



EXECUTING A NAME & GENDER MARKER CHANGE IN LAKE COUNTY INDIANA

NAME & GENDER MARKER CHANGE

Abstract

This document describes the author's own experience in changing his old name and gender marker to her new name and gender marker change and provides many practical thoughts to help achieve success with little or no difficulty.

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Forward

I was asked by a parent for some guidance in executing a name and gender marker change for her child, both because she was unclear about some of it and also because of some difficulties she had encountered with a public servant who I believe should have just done what was asked, rather than voicing an opinion about what was being asked.

I assembled three emails, represented by the 'Parts' of this document for her, but decided that a slightly more 'dressed-up' version of the information might just be useful to a wider audience.

This document is specific to executing a name and gender marker change in the State of Indiana, the County and court system of Lake County, Indiana, and my specific experience in the successful execution of my own name and gender marker change.

Part 1

I obtained documents and instructions from IndianaLegalServices.org. They are based in Indianapolis, but the documents are generic and should be usable in any Indiana county (they worked in Lake County). IndianaLegalServices.org does pro-bono work for LGBTQ folks who cannot afford it.

Look them over, read the instructions. Compare them to the documents you can obtain from the Indiana government website.

The adult name and gender marker change document (from [IndianaLegalServices](http://IndianaLegalServices.org)) has the Waiver of Publication and Sealing of Record request/order.

Some random information:

- Fill it out just like the instructions say to; if you have any issues, just ask, but it's pretty straight-forward.
- Notice that the document is actually a collection of documents. One page of the document lists all of the documents; these are what are in the 'package' and lists all of the documents that you would be sealed if you wanted to go that route. If you want your record to be public or want to advertise your name change in the newspaper, you'd have to remove those documents from the packet, and re-check the wording of the remaining ones.
- You will need some form of id which can be used as a 'reference' document. In my case, it was my passport. This must be brought with on court hearing day, and it wouldn't hurt to bring it when you file.
- UPS can copy your original filled-out forms (on white paper) onto green paper. The green paper is EVERYTHING you want to be sealed, if the request is granted. I copied EVERYTHING onto green paper. I checked with the court clerk about the number of copies to bring to the filing, and I was told three would be enough (this was for Lake County, your county requirements may be different).
- There are many places requiring a signature. You must sign in front of a notary, and then the notary will sign and emboss each signature. UPS (Crown Point on Broadway in my case) can/will do it. Be prepared to pay up to \$3 per signature; this can get quite costly with three copies of each document (a LOT of signatures). It's worth it though, right? Every penny.

- Don't forget to have envelopes ready to go for when you file. I don't recall how many I needed (probably only one), but I prepared three. Manila envelopes, 9"x6" with two Forever stamps, and addressed to yourself at your home, with the same for a return address. The one they sent back my copy of the paperwork in was addressed with my new name Amari Victoria. You might consider bringing address labels, stamps and envelopes separately to the filing with the clerk and ask how many they need and assemble them there (quickly).
- Bring cash to file the paperwork; currently \$157 for a civil filing.
- Be pleasant to the clerk, it may pay you dividends.
- If the clerk takes issue with what you are doing, be nice. I did not encounter this, so can only conjecture on some suggestions to get around this. One would be to ask for another clerk, another might be to ask to speak with their supervisor. In any case, if you irritate the clerk, no matter what the clerk my think or believe, the clerk will become a roadblock, and has the potential to have other clerks support him/her/they. I repeat, be nice, always.

Files downloaded from www.IndianaLegalServices.org (5 files available)

Instructions – Adult.docx

Adult Name & Gender Pro Se Form.docx

Instructions – Minor.docx

Minor Name & Gender Pro Se Form.docx

Gender Marker Change Pro Se Form.docx

Part 2

Here are all the various documents I gathered from the state of Indiana. No mention of gender marker change anywhere, just name change.

Random thoughts:

- The 55617 document is necessary to change your name on a driver's license. If you don't drive, then you don't need it, HOWEVER, it is essentially a letter from your doctor, and has preferred language for that letter written into it. Any letter you get from a doctor should include this language, just to be on the safe side. Another medical professional I asked for a letter, I submitted a 'sample' (included next email) and asked to have the language modified slightly to match the 55617 form.
- Additional note: in changing my passport well after my granted name and gender marker change, I discovered that the government has some additional language (containing 'under penalty of perjury' or similar). I recommend that this language also be incorporated into your document.
- There seems to be nothing special about the letter's 'official-ness'; it seems that you have the ability to change it a little.
- I actually obtained two letters, and one 55617 form filled out. The judge had nothing but accolades for my extremely well-done documents and abundance of letters (his words, paraphrased).
- The local lake (Lake County) rules document I included, because in the Indiana instructions (and/or online), it states that they should be checked for any filing requirements. The thing I looked for was the required number of copies of documents for filing, and it's very vague (like 'an appropriate number'), which isn't very helpful. I found no other information in there that was helpful. I called the clerk's office directly and they were able to provide some assistance.
- I don't think the "court_costs" document had any value. The "Clerk_Filing_Fees" document tells you the filing is \$157 (civil case). By the way, in the package of documents in the first email, the court case has an "MI" in it. I'm not 100% sure, but I think it refers to a civil case type.

Files downloaded from <https://indianalegalhelp.org/court-forms/forms-name-change/>, <https://www.in.gov/judiciary/2694.htm>, https://www.lakecountyin.org/portal/media-type/html/group/clerk/page/default.psm1/js_pane/P-13b9cba5e7d-1037d;jsessionid=9A99604F5984E71D8991B21CC9F0C4D0 and <https://www.in.gov/bmv/2564.htm>. (10 files)

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NameChangeAdult_InstructionsOnly.pdf
NameChangeAdult_FillablesOnly.pdf
NameChangeChildConsent_InstructionsOnly.pdf
NameChangeChildConsent_FillablesOnly.pdf
NameChangeChildNoConsent_InstructionsOnly.doc
NameChangeChildNoConsent_Fillables.pdf
lake-local-rules.pdf
Clerk_Filing_Fees_-_Effective_July_1x_2017.pdf
Court_Costs.pdf
55617 fill-in.pdf

Part 3

I used the document titled Physician's letter for one of my (healthcare) providers. This particular provider I asked to modify the language to match the 55617 form. I did NOT use the one that starts with Sample. My doctor had already written me a letter which was acceptable / accepted by the court but did not have the language matching the 55617 form.

Random thoughts:

On your court hearing date...

- Bring your id which you included in your filing document (for me, my passport).
- Bring your social security card
- Bring your birth certificate
- Bring your driver's license (or alternate id)
- If you don't have an SSN, file for one, make sure you get at least the receipt that says you've filed, and if possible some sort of 'temporary' social security card. In my case, I did not have my original social security card, so I filed, and the agent gave me a paper that essentially said that I had requested a replacement and had my name (birth name), my SSN, and address information on it. That is admissible on your hearing date if you do not have an actual card (it takes a while to get one sent to you).

In court...

- Be early.
- Be polite to the bailiff (in my case, she was cool, she was kind, she helped me out); if you're good to the bailiff, the bailiff will likely be very helpful to you.
- Have any documentation needed at hand.
- Be truthful, always (you should have been truthful on your filing...).
- Be confident, but not over-confident.
- Answer the judge's questions honestly. Be succinct; there's no reason to be wordy or have long explanations.
- Be courteous to the judge; if possible, end every statement with "your honor". ("Yes, your honor.", "No, your honor.", "Thank you, your honor")
- There was a clock near the recorder (who's recording the proceeding). Do yourself a BIG favor. When the judge says "GRANTED", look at the clock and memorize the time; your court date, and the time, is your BIRTHDAY!

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Example files found using an internet search. (2 files)

Physician's letter.docx

Sample-Letter-for-Gender-Marker-Change.docx

Conclusion

Additional thoughts:

- In some ways, the name and gender marker change is the 'easy' part; the more difficult and tedious part is changing your name or name and gender marker on the myriad of documents, IDs, accounts (utilities, etc.), logins (any only merchant with whom you may have an account), and personal information EVERYWHERE.
- For me, obtaining a new passport has been a challenge. First, you **MUST** use the application for a new passport form (DS-11, I think), not the renewal form (DS-84, I think), even if you already have a passport. Secondly, you will need an original letter from your physician, with wording specified by the Department of State, not a copy. I used my originals for my court filing, so I sent copies of them; it was a no go. Next, realize that you will only be able to obtain a passport valid for two years, at-a-time, until your transition is 'complete', and that you'll have to renew that passport every two years, until it is considered complete by you and your physician.
- Some credit cards can be more difficult than others, requiring differing documentation to complete the changes.
- Changes for banks seemed to be fairly straight-forward with the right documentation.

Perhaps even how I executed these changes would make another worthwhile document. I'll think about it...

Let me know if there's anything else I can help with.

Let me know if you determine that I have missed something, or something wasn't quite right. (I'd like to compile this into a little 'instructional document' for others; I'd like it to be right).

Please let me know how it goes and if you run into any snags.

Let me know who-did-what for you (copies, green paper, etc.), if everything was done without a fuss (or if there was a fuss; I want to know, they won't get my business and yours either).

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I truly hope that I helped!

Amari Victoria

'Born' July 30, 2018

THE BEST OF LUCK TO YOU!