

Name and Gender Marker Change Guide For Massachusetts Residents Under Age 18

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Overview

- The first step in changing your name and gender marker is getting a Massachusetts court-ordered name change.
- Once you have a court ordered name change, you can update your name and gender marker on your social security card.
- After you’ve updated your name and gender marker with social security, you can update the rest of your federal and state identity documents such as license, state ID, passport, and birth certificate.
- After updating your name and gender marker with social security, you can also update your information with your bank accounts, insurance companies, loans, and everything else.
- Many folks can navigate the name and gender marker change process without legal assistance, but it may be helpful to consult with a lawyer if you have questions about the name and gender marker change process as it relates to immigration status, incarceration, military status, and/or custody agreements.

Massachusetts Court-Ordered Name Change

Anyone can petition for a change of name for any reason except to get out of debts or legal obligations. Name changes are made through a person's county probate court. To change your name as a minor, you will need to complete and file the following documents with your [local MA probate court](#).

1. A [Petition for Change of Name of Minor \(CJP 25\)](#)
 - a. **This form must be notarized.** Do not sign this form unless you are in the presence of a notary who can notarize your form. You can reach out to transyouth@fenwayhealth.org for help with this.
2. A certified copy of the child's birth certificate (long-form). This is available from the [Registry of Vital Records](#) or from the city or town where the child was born. Birth certificates that aren't written in English must include a translated copy signed by a professional interpreter.
3. A [Court Activity Record Information \(CARI\) and Warrant Management System \(WMS\) Release Request form \(CJP 34\)](#) for anyone 12 or older.
4. If you have changed your name in the past, you must file the certified copy of any prior name change.
5. If there is a deceased legal parent: Copy of Death Certificate
6. If there is a guardian appointed: Proof of Appointment
7. If parent has signed a voluntary surrender and it was allowed by the court, or the court has terminated a parent's parental rights: Proof of Termination of Parental Rights
8. [Child Care or Custody Disclosure Affidavit](#) form
9. [Assent to Petition to Change Name of Minor \(CJP 30\)](#) if a minor child's legal parent or court appointed guardian wants to assent to the petition using a separate form.
10. [Motion \(CJD 400\)](#) - To waive publication/citation requirement.
 - a. Some counties require that you publish a copy of your name change in a local newspaper, which means that there will be an easy-to-access and Google, public record of your name change. You can file a motion to waive the publication requirement. The publication requirement is generally waived if an individual is changing their first and middle names only.

Even if you do not publish your name change in a newspaper, court records are still publicly available unless you ask the court to "impound" it (the legal term for keeping some or all information in a case private). You may choose to file a [Motion For Impoundment & Affidavit](#) to ask the court to keep some or all of your case private. You should read the form carefully before filling it out and seek professional legal advice with any questions about it.

It costs between \$165 and \$280 to change one's name depending on your circumstances and jurisdiction. It may be possible to petition for support or removal of these fees. [You can find out if you are eligible and file for indigency](#) online.

The Commonwealth of Massachusetts also recognizes a common law name change. This means that if a person adopts a name and uses it consistently, this can become a legal name through

common law [Merolevitz, Petitioner](#) 320 Mass. 448 (1946). This type of name change can make updating documents like social security or state IDs challenging because there is no formal documentation, but common law name changes can be helpful at school or work.

Once you have a court ordered name change, you can update your federal and state identity documents. We recommend getting several certified copies of your court-ordered name change to have on hand. You can pick these up from your local probate court.

Social Security

To change your name and gender marker with the Social Security Administration you need to fill out an [Application for a Social Security Card](#). You will also need to provide

- [Proof of identity](#); AND
- [Proof of citizenship](#); AND
 - A valid US Passport fulfills both proof of identity and proof of citizenship.
- A certified copy of your court-ordered name change.

You can select the gender marker that you want to use. Your gender marker is only visible within the Social Security Administration's system and is not displayed on your social security card. Your social security gender marker does not need to match your gender marker on other legal IDs and documents (such as your license, birth certificate, or passport). Your gender marker with other systems (such as your health insurance, state and federal benefits, job or school) may need to match the gender marker with social security.

You may be able to start this application online and then bring your required documents to your [local Social Security office](#). You can also submit the application and documents in person, or you can mail the application and documents to your local Social Security office.

RMV Driver's License or State ID

Go to the MA RMV with

- A certified copy of your court-ordered name change; AND
- [Proof of address](#) (it's okay if this has your previous legal name on it); AND
- Your Social Security Card with your new legal name change; AND
- The [MA RMV's Application](#) for a state license/ID.

[Click here for more information about changing information on your driver's license or ID card.](#)

United States Passport

The process for updating your passport varies depending on your circumstances. Please refer to the [Department of State](#) for information and forms for passport changes.

You can choose the gender marker that you would like to have on your passport as Male (M), Female (F), or another gender identity (X). The gender marker on your passport does not need to match the gender marker on any other identity documents. If you are changing both your name and gender marker on your passport, you should wait until you have a certified copy of your name change before applying.

Birth Certificate

Many jurisdictions allow a change of name on birth certificates, however, not all states or countries allow people to change their sex designation regardless of medical or surgical gender affirmation treatments. *The following information is for people born in Massachusetts. See below for resources for documents originating outside of Massachusetts.*

To amend the sex designation and name on your Massachusetts birth certificate, you should submit:

- [An affidavit indicating your sex and name](#); AND
- A certified copy of the court ordered name change (if applicable); AND
- A check or money order for any fees (between \$70-\$82).

[Click here for more information about amending a birth certificate in Massachusetts.](#)

For people born in other states outside MA, you should research what is possible and needed for amending birth certificates in that location using the [NCTE ID Documents Center](#).

Everything else

After legal documents are changed, you may need to update your school record, health insurance, accounts for state and federal benefits, car registration, auto insurance, medical records, bank accounts, loan accounts, and human resources for w-2s and tax returns.

It is important to update every service and location of care with your updated information. You should inform your medical providers, schools, subscriptions, services, mail, utilities, landlords, banks, etc. with this information. Updates are dependent on the individual who handles the documentation needed for each change needed.

Health Insurance Gender Markers

You may consider keeping your health insurance gender marker the same as the sex you were assigned at birth to avoid potential billing issues. This is less of an issue if you have had gender affirming surgery and no longer have the organs from the sex originally listed on your health insurance.

It is possible to work out most billing issues, however, this may cause delays or denials in services needed for natal body parts and organs. For instance, if your health insurance has you listed as male, you may be denied coverage for gynecological care. In many instances, you can change your gender marker everywhere else while keeping the gender marker with your health insurance related to the body parts and organs for which you will need ongoing medical treatment and routine screenings. This may not be possible if you are on Medicare or Medicaid where your information is connected with your Social Security record.

Resources

If you experience discrimination at any point in changing your name or gender marker, please reach out to the [Massachusetts Transgender Political Coalition](#) to share your story and get help.

This guide accompanies the more detailed [ID Documents Center](#) of the National Center for Transgender Equality, and the Transgender Law Center's [Quick Guide to Changing Federal Identity Documents](#). These links can be used by people in any state and by people who are not U.S. citizens. Another [quick- guide for Massachusetts](#) is also available through the Massachusetts Transgender Political Coalition.

The [Transgender ID Project](#) through GLAD provides free resources for trans and gender diverse folks living in New England seeking to update their name and gender on federal and state documents.

[Namesake](#) is an organization that streamlines the legal name and gender marker change process for trans and gender diverse folks in Massachusetts. Individuals can complete necessary paperwork and manage identity documents.

[New England Law Boston's Identity Affirmation Project](#) helps trans and gender diverse individuals with the name change process in Massachusetts.

Name and Gender Marker Change Checklist

Step 1: File the Petition for a Court Ordered Name Change. Submit the following documents to your local probate court in person, via mail, or online.

	Petition for Change of Name of Minor (CJP 25). This form must be notarized. Do not sign this form unless you are in the presence of a notary who can notarize your form.
	A certified copy of the child’s birth certificate (long-form).
	If your child is 12 or older - A Court Activity Record Information (CARI) and Warrant Management System (WMS) Release Request form (CJP 34)
	If you have changed your child’s name in the past - A certified copy of any prior name change.
	The death certificate of any deceased parent or guardian if applicable
	If there is a guardian appointed: Proof of Appointment
	If applicable - Proof of Termination of Parental Rights
	Affidavit Disclosing Care or Custody Proceedings form
	Optional - Assent to Petition to Change Name of Minor (CJP 30)
	If applicable - A completed motion to waive the publication requirement. Motion (CJD 400)
	The filing fee OR a completed waiver of indigency

Step 2: Apply for a new Social Security card. Submit the following documents to your local Social Security Administration in person or via mail.

	Completed application for a Social Security card
	Certified copy of the court ordered name change
	An unexpired identification document that shows your name, date of birth, and preferably a recent photograph. Acceptable documents include driver’s license, state ID, or US Passport. If you do not have any of these documents, you can show a health insurance card (not Medicare), employee ID, US military ID, or a school ID. It’s okay if your document includes your former name.
	Proof of US citizenship or lawful immigration status, such as a passport, birth certificate, or immigration document.

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Step 3: Go to the Registry of Motor Vehicles for a new REAL ID Driver’s License or Massachusetts ID. Bring the following documents with you.

	Certified copy of your court ordered name change
	Completed Driver’s License, Learner’s Permit or ID Card Application (you can start this online)
	Your newly issued Social Security card with your new name
	An unexpired document that shows that you are legally living in the United States. Acceptable documents include a US passport, US birth certificate, green card, or another immigration document if you are not a US citizen (it’s okay if this document includes your former name).
	Massachusetts residency documents (1 for a Standard driver’s license/ID, 2 for a REAL ID). Acceptable documents include your current license or ID. See https://www.mass.gov/guides/massachusetts-identification-id-requirements for the full list of acceptable documents.
	Cash, check, money order, or credit card to pay the fee for a new ID.

Step 4: Update your passport.

Visit <https://travel.state.gov/content/travel/en/passports/havepassport/change- correct.html> to find out which process applies to you.

Step 5: Apply for an updated birth certificate. File the following documents with the Registry of Vital Records and Statistics in person or by mail.

	Completed affidavit indicating your sex and name
	Certified copy of the court ordered name change (if applicable), AND
	Check or money order for fees (between \$70-\$82).