is no cost to file this form!
2. To change only your name, you will need to provide proof of citizenship, proof of identity, and your court order document.
3. A proof of citizenship documentation can include an original or amended birth certificate, passport, foreign passport, certificate of citizenship, certificate of naturalization, or other current U.S. Department of Homeland Security Documents. This document can be in your former name.
4. Providing proof of identity must be with one or more current identity documents such as a driver's license, state issued ID, out of state issued ID, or other government



issued photo identification. The document must show your legal name (which can be your former legal name, if you have not changed these documents to reflect your new legal name).

5. Remember your certified copy of name change and/or name and gender change court order.
6. In order to change your gender as well as your name, you will need one of the following in addition to the above:
 - a. Your physician's statement as described on page 2
 - b. A separate Sex Change Court Order or combined Name and Sex Change Court Order
 - c. A letter from a surgeon stating you have received gender affirming surgery
7. The Social Security Office near downtown Portland is at 1538 SW Yamhill St near Providence Park. This office can be reached at 1-800-772-1213.
8. After submitting your forms and accompanying documentation, your new Social Security card will arrive in the mail—typically within a week.

5. CHANGING NAME AND GENDER AT THE OREGON DMV

At the DMV, you can obtain a FIRST TIME Oregon ID card or Driver's License, or you can change your name and gender on an existing card. To change your name, you will need either:

1. Your amended birth certificate
2. A certified copy of legal 'Name and Sex Change' or certified copy of legal 'Sex Change' court order

To change your **gender** marker on your driver's license or ID card, the DMV requires **one** of the following:

1. Your physician's statement as described on page 2
2. A certified copy of legal 'Name and Sex Change' or certified copy of legal 'Sex Change' court order **OR**
3. An Oregon DMV 'Change of Gender Designation Form'.

You will also be asked to provide proof of citizenship. Commonly accepted documents include:

1. A valid US Passport, even if it is under your old name and gender marker
2. A birth certificate showing birth in the US or on a US military base or territory overseas, even if it shows your old name and gender marker

When changing your gender marker at the DMV, you will be allowed to take a new photograph for your driver's license or ID card. You will receive a temporary paper ID/driver's license at the DMV and will be mailed a permanent ID/driver's license within two weeks.

The 'Change of Gender Designation Form' can be completed by a physician, licensed therapist, counselor, case manager, social worker, or other social services provider. The



'Change of Gender Designation Form' can be found here:

http://www.oregon.gov/ODOT/DMV/Pages/driverid/chg_gender_designation.aspx

Depending on whether you are getting an original card, renewing your card, or replacing your card, along with your desired classifications, the fees can vary. A list of fees can be found here: <http://www.oregon.gov/ODOT/DMV/pages/fees/driver.aspx>

CHANGING YOUR GENDER TO "X" (UNSPECIFIED) AT THE DMV

It is possible to change your gender designation to "X" on your license or ID card. **You do not need to have a court order in order to change your gender to "X" and anyone can change to this designation regardless of their legal gender.**

1. If your license or ID card is within one year of its renewal date, you can renew it with the X designation at the standard renewal rate, which in Multnomah county is \$40.00 for a driver's license and \$40.50 for an Identification Card.
2. If your ID is more than a year from its renewal date, you can request a new ID with the X designation and will need to pay the renewal fee, which in Multnomah county is an additional \$39.50 for an Identification Card and \$26.50 for a driver's license.
3. In order to update your ID with the X designation, simply go to a DMV and request a renewal or replacement of your ID and check off the "X" option on the form. You will receive your new ID in the mail within 7 to 10 business days.

After changing your name and gender legally, your name and gender do not automatically change on all your documents, at businesses, or other agencies. You will need to change this information with them yourself. Here are suggestions on where to begin:

Health Insurance

Housing / Leases

Credit cards

Bank accounts

Voter registration

Library card

IRS

Employers (and former employers for references)

Other Insurance (Renter's, Car, Life, etc)

Retirement accounts – 401(k)s/IRAs, etc.

Schools (current students, or for transcripts or reissued diplomas)

Financial aid/student loans

Utilities

Phone service

Vehicle titles

Memberships

Pet licenses/microchips

6. CHANGING YOUR NAME AND GENDER ON A PASSPORT

The processing fees for changing your name and gender on a passport can vary.

Information on passport fees can be found here:

<https://travel.state.gov/content/passports/en/passports/information/fees.html>



1. **If you are applying for your first passport or changing you gender**, you must apply in person using Passport Form DS-11. For identification purposes, a person must present evidence of US citizenship and present identification. The application for first time applicants and a complete list of acceptable forms of ID can be found at the web address above.
 - a. Documentation of US citizenship is most commonly a birth certificate.
 - b. If you have not changed your name on your birth certificate, you will need to bring a certified copy of your legal 'Name Change' or legal 'Name and Sex Change'.
2. When changing your gender marker, you will need the following materials:
 - a. A photo ID which reflects your current appearance
 - b. Passport photos which reflect your current appearance
 - c. Proof of legal name change
 - d. A physician's statement as described on page 2
3. **If you are renewing your passport to apply a name change only**, you can submit your request for name change by mail. Based on when your passport was last issued, you may or may not need to pay a fee to have your name changed. You can find information regarding those fees at the above web address.

7. CHANGING YOUR NAME/GENDER ON BIRTH CERTIFICATES IN OTHER STATES

For information on how to change your gender marker in other states, see: <http://www.transequality.org/documents>. This process varies state by state, and some states still require proof of surgeries, "full completion" of transition, or do not allow gender changes at all.

8. CHANGING IMMIGRATION DOCUMENTATION

For any of the changes in this section, you will need:

- If changing your name, a court order for name change or other proof of legal name change.
- If changing gender, a driver's license, birth certificate, passport, court order, or other official government-issued document reflecting the requested gender designation, **OR** a letter from a licensed healthcare professional (License Type: counselor, nurse practitioner, physician, physician assistant, psychologist, social worker, or therapist) certifying the change in gender, as shown in the sample letter under #2 in this packet.

Note that in order to update your Green Card (and possibly other documents), you must send your old Green Card in to USCIS, and they will issue a new one. This can take several weeks to a year, during which time you may be without that documentation. This can affect your ability to be employed or provide proof of citizenship. It is highly recommended you take a copy of your green card before sending it and have a letter from a lawyer (if one is helping you) stating that they can verify that you are in process of updating your documentation.



Fee Waiver form at: <https://www.uscis.gov/i-912>

What Do I Need to Update my Employment Authorization Card?

To change the name and/or gender marker on an Employment Authorization Card, you must submit:

- Form I-765, Application for Employment Authorization (<http://www.uscis.gov/i-765>)
- Filing fee of \$465 (subject to change) or a Fee Waiver
- Two passport-style photographs
- Supporting documentation noted above

What Do I Need to Update My Permanent Resident Card or Green Card?

To change the name and/or gender marker on a Permanent Resident Card, you must submit:

- Form I-90, Application to Replace Permanent Resident Card (<http://www.uscis.gov/i-90>)
- Filing fee of \$450 (subject to change) or a Fee Waiver
- Supporting documentation noted above

What Do I Need to Update my Naturalization Certificate?

To change the name and/or gender marker on a naturalization certificate, you must submit:

- Form N-565, Application for Replacement Naturalization/Citizenship Document (<http://www.uscis.gov/n-565>)
- Filing fee of \$345 (subject to change) or a Fee Waiver
- Two passport-style photographs
- Supporting documentation noted above

If you have any questions about the steps above, please contact Kate Kauffman at kate@bravespacellc.com or 503-486-8936.