

NAME & GENDER CHANGE GUIDE FOR OHIO RESIDENTS (ADULTS)

DISCLAIMER: This guide provides information about the legal and administrative steps associated with changing an adult's name and gender on identity documents. Note that some steps may have changed since this guide was created, 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.

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

Equitas Health and TransOhio hold regular Name & Gender Change Legal Clinics throughout Ohio to help people navigate the name and gender change process. For more information, visit equitashealth.com/legalclinic or call 614-987-5291.



INTRODUCTION

This guide provides an outline for adult Ohio residents who wish to change their name or gender marker on identity documents and other records. Listed below are the most common steps taken to make these changes. Keep in mind that each person may have unique needs or goals that require a different approach.

We encourage you to attend the Name & Gender Change Legal Clinic to discuss your specific situation and goals. This can be a daunting process, and we are happy to guide you through the name and gender change steps. For more information, visit equitashealth.com/legalclinic, call 614-987-5291, or contact TransOhio.

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I. GETTING A COURT ORDER FOR NAME CHANGE

The first step in changing your name in Ohio is to get a court order recognizing your name change. You will need to:

- file an “Application for Change of Name” in the Probate Court of the county you live in,
- publish notice of your application in a newspaper of general circulation in your county, and
- attend a hearing about your application in the Probate Court.

Each part is explained in more detail below.

SPECIAL NOTE FOR MINORS: A minor is someone under age 18. There are separate forms and additional requirements a minor and their parents/legal guardians must complete to change the minor’s name. Please see the separate Name and Gender Change Guide for Ohio Residents (Minors).

A. Application for Change of Name

Where to File. You must file your name change application in the Probate Court for the county you live in. You must have been a resident of that county for at least one continuous year before you can file.¹

What to File. In general, you will need all of the following:

- 1) **Completed Application for Change of Name.**
- 2) **Valid (unexpired) identification**, like a current driver’s license, state-issued ID card, or passport.
- 3) **Proof of residency for the past year**, like a current ID with your current address, a lease, a rental agreement, or a utility bill—anything proving you’ve lived there for at least one year.
- 4) **Filing fee.** This varies from county to county.

Many probate courts have special forms or additional requirements for changing your name. **Visit Equitas Health’s website (equitashealth.com/legalclinic) for your county’s specific requirements.**

¹ Ohio Revised Code § 2717.01(A)(1).

It's a good idea to confirm your county's requirements by checking your probate court's website, or by calling your probate court clerk's office.

General tips for filling out the name change application:

- You must sign the application with your current legal name.
- Use your full middle name instead of your middle initial.
- You are required to list the reason for your name change. Some people list: "This is my preferred name, and I want to obtain proper identification" or "I have used [name] for [number] years and it conforms to my gender identity."

B. Publication in a Newspaper

Once you file your name change application, the court will set a date and time to hold a hearing about your application. You must then publish notice of your application and the hearing in a "newspaper of general circulation" in the county you live in.²

Visit Equitas Health's website (equitashealth.com/legalclinic) for the specific information about your county's publication requirements and fees. Again, it's a good idea to double-check this information with your probate court's website or by calling the clerk's office.

- Some county courts will get the notice published on your behalf. If so, great!
- If your county requires you to publish the notice yourself, ask the court clerk:
 - What newspapers are acceptable to publish in?
 - Is there a form to give or send to the newspaper?
 - What is required to prove that the notice was actually published?

NOTE: If you believe publication of the notice will jeopardize your personal safety, you may ask the court to waive the publication requirement and seal the records of your name change.³ To do this, you must file an Application to Waive Publication Requirement and Seal File (sometimes called Form 21.6). You must explain why the notice would jeopardize your safety. You can attach exhibits in support of the application. The court has the discretion to grant or deny your application to waive the publication requirement.

² Ohio Revised Code § 2717.01(A)(2). The notice must be published at least 30 days before your hearing, and the notice must contain the name of the court you filed your application in, the case number, and the date and time of the hearing.

³ Ohio Revised Code § 2717.01(A)(4).

C. Hearing at the Probate Court

In order to receive the final, signed court order approving your name change, you must appear at the date and time listed on the Entry Setting Hearing. The hearing is typically scheduled to occur 45 to 90 days after the date you file your application.

If you will be late or will miss your court date, you must call the Clerk in advance.

What to take with you to court:

- Copies of your name change application,
- Certified copy of your birth certificate (if required by your county),
- Photo ID and proof of residency, and
- Proof of newspaper publication.

When you get to the Probate Court, you will usually wait in the assigned courtroom or out in the hall until your case is called. During the hearing, the Judge will likely ask you questions about your name change application. Answer respectfully and truthfully.

The judge might ask *Why do you want to change your name?* Some people respond with: “[Name] is my preferred name and I want to get proper identification,” or “[Name] has been my name for [number] years, and it fits my gender identity.”

If you encounter a problem during the hearing, you may ask the judge for a continuance so you can consult with an attorney. The judge has the discretion to approve or deny that request. If the judge grants the continuance, contact TransOhio.

* * *

Once the Judge has approved your application, you will receive certified copies of the court order approving your name change. This court order is sometimes called an “Entry for Name Change.” Congrats!

The certified court order approving your name change is the key to updating your legal name everywhere. It’s a good idea to have a few extra certified copies of the court order on hand. We recommend you ask for at least six certified copies of the court order.

II. CHANGING NAME & GENDER WITH THE SOCIAL SECURITY ADMINISTRATION

Once you have obtained a court order recognizing your name change, you must report your name change to the Social Security Administration (the “SSA”).

A. Name Change

To apply for a name change with the SSA, you will need all of the following:

- 1) **Completed Application for Social Security Card** (Form SS-5: <http://www.ssa.gov/online/ss-5.pdf>).
- 2) **Certified copy of the court order approving your name change.**
- 3) **Valid (unexpired) identification**, like a driver’s license, state-issued ID card, or U.S. passport (it’s okay if your ID includes your former name).
- 4) **Proof of U.S. citizenship or lawful immigration status**, like a U.S. passport, birth certificate, or immigration documentation (it’s okay if your proof includes your former name).

You may apply in person or mail the above materials to your local Social Security office. Find your nearest Social Security office here: <http://www.ssa.gov/locator>.

Your new Social Security card, as well as any documents you submitted with your application, will be sent to you in the mail.

There is no fee to update your Social Security records or receive a new Social Security card.

B. Gender Marker Change

Even though gender isn’t listed on your Social Security card, the SSA keeps a record of your gender. You may update your gender marker before, at the same time, or after you update your name.

To apply to change your gender with the SSA, you will need all of the following:

- 1) **Completed Application for Social Security Card** (Form SS-5: <http://www.ssa.gov/online/ss-5.pdf>). Tip: on the “Sex” line, check the box for your updated gender marker.

- 2) **Valid (unexpired) identification**, like a driver's license, state-issued ID card, or U.S. passport (it's okay if your ID includes your former name).
- 3) **Proof of U.S. citizenship or lawful immigration status**, like a U.S. passport, birth certificate, or immigration documentation (it's okay if your proof includes your former name).
- 4) **At least one of the following documents as evidence of your gender change:**
 - **Doctor's Letter:** A signed letter from a licensed doctor (M.D. or D.O.) stating that you have had appropriate clinical treatment for gender transition. The letter must be on the doctor's office letterhead and contain certain items. **Look in the attached appendix for a sample letter.**
 - **Passport:** A valid, 10-year U.S. passport with the updated gender marker (passports with less than 10 years of validity will not be accepted).
 - **Birth Certificate:** An original, state-issued birth certificate reflecting your updated gender marker.
 - **Court Order:** An original court order directing legal recognition of change of gender.

You may apply in person or mail the above materials to your local Social Security office. Find your nearest Social Security office here: <http://www.ssa.gov/locator>.

Your new Social Security card, as well as any documents you submitted with your application, will be sent to you in the mail.

There is no fee to update your Social Security records or receive a new Social Security card.

III. CHANGING NAME & GENDER WITH THE OHIO BUREAU OF MOTOR VEHICLES (BMV)

Note: If you plan to update your name and your gender on your driver's license/ID, it will save money to change both at the same time (i.e., wait to update until after your name change hearing). That way you'll only pay for one new license/ID.

A. Name Change

To update your name on your Ohio driver's license or Ohio ID card, take both of the following to any local BMV license agency:

- 1) **Your current driver's license or ID card;** and
- 2) **A certified copy of the court order approving your name change.**

The BMV should issue you a new license or ID card with your updated name. At this time, you may also update your name on your voter registration.

If your driver's license/ID has been expired for more than six months, or if you do not have a copy of your driver's license/ID, see <http://bmv.ohio.gov/dl-renewal-current.aspx> for additional requirements.

See here for the fees: <http://www.bmv.ohio.gov/links/bmv-all-fees.pdf>.

B. Gender Marker Change

To update your gender marker on your Ohio driver's license or ID card, complete these steps:

- 1) **Complete the Declaration of Gender Change form (BMV Form 2368).**

The Declaration of Gender Change form is available here:
<http://publicsafety.ohio.gov/links/bmv2369.pdf>.

You must complete the parts "To Be Completed by Applicant" and "Release of Information."

The bottom half must be completed by a physician, psychologist, or licensed therapist. That person must certify that, in their professional opinion, you are sufficiently ready for, or have completed a gender role transition, and it is intended this role change is to be permanent. No further evidence of your transition (such as medical records or a letter from a surgeon) is required.

Note: The person who completes the bottom half must mark whether your gender change is “complete” or “transitional.” If gender identification is marked as transitional, a new form must be submitted for each driver’s license/ID renewal until gender identification is marked as complete. If the form is not submitted at renewal, the gender marker will revert back to the original gender marker.

***Once the form is completed, make a copy for your records.

2) Mail or fax the completed Declaration of Gender form to the BMV.

Mail or fax the completed form to:

Ohio Bureau of Motor Vehicles
Attn: License Control
P.O. Box 16784
Columbus, Ohio 43216
Phone: 614-752-7600
Fax: 614-752-7306

In 7-10 days, you will be notified by letter if the gender change is approved, and you will receive a document that may be presented to any local BMV license agency.

3) Once you receive the letter, take the following documents to any local BMV license agency:

- **Your current driver’s license or ID card; and**
- **Declaration of Gender Change approval letter.**

The BMV should issue you a new license or ID card with your updated gender marker. (Be prepared to take a new photo!) Also, note that your old driver’s license/ID must be surrendered.

If your driver’s license/ID has been expired for more than six months, or if you do not have a copy of your driver’s license/ID, see <http://bmv.ohio.gov/dl-renewal-current.aspx> for additional requirements.

See here for the fees: <http://www.bmv.ohio.gov/links/bmv-all-fees.pdf>.

IV. CHANGING NAME & GENDER ON A U.S. PASSPORT

A. Name and Gender Marker Change on an Existing Passport or Gender Marker Change (only) on an Existing Passport or Getting a Passport for the First Time

If you want to update both your name and gender marker, to update your gender marker only, to get your first passport, or to get a passport after your old passport has expired, **you must apply in person**. Find your local Passport Acceptance Facility here: <http://iafdb.travel.state.gov>.

You will need to submit all of the following:

- 1) **Completed Application for a U.S. Passport** (Form DS-11, which can be found here: <http://travel.state.gov/content/passports/en/passports/forms.html>).
- 2) **Proof of U.S. citizenship**, such as a previous U.S. passport, certified birth certificate, certificate of naturalization, or report of birth abroad (it's okay if the document includes your former name).
- 3) **Proof of identity** that contains your signature and photograph that is "a good likeness to you," such as a previous passport, driver's license, certificate of naturalization, or military ID (it's okay if your ID includes your former name). You must present the original and provide a copy of the front and back with your application.
- 4) **Recent color photograph 2x2 inches in size**. Read the application's instructions for the specific guidelines you must follow for your photo.
- 5) **Certified copy of the court order approving your name change** (if updating your name).
- 6) **Doctor's letter** confirming your gender transition. A signed letter from a licensed doctor (M.D. or D.O.) stating that you have had appropriate clinical treatment for gender transition. The letter must be on the doctor's office letterhead and contain certain items. **Look in the attached appendix for a sample letter.**
- 7) **Fee**. See here for the amount: <http://travel.state.gov/content/passports/en/passports/information/fees.html>.

Note about the doctor's letter: if your doctor will not state that you have had appropriate clinical treatment, your doctor may state that your transition is "in process." In that case, you are eligible for a limited, two-year passport with an updated gender marker. For more info, see <http://transequality.org/know-your-rights/passports>.

B. Name Change (only) on an Existing Passport

If you already have a valid passport and only want to update your name, you may apply by mail.

You will need to submit all of the following:

- 1) **Completed U.S. Passport Renewal Application** (Form DS-82, which can be found here: <http://travel.state.gov/content/passports/en/passports/forms.html>).
- 2) **Your most recent passport** (book or card).
- 3) **Recent color photograph 2x2 inches in size.** Read the application's instructions for the specific guidelines you must follow for your photo.
- 4) **Certified copy of the court order approving your name change.**
- 5) **Fee.** See here for the amount: <http://travel.state.gov/content/passports/en/passports/information/fees.html>.

C. Passport Card

A U.S. passport card is a wallet-sized card that looks like a driver's license. It is significantly less expensive than a traditional passport book. It may be used as everyday identification and proof of U.S. citizenship.

A passport card cannot be used for international air travel, however.

Application forms and documentation requirements for a passport card are the same as those for a passport book. Simply check "passport card" on the application form.

V. CHANGING NAME WITH THE SELECTIVE SERVICE

A. Individuals Assigned Female at Birth

People assigned female at birth, regardless of their current gender or transition status, do not have to register with the Selective Service.

However, if you are applying for federal financial aid, grants, loans, or other benefits as a man, 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**.

To request a Status Information Letter, call 888-655-1825 or download a request form here: <http://www.sss.gov/Portals/0/PDFs/Status.pdf>. You must provide a copy of your birth certificate showing your birth-assigned sex. (If the sex on your birth certificate has been changed, attach proof showing that.) If you changed your name, also provide a copy of the court order approving your name change.

This service is free. Also, the Status Information Letter does not specify why you are exempt, so it will not force you to out yourself in any other application process.

B. Individuals Assigned Male at Birth

People assigned male at birth, regardless of their current gender or transition status, must register with the Selective Service within thirty days of their eighteenth birthday. You may register online at <http://www.sss.gov>, or by mailing a registration form available at any post office.

You still must register even though it is currently unclear whether transgender people are eligible for military service. Registration is necessary to access certain government benefits.

If you change your name, you must notify the Selective Service. Use SSS Form 2, which is available online at <http://www.sss.gov/Forms>, or at any post office. You must attach a certified copy of the court order changing your name.

You are not required to notify the Selective Service of a change in gender.

VI. CHANGING NAME & GENDER WITH INSURANCE CARRIERS, CREDITORS, AND OTHERS

A. Insurance

Name Change: You should inform your insurance companies (e.g., health, property, auto, life) immediately after you receive your court order approving your name change. They may ask you to provide a certified copy of your court order.

Gender Marker Change: You should talk with your doctor about whether to update your gender marker with your health insurance company. It's important that your health insurance company's records match your doctor's records to avoid confusion and delay or denial of claims. Your doctor may opt to keep filing claims reflecting your sex assigned at birth.

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 Equitas Health.

B. Banks, Creditors, and Financial Institutions

You must inform your banks, creditors, and financial institutions of your name change immediately after you receive your court order approving your name change. They may ask you to provide a certified copy of your court order.

You may also wish to inform the credit bureaus (Equifax, Experian, and TransUnion) of your name change.

C. Military Records

Veterans may wish to update their military records with their changed name or gender marker. To do so, follow the National Center for Transgender Equality's guide here: <http://www.transequality.org/know-your-rights/military-records>.

D. Other Legal Documents

After you receive the court order changing your name, it's a good idea to change your name in any legal documents that name you, such as a lease, mortgage, will, power of attorney, or deed. Updating your name on these documents ensures that your rights and powers in the documents remain intact.

You may also consider updating your name and gender marker in your education records, such as high school or college transcripts and diplomas.

VII. CHANGING NAME & GENDER ON NATURALIZATION/CITIZENSHIP DOCUMENTS

To update your name and gender on any immigration document, follow the National Center for Transgender Equality's guide here: <http://transequality.org/know-your-rights/immigration-documents>.

VIII. CHANGING NAME & GENDER ON A BIRTH CERTIFICATE

A. Birth Certificates Issued in Ohio

Name Change: Present a certified copy of the court order recognizing your name change to the Ohio Department of Health's Office of Vital Statistics, and request a new birth certificate.

Gender Change: Currently, the Ohio Department of Health refuses to issue birth certificates with updated gender markers. TransOhio and others are advocating to change this policy. Only four states refuse to update gender markers on birth certificates: Ohio, Idaho, Kansas, and Tennessee.

In the meantime, if you want to present proof of U.S. citizenship that has your updated gender marker, consider getting and using a passport or passport card, rather than using your birth certificate. See above for how to get and update your passport or passport card.

B. Birth Certificates Not Issued in Ohio

The procedures and rules for changing your birth certificate are governed by the laws of the state or territory that issued your birth certificate.

Visit the National Center for Transgender Equality's website about name and gender changes here: <https://transequality.org/documents>. Select the state or territory that issued your birth certificate, and read on for more information.

APPENDIX

Letter Certifying Applicant's Gender Change

I, _____,
(Physician's Full Name)

_____, _____,
(Physician's medical license/certificate number) (Issuing State/Country of 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.

_____, has had
(Name of Patient)

appropriate clinical treatment for gender transition to the new gender of
male female.

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

Signature of Physician

Physician's Address

Typed Name of Physician

Date

Physician's Phone Number

