

# ADULT NAME AND GENDER MARKER CHANGE

This packet will show you how to change your legal name and gender marker.

# How This Packet Works:

This packet has 3 parts. Each part will guide you through the steps you need to take:



Part 1: Fill out your forms and file them with the clerk

Part 2: Get ready for court and get the Judge's decision

Part 3: Change your IDs after court

This document is not legal advice. It only gives general information about how to change your legal name and gender marker. If you have questions about your specific situation or want to apply for free legal help, contact Indiana Legal Services LGBTQ+ Project at 317-829-3180 or <u>Igbtgroup@ilsi.net</u>.





# Part 1: Fill out your forms and file them with the clerk

# Part 1 Things to Do

- 1. Fill out your forms and sign the forms with a pen icon ( $\mathcal{P}$ ).
- 2. Review the filing fee information.
- 3. Review keeping your case private.
- 4. Give the forms to the clerk's office to start your case.
- 5. Get your court hearing details from the clerk.

# Instructions:

# 1. Fill out your forms and sign the forms with a pen icon ( $\mathscr{P}$ )

• This packet has all the forms you need to change your legal name and gender marker. You'll need to fill out some forms to start your case. We'll walk you through each one step-by-step.

### Forms to Start Your Case:

	Form 1: Appearance by Self-Represented Person in Civil Case
Forms Everyone Needs:	Form 2: Verified Petition for Change of Name and Correction of Birth Certificate <i>P</i>
	Form 3: Order Setting Hearing
	Form 4: Order on Change of Name
	Form 5: Order on Correction of Birth Certificate

**TIP**: Fill out the forms in order and follow the step-by-step instructions in this packet.

- The next page shows you the forms you may need if:
  - You can't afford to pay the \$157 filing fee
  - You want to ask the court to keep your case private



Forms You	Might Need:
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Forms to Request a Fee Waiver:		Form 6: Verified Motion for Fee Waiver 🆉	
(if you can't afford the filing fee)	•	Form 7: Order on Fee Waiver	
	•	Form 8: Verified Request to Prohibit Public Access (ACR Request)	
Forms to Ask the Court to Keep Your Case Private:		Form 9: Public Notice of Hearing	
		Form 10: Interim Order on ACR Request	
		Form 11: Order on ACR Request	
Form if You are Not Asking the Court to Keep Your Case Private:	•	Form 12: Notice of Petition for Change of Name	

→ Pages 4 through 16 show you how to fill out your forms, step-by-step.



# How to Fill Out Your Forms

# How to Fill Out the Top Box (Caption)

The first page of each form has a box at the top. This is called the "caption." It tells the court who you are and what your case is about.

Look at the picture below to see what it looks like.

STATE OF INDIANA	IN THE COUNTY COURT
COUNTY OF	(county you are filing in)
(county you are filing in)	Case Number:
IN RE MATTER OF:	
(current legal name),	
Petitioner	

You will need to fill out the caption on every form. We'll show you what to write.

Here's what goes in each part:

- County you are filing in Write the name of the county where you are filing your forms. Example: Marion
- 2. Case number Leave this blank for now. The court will fill it in after you file your forms.
- 3. Current legal name Write the name that is on your ID right now — this is the name you want to change.

**TIP**: You'll use the same information at the top of every form in your packet. Copy it the same way each time.



# How to Fill Out the Rest of the Forms

Don't worry! You don't have to know legal words. Just answer honestly and clearly.

## Form 1: Appearance by Self-Represented Person in Civil Case *P*

(Telling the court you're representing yourself)

This form lets the court know that you're handling your case without a lawyer. Here's how to fill it out:

- Fill Out the Top Box (Caption) Go to page 4 of this packet for instructions.
- Line 1: Your Current Legal Name Write your full legal name — first, middle, and last (this is the name you want to change)
- 3. Line 2: Your Contact Information Write the address where you want the court to send you mail. Also write your phone number and email address where the court can reach you.
- 4. Date Write the date you are signing this form.
- Sign The Form A
   Sign your name using your current legal name.
- 6. Print Your Name Print your current legal name clearly.

You're done with this form. Great job! Now you're ready for Form 2.



# Form 2: Verified Petition for Change of Name and Correction of Birth Certificate $\mathscr{O}$

(Asking the court to change your name and gender marker.)

This form tells the court what you want to change – your name and gender marker. Here's how to fill it out:

- Fill Out the Top Box (Caption) Not sure what to put? Go to page 4 of this packet — it explains the caption box.
- Petitioner,
   Print your current legal name clearly on the line.
- Line 1: Your Current Legal Name Write your full legal name — first, middle, and last (this is the name you want to change).
- 4. Line 2: Your Date of Birth Write your full date of birth (month, day, year).
- 5. Line 3: Your Residential Address Write the address where you live right now.
- Line 4: Your Mailing Address Write the address where you want to get mail — if it's the same as your residential address above, you can copy it here.
- 7. Line 5: Your Driver's License/ID Card Number Check one box:
  - If you have an Indiana driver's license or ID, check the first box and write the number.
  - □ If you do not have one, check the second box.
- 8. Line 6: Your Past Legal Names Check one box:
  - □ If you have never changed your legal name before, check the first box.
  - If you've had other legal names in the past, write each one here (first, middle, and last).
- Line 7: State You Were Born In Write the name of the state where you were born. Example: Indiana

### Keep going! You're almost done with this form.



## 10. Line 8: Your US Passport

Check one box:

- □ I have a valid U.S. passport
- □ I do not have a valid U.S. passport
- 11. Line 11: Your New Legal Name Write the full new name you want — first, middle, and last.
- 12. Line 13: Birth Certificate Name Change Check one box:
  - □ I want to change my birth certificate with my new name.
  - □ I do not want to change my birth certificate with my new name.
- 13. Line 14: Current Gender Marker on Your Birth Certificate Write the gender marker that is listed on your birth certificate now.
- 14. Line 15: Gender Marker You Want on Your Birth CertificateWrite your correct gender marker.Options: male, female, or nonbinary
- 15. Date Write the date you are signing this form.
- 16. Sign The Form 🖉

Sign your name using your current legal name.

### Important if you're filing in Marion County,

You must sign this form in front of a notary with your photo ID. You don't need a notary for the other forms - just this one.

Need help finding a notary? Fine one here: https://www.indiananotary.com/find-anotary. Some notaries may charge up to \$10. Your bank might offer free notary services.

#### 17. Print Your Name

Print your current legal name clearly.

### You're done with this form. Great job! Now you're ready for Form 3.



#### Form 3: Order Setting Hearing

This form is for the court to set the date of your hearing. Here's how to fill it out:

- Fill Out the Top Box (Caption)
   Use the same county and name you wrote on the other forms.
   Not sure what to put? Go to page 4 of this packet it explains the caption box.
- Leave the Rest Blank You don't need to fill out the bottom part. It's for the Judge to fill out and sign.

You're done with this form. Great job! Now you're ready for the next forms.



#### Form 4: Order on Change of Name

This form is the court's official order to change your name.

Here's how to fill it out:

- Fill Out the Top Box (Caption)
   Use the same county and name you wrote on the other forms.
   Not sure what to put? Go to page 4 of this packet it explains the caption box.
- Line 2: Your Date of Birth Write your full date of birth (month, day, year).
- Line 3: Your Current Legal Name Write your full legal name — first, middle, and last (this is the name you want to change).
- 4. Line 4: Your Past Legal Names
  - If you've never had another legal name, write "N/A".
  - If you've had other legal names, write each one here (first, middle, and last).
- 5. Your New Legal Name: Petitioner's Legal Name is Changed To Write the full new name you want first, middle, and last.
- 6. Birth Certificate Name Change: Petitioner's Birth Certificate Changed To Check one box:
  - If you want to change your name on your birth certificate to your new legal name, check "Be changed to" and write your full new name.
  - If you do not want to change the name on your birth certificate to your new legal name, check "Not be changed".
- Leave the Rest Blank You don't need to fill out the bottom part. It's for the Judge to fill out and sign.

# You're done with this form. Great job!



#### Form 5: Order on Correction of Birth Certificate

This form is the court's official order to change your gender marker.

Here's how to fill it out:

- Fill Out the Top Box (Caption)
   Use the same county and name you wrote on the other forms.
   Not sure what to put? Go to page 4 of this packet it explains the caption box.
- Line 2: Your Date of Birth Write your full date of birth (month, day, year).
- Line 3: Your Current Legal Name Write your full legal name — first, middle, and last (this is the name you want to change).
- 4. Line 4: Your Past Legal Names
  - If you've never had another legal name, write "N/A".
  - If you've had other legal names, write each one here (first, middle, and last).
- Correct Gender Marker: Petitioner's Legal Sex/Gender Designation is Changed to Write the correct gender marker for your birth certificate.
   Options: male, female, or nonbinary
- Leave the Rest Blank You don't need to fill out the bottom part. It's for the Judge to fill out and sign.

# You're done with this form. Great job. Now you're ready to review instructions for the filing fee and keeping your case private.



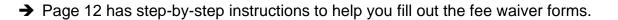
# 2. Review the filing fee information

• It costs **\$157** to start your case in court. If you cannot afford this fee, you can ask the judge to remove it.

# Do I need to fill out the fee waiver forms?

□ Yes: I can't afford to pay \$157

You need to fill out the fee waiver forms: Form 6: Verified Motion for Fee Waiver Form 7: Order on Fee Waiver



 $\Box$  No: I can afford to pay \$157

You can skip the fee waiver section. You don't need the fee waiver forms. Go ahead and take them out of your packet.

Court filing fees can be paid in different ways: cash, money order, credit/debit card.

→ Next up: go to page 13 to learn about keeping your case private.



#### Form 6: Verified Motion for Fee Waiver

(Asking the court to remove the \$157 filing fee)

This form tells the court about your money situation. The judge will use this form to decide if you need to pay the \$157 filing fee or not. Here's how to fill it out:

- Fill Out the Top Box (Caption)
   Use the same name and county you wrote on the other forms.
   Not sure what to put? Go to page 4 of this packet it explains the caption box.
- 2. Petitioner, Print your current legal name clearly on the line.
- Lines 3 through 8: Your Financial Information Write how much money you make (income) and how much you spend each month (expenses). Answer every question as honestly as you can.
- 4. Date Write the date you are signing this form.
- 5. Sign The Form *P* Sign your name using your current legal name.
- 6. Print Your Name Print your current legal name clearly.

**TIP**: If anything doesn't apply to you, write "N/A," which means "not applicable."

#### Form 7: Order on Fee Waiver

This form is the court's official decision about your fee waiver request. Here's how to fill it out:

- Fill Out the Top Box (Caption)
   Use the same county and name you wrote on the other forms.
   Not sure what to put? Go to page 4 of this packet it explains the caption box.
- Leave the Rest Blank You don't need to fill out the bottom part. It's for the Judge to fill out and sign.

# You're done with these forms. Great job! Now you're ready to learn about keeping your case private.



# 3. Review Keeping Your Case Private

When you ask the court to change your name, the law requires:

- Publishing your name change in a newspaper
- Making your court records public online

When you ask the court to change your gender marker, the law requires:

• Making your court records public online

But — you can ask the judge to make your case private and remove the newspaper publication requirement to help keep you safe.

Common reasons to ask to keep your court records private:

- You are transgender and feel unsafe being outed
- You have survived domestic or family violence, and you're afraid of someone finding your new name or address

# Do I need to fill out the privacy forms?

□ Yes: I'm worried that having my court records public and publishing my name change in a newspaper could be a risk of harm

You should fill out the privacy forms (called ACR Request forms):

- Form 8: Verified Request to Prohibit Public Access (ACR Request)
- Form 9: Public Notice of Hearing
- Form 10: Interim Order on ACR Request
- Form 11: Order on ACR Request
- → Pages 14 and 15 have step-by-step instructions to help you fill out the privacy forms.

 $\Box$  No: I feel safe having my case be public.

You don't need the privacy forms. Go ahead and take them out of your packet. Instead, fill out this form next:

- o Form 12: Notice of Petition for Change of Name
- → Page 16 has step-by-step instructions to help you fill out the notice form.



# Privacy Forms Instructions – Form 8, 9, 10, and 11

### Form 8: Verified Request to Prohibit Public Access (ACR Request)

(Asking the court to keep your case private)

This form asks the judge to:

- Keep your court records private
- Waive the requirement to publish your name change in the newspaper
- Review why you're asking for privacy (for example, for safety or privacy reasons)

Here's how to fill it out:

- Fill Out the Top Box (Caption)
   Use the same name and county you wrote on the other forms.
   Not sure what to put? Go to page 4 of this packet it explains the caption box.
- 2. Petitioner, Print your current legal name clearly on the line.
- 3. Date Write the date you are signing this form.
- 5. Print Your Name Print your current legal name clearly.

#### Form 9: Public Notice of Hearing

This form lets the public know that you are asking the court to keep your case private. It's only posted at the courthouse, not in a newspaper.

Here's how to fill it out:

- Fill Out the Top Box (Caption)
  Use the same county and name you wrote on the other forms.
  Not sure what to put? Go to page 4 of this packet it explains the caption box.
- Leave the Rest Blank You don't need to fill out the bottom part. It's for the Judge to fill out and sign.



#### Form 10: Interim Order on ACR Request

This form asks the judge to keep your case private until your court date. Here's how to fill it out.

- Fill Out the Top Box (Caption)
  Use the same county and name you wrote on the other forms.
  Not sure what to put? Go to page 4 of this packet it explains the caption box.
- Leave the Rest Blank
   You don't need to fill out the bottom part.
   It's for the Judge to fill out and sign.

#### Form 11: Order on ACR Request

This is the judge's official order to make your case private. Here's how to fill it out:

- Fill Out the Top Box (Caption)
  Use the same county and name you wrote on the other forms.
  Not sure what to put? Go to page 4 of this packet it explains the caption box.
- Leave the Rest Blank You don't need to fill out the bottom part. It's for the Judge to fill out and sign.

#### You're done with the forms!!! Now you're ready to file your case with the clerk.

You don't need Form 12: Notice of Petition for Change of Name. Go ahead and take it out of your packet.

#### → Go to Page 17 for step-by-step instructions on how to file.



#### Form 12: Notice of Petition for Change of Name

(Publishing your name change in a newspaper.)

You need to put an ad in a newspaper about your name change. This form has the information to put in the ad.

Here's how to fill it out:

- Fill Out the Top Box (Caption)
   Use the same county and name you wrote on the other forms.
   Not sure what to put? Go to page 4 of this packet it explains the caption box.
- Leave the Rest Blank
   You don't need to fill out the bottom part.
   It's for the county clerk to fill out after you file your forms.

 $\rightarrow$  Instructions for placing the newspaper ad are in **Part 2** of this packet.

You're done with the forms!!! Now you're ready to file your case with the clerk.

→ Go to Page 17 for step-by-step instructions on how to file.



# 4. Give the forms to the clerk's office to start your case

- Bring all the forms from **Part 1** that apply to you.
- If you're paying your court filing fee, bring your fee payment too.

You can find the clerk's office address at: <u>https://www.in.gov/courts/files/court-directory.pdf</u>

# 5. Get your court hearing details from the clerk

- The clerk will tell you details about your court hearing when you start your case, or later by phone, by mail, or by email.
- After filing, check your email, mail, and voicemail often for updates from the court. If you don't hear from the clerk within **3 weeks** after filing your case, call the clerk to ask about the status of your hearing.

#### My Case Information:

My case number:	
My court hearing date:	
My court hearing time:	
My court room:	
My court hearing type:	In-person or Virtual



# Part 2: Get ready for court and get the Judge's decision

# Part 2 Things to Do

- 1. Place an ad in the newspaper for changing your name [Only if your case is public.]
- 2. Collect your documents for your court hearing.
- 3. Get ready for your court hearing.
- 4. Talk to the Judge and get a decision

# Instructions:

- 1. Place an ad in the newspaper for changing your name [Only if your case is public.]
- Skip this section if you asked the court to keep your case private.
- You need to place an ad in a local newspaper as soon as you can. The ad must run once a week for **three weeks**, and the last ad must run at least **30 days** before your hearing.
- When you filed your case, the clerk stamped your "Notice of Petition for Change of Name". This is the information you will use for the newspaper ad. Contact one of your local newspapers to place the ad.
- After you place the ad, the newspaper should send you proof that it was published. Keep this proof and give it to the Judge at your hearing.

# 2. Collect your documents for your court hearing

- Bring these documents to court that apply to you:
  - State photo ID, if you have one
  - Original or certified copy of your Birth Certificate
  - US Passport, if you have one
  - Proof of your previous names (like marriage certificates, divorce decrees, or name change documents)
  - Proof that your name change ad was published in the newspaper (only if your case is public)



- For Marion County: You will receive the "Order for Documents." This is given to everyone. If you asked to keep your court records private (the ACR6 Request), the Order tells you that you do not need to publish anything in the newspaper before your hearing. If you are only asking for a gender marker change, you also do not need to publish anything before your hearing. If your case is public, the Order reminds you to place an ad in the newspaper before your hearing. Follow the other instructions in the Order and collect the documents, if you have them. Then bring the documents to your court hearing.
- There is NO requirement for medical information or surgery. Some judges may ask about your medical history. You do not have to share any medical information. If you are not comfortable telling the court private medical details, just let the judge know.

# 3. Get ready for your court hearing

- Going to court can feel scary, but most name and/or gender marker change cases are quick and easy. Here are some common questions about the court hearing:
  - What should you wear? Wear something that isn't too casual, but also makes you feel comfortable and confident. You can't wear hats in the courtroom.
  - What to expect when you first get to court? In many courts, you must go through security. The lines can be long, so try and arrive at least 15 minutes before your hearing. Make sure you are on time for your hearing. If you arrive late, the judge may reschedule your hearing for another date.
  - Finding your courtroom. If you don't know where the courtroom is, ask a security guard or court worker for help. When you find your courtroom, go to the court office and let them know you are there for your hearing. The court worker will tell you where to wait. Then, take a seat and wait for your turn.
  - Video hearings. Download the software a few days before your hearing. After it is installed, test it out to make sure it works. On the day of your hearing, find a quiet place with good internet connection. Join your video hearing about 5 minutes before it starts. After you log in, you will wait for the court to let you into the virtual hearing room. Sometimes the Judge is behind schedule, so you may be let in after your scheduled hearing time.
  - What name and pronoun will the judge use? The court case is listed under your old name, but some judges try not to use your old name or pronouns. Some



judges may ask what your pronouns are. Other judges might not think about it and will use your old name.

# 4. Talk to the Judge and get a decision

- When it is your turn, someone from the court will call your legal name. They will tell you where to sit, and the hearing will begin. You will swear to tell the truth, and then the Judge will ask you questions.
- If you asked to keep your court records private (ACR Request):
  - Tell the judge about why you would face a "big risk of harm" if your name change were published in the newspaper and if your name and/or gender marker change were posted on the court website.
  - Explain why you would feel unsafe if your transgender identity and contact information were made public. Share any experience of violence or discrimination you have faced because of your gender identity, or any stories of violence that you have heard about transgender people facing. This will help the judge understand why it's unsafe for your information to be shared publicly.
  - After the Judge finishes asking questions, they will tell you if your ACR Request is granted. Some judges may decide your ACR Request and then schedule a second hearing for your name and/or gender marker change request. Most judges will handle both requests at the same hearing.
- If you published in a newspaper:
  - Give the Judge proof that your name change was published in a newspaper.

# • The Judge will ask you questions about your name and gender marker change.

- You need to show the judge that you are who you say you are, and the law lets you change your name and gender marker. To do this, show the Judge your ID and birth certificate, and tell them that the information in your legal paperwork is true.
- You should also tell the Judge about why you are changing your name and gender marker. You should explain that you want your name and gender marker



to match who you are and explain that you are not changing your name to avoid the police or debts.

- After the Judge is done asking questions, they will tell you if your name and gender marker is changed. Sometimes, the judge may not decide right away because they need more information (for example, if you forget to bring your ID or birth certificate).
- If your name and/or gender marker change is approved, the Judge will let you know if you can get official copies of your court order after the hearing, or if you need to come back another day to get them.

# If any part of your case was denied, please contact the LGBTQ+ Project ASAP at lgbtgroup@ilsi.net or 317-829-3180.



# Part 3: Change your IDs after court

# Part 3 Things to Do:

- 1. Get certified copies of your name and/or gender marker change court orders.
- 2. Update or get new IDs with your new name and/or correct gender marker.

**CONGRATULATIONS!** The judge has signed the court order that legally changes your name and/or gender marker.

# Instructions

- 1. Get certified copies of your name and gender marker change court orders
- To use the court orders to update your IDs, you need to get **certified** copies. A certified order has a special stamp that shows it is an official court document.
- To get certified copies, go to or contact the clerk's office the same office where you started your case. The cost is usually **\$2 per page**. You should get **3-5 copies**.

# 2. Update or get new IDs with your new name and/or correct gender marker

- Updating IDs requires paperwork and different rules for each ID. Each place that issues an ID has its own rules for name and/or gender marker changes. We've included a guide with instructions and forms for updating the following:
  - Social Security Card
  - Indiana driver's license or ID
  - Birth Certificate
  - US Passport
  - Voter Registration
- We also recommend updating your name with your banks, credit cards and credit reporting agencies. You can find a guide to updating your name with credit reporting agencies at <u>https://www.nerdwallet.com/article/finance/how-trans-and-nonbinarypeople-can-change-names-on-credit-reports</u>.



- If you have questions or need help updating your IDs, please contact us.
- Safe and Supportive Resources. If you need a safe and supportive space, consider reaching out to these organizations that provide community and resources:
  - GenderNexus <u>https://www.gendernexus.org/</u>
  - Trans Solutions Research & Resource Center <u>https://www.transsolutionsrrc.org/</u>
  - IYG <u>https://www.iyg.org/</u>

# You're done with this packet!

Congratulations on all your hard work. Good luck as you move forward with updating your documents. If you need assistance at any point, don't hesitate to reach out to us.

IN THE \_\_\_\_\_ COUNTY COURT

(county you are filing in)

COUNTY OF \_\_\_\_\_

(county you are filing in)

y you are fuing in)

Case Number:

IN RE MATTER OF:

(current legal name)

Petitioner

# APPEARANCE BY SELF-REPRESENTED PERSON IN CIVIL CASE

- 2. My contact information for receiving legal service of documents and case information is required by Court Rules:

Mailing Address:

Email Address: \_\_\_\_\_

Phone: \_\_\_\_\_\_

- 3. This is a MI case type as defined in Administrative Rule 8(B)(3).
- 4. I will not accept service by fax. I will accept service by email at the above noted email address.

Date

Signature

Printed Legal Name

IN THE \_\_\_\_\_ COUNTY COURT

(county you are filing in)

COUNTY OF

(county you are filing in)

Case Number:

IN RE MATTER OF:

(current legal name)

Petitioner

#### <u>VERIFIED PETITION FOR CHANGE OF NAME AND</u> <u>CORRECTION OF BIRTH CERTIFICATE</u>

Petitioner, \_\_\_\_\_\_, respectfully (current legal name)
requests a change of name under Indiana Code § 34-28-2-1, and requests a correction of the sex/gender designation on their birth certificate under Indiana Code § 16-37-2-10, and pursuant to the inherent equity jurisdiction of the Court. *In Re Petition for Change of Birth Certificate*, 22 N.E.3d 707 (Ind. Ct. App. 2014). In support, Petitioner states:

My current legal name is \_\_\_\_\_\_.

3. My current residential address is:

4. My current mailing address is:

- 6. □ I have not had any other legal names.□ My previous legal names are:
- 7. I was born in \_\_\_\_\_

(State)

- 8. □ I do not hold a valid US passport.
  □ I hold a valid US passport.
- 9. I have never been convicted of a felony.
- 10. I am not a sex or violent offender who is required to register under I.C. § 11-8-8-16(a).
- 11. I want to change my legal name to:
- 12. My petition is made in good faith and not for fraudulent or unlawful purposes. I am not seeking to defraud creditors by changing my name.
- 13. 

  I request that the name on my birth certificate be changed to my new legal name.
  I do not request to change the name on my birth certificate.
- 14. The current sex/gender designation on my birth certificate is

<sup>15.</sup> Pursuant to the inherent equity jurisdiction of the Court and § 16-37-2-10, I also request a correction of the sex/gender designation on my birth certificate to \_\_\_\_\_\_\_ because I want my birth certificate to accurately reflect my gender and presentation. *In Re Petition for Change of Birth Certificate*, 22 N.E.3d 707 (Ind. Ct. App. 2014).

16. I respectfully request that the Court issue separate orders for the Change of Name and the Correction of Birth Certificate. I believe that separating these matters into distinct orders will facilitate a clearer and more effective update of my identity documents.

WHEREFORE, I respectfully request that this Court grant my Verified Petition for Change of Name and Correction of Birth Certificate, and for all other just and proper relief.<sup>1</sup>

I affirm under penalties for perjury that the foregoing representations are true to the best of my knowledge and belief.

Respectfully Submitted,

Date

Signature (Legal Name)

Printed Legal Name

<sup>&</sup>lt;sup>1</sup> Notarization is not required under Trial Rule 11(B). Trial Rule 1 provides that the trial rules, not Indiana Statutes, govern procedure and practice in all civil suits. See also *Yang v. Stafford*, 515 N.E.2d 1157 (Ind. Ct. App. 1987).

STATE OF INDIANA	IN THE COUNTY COURT
COUNTY OF	(county you are filing in)
(county you are filing in)	Case Number:
IN RE MATTER OF:	
,	
<i>(current legal name)</i> Petitioner	

# **ORDER SETTING HEARING**

The Court, having considered Petitioner's pleadings filed in this matter, finds that the matter

should be set for hearing.

IT IS THEREFORE ORDERED that this matter shall be heard on:

\_\_\_\_\_ in person.

\_\_\_\_\_ by virtual platform. The Court will provide instructions to the parties for a video

hearing.

So ORDERED \_\_\_\_\_\_.

Dated\_\_\_\_\_

Judicial Officer

STATE OF INDIANA	
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IN THE COUNTY COURT

(county you are filing in)

COUNTY OF \_\_\_\_\_

(county you are filing in)

**Case Number:** 

IN RE MATTER OF:

(current legal name)

Petitioner

# **ORDER ON CHANGE OF NAME**

The Court, having reviewed the Verified Petition and the evidence presented at the hearing, now finds:

1. Petitioner has met all requirements of Indiana Code § 34-28-2 et seq. and is not statutorily

barred from changing their name.

- 2. Petitioner's date of birth is \_\_\_\_\_.
- 3. Petitioner's current legal name is:
- 4. Petitioner's former legal name(s) are:

IT IS THEREFORE ORDERED that the Verified Petition is GRANTED and Petitioner's legal name is changed to:

# The name on Petitioner's birth certificate shall:

- □ Be changed to \_\_\_\_\_
- □ Not be changed.

IT IS FURTHER ORDERED that all agencies, institutions and offices issuing the Petitioner identity documents or holding records related to Petitioner are directed to amend such documents consistent with this order, including but not limited to the Indiana State Department of Health and its subdivisions.

ORDERED \_\_\_\_\_.

Judicial Officer

IN THE (	COUNTY	COURT
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(county you are filing in)

COUNTY OF \_

(county you are filing in)

**Case Number:** 

IN RE MATTER OF:

(current legal name)

Petitioner

# **ORDER ON CORRECTION OF BIRTH CERTIFICATE**

The Court, having reviewed the Verified Petition and the evidence presented at the hearing now finds:

1. Petitioner is seeking to change their sex/gender designation in good faith and not for a

fraudulent or unlawful purpose.

- 2. Petitioner's date of birth is \_\_\_\_\_\_.
- 3. Petitioner's current legal name is:
- 4. Petitioner's former legal name(s) are:

IT IS THEREFORE ORDERED that the Verified Petition is GRANTED and

Petitioner's legal sex/gender designation is changed to \_\_\_\_\_\_.

**IT IS FURTHER ORDERED** that all agencies, institutions and offices issuing the Petitioner identity documents or holding records related to Petitioner are directed to amend such documents consistent with this order, including but not limited to the Indiana State Department of Health and its subdivisions.

ORDERED \_\_\_\_\_.

Judicial Officer

IN THE **\_ COUNTY COURT** (county you are filing in)

COUNTY OF \_\_\_\_\_

(county you are filing in)

**Case Number:** 

IN RE MATTER OF:

(current legal name)

Petitioner

# **VERIFIED MOTION FOR FEE WAIVER**

Petitioner, \_\_\_\_\_

*(current legal name)* 

- 1. I wish to file this action, and I believe that I have a case with merit.
- 2. I cannot afford the fees and costs associated with this action.
- 3. I live with \_\_\_\_\_ people who are **over** the age of eighteen (18).
- 4. I live with \_\_\_\_\_ people who are **under** eighteen (18) years of age.
- 5. I am financially responsible for \_\_\_\_\_ people **who live in my household**.
- 6. The combined income of all persons I am responsible for supporting is \$\_\_\_\_\_ per

month (total from below).

Income Received Each Month (before taxes)			
Employment         \$/hour x hours a month         \$/hour x hours a month         \$/hour x hours a month	\$ \$ \$		
Unemployment TANF Benefits SSI/SSD Benefits Child Support Other (please describe)	\$ \$ \$ \$ \$ \$		
Total Income	\$		

\_\_ states:

- 7. I have \$\_\_\_\_\_\_ in the bank.
- 8. My household expenses total \$\_\_\_\_\_ per month (total from below).

Monthly Expenses		
Housing (rent, contract, mortgage)	\$	
Utilities (gas, electricity, water, phone, etc.)	\$	
Food	\$	
Child Care	\$	
Medical Bills	\$	
Transportation	\$	
Insurance (car, medical, rental, and/or property)	\$	
Child Support	\$	
Other (please describe)		
	\$	
	\$	
	\$	
	\$	
Total Expenses	\$	

- 9. There is no other party to serve.
- 10. Based on the above, I request that the Court waive all costs of this action and allow me to proceed without the payment of any filing fees or other costs I.C. § 33-37-3-2(a).

I affirm under penalties for perjury that the foregoing representations are true and correct to

the best of my knowledge.

Respectfully Submitted,

Date

Signature

Printed Legal Name

STATE OF IN	DIANA	IN THE	COUNTY COURT
COUNTY OF		(county ye	ou are filing in)
	(county you are filing in)	Case Number:	
IN RE MATTE	ER OF:		
		_,	
Petitioner	urrent legal name)		

# **ORDER ON FEE WAIVER**

The Court, having reviewed Petitioner's Request for a Fee Waiver, issues the following Order:

- 1. The Verified Request for Fee Waiver is GRANTED.
- 2. Petitioner may file this Case without the pre-payment of any filing fees, costs, security, bond, or other expenses.
- 3. The Court may review this finding of inability to pay court fees at a later date.

ORDERED \_\_\_\_\_\_.

 COUNTY	COURT

(county you are filing in)

COUNTY OF

(county you are filing in)

**Case Number:** 

IN THE

IN RE MATTER OF:

(current legal name)

Petitioner

## <u>VERIFIED REQUEST TO PROHIBIT PUBLIC ACCESS AND WAIVE PUBLICATION</u> <u>PURSUANT TO ACCESS TO COURT RECORDS RULES</u>

Petitioner, \_\_\_\_\_, respectfully petitions this Court (current legal name)

under Rule 6 of the Indiana Access to Court Records Rules ("A.C.R."). In support, Petitioner states:

- I am seeking to change my name and correct the sex/gender designation on my birth certificate because I want my identity documents to accurately reflect my gender and presentation.
- I am requesting, under Rule 6 of the Indiana Access to Court Records Rules (A.C.R.), that the Court keep this case confidential and waive the publication requirements of Ind. Code § 34-28-2-3.
- 3. I am making this request to avoid harm from publicizing my case, and to protect my privacy, safety, and confidential health information.
- 4. Based on my awareness of the high rates of violence and discrimination against transgender and gender non-conforming people in Indiana and nationwide, I believe that having to publish notice and having my case publicly available on the Court's electronic case management system puts me at substantial risk of harm and presents a significant risk that I could be targeted by acts of discrimination or violence based on my gender and/or by being outed as transgender.

- 5. FBI crime data shows that the number of recorded hate crimes against transgender people continues to rise, increasing from 307 gender identity-based incidents in 2021, to 515 in 2022, to 547 in 2023. Kiara Alfonseca, *Hate Crimes, Particularly Against LGBTQ+ Community, on the Rise: FBI Data*, ABC News (Sept. 23, 2024), https://abcnews.go.com/US/hate-crimes-lgbtq-community-rise-fbi-data/story?id=113962673.
- 6. Fatal attacks against transgender people prompted the American Medical Association to adopt a plan to help bring national attention to the epidemic of violence against the transgender community. AMA Adopts New Policies on First Day of Voting at 2019 Annual Meeting, American Medical Association (June 10, 2019), https://www.ama-assn.org/presscenter/press-releases/ama-adopts-new-policies-first-day-voting-2019-annual-meeting.
- U.S. Department of Justice statistics have shown that the rate of violent victimization against transgender persons is 2.5 times the rate among cisgender persons. U.S. Department of Justice, Bureau of Justic Statistics, *Violent Victimization by Sexual Orientation and Gender Identity*, 2017-2020 (June 2022),

https://bjs.ojp.gov/content/pub/pdf/vvsogi1720.pdf.

- Of all bias-motivated crimes reported by Indiana law enforcement agencies in 2023, 9.8% of those crimes were motivated by gender identity. 2023 Hate Crime Statistics for Indiana, U.S. Department of Justice (2022), https://www.justice.gov/hatecrimes/state-data/indiana.
- 9. The 2021 National School Climate Survey found that 74% of transgender students reported experiencing in-person bullying, harassment, or assault at school based on their gender expression, and 42% of transgender respondents reported experiencing similar victimization online. The 2021 National School Climate Survey: The Experiences of LGBTQ+ Youth in

Our Nation's Schools, GLSEN (2022), https://www.glsen.org/sites/default/files/2022-10/NSCS-2021-Full-Report.pdf; Joseph G. Kosciw, Caitlin M. Clark & Leesh Menard.

- 10. In a national survey of transgender workers, over 80% of transgender respondents reported experiencing at least one form of physical, verbal, or sexual harassment or discrimination at work because of their gender identity or sexual orientation during their lifetime. Brad Sears, Christy Mallory, Andy Lin, and Neko Michelle Castleberry, *Workplace Experiences of Transgender Employees* (Nov. 2024), https://williamsinstitute.law.ucla.edu/wpcontent/uploads/Trans-Workplace-Discrimination-Nov-2024.pdf.
- 11. The Court of Appeals is clear that these sobering statistics regarding the risks of harassment, violence, and homicide to the transgender population, both nationwide and in Indiana demonstrates significant risk of harm to warrant prohibiting public access. *In re Name Change of A.L.*, 81 N.E.3d 283 (Ind. Ct. App. 2017); *In Re M.E.B.*, 126 N.E.3d 932 at 934 (Ind. Ct. App. 2019); *In Re K.H.*, 127 N.E.3d 257 (Ind. Ct. App. 2019); *In re Name & Gender Change of R.E.*, 142 N.E.3d 1045 (Ind. Ct. App. 2020).
- 12. A.C.R. Rule 6 requires judges to evaluate if a substantial risk of harm exists under the totality of the circumstances and to proactively protect applicants' safety. Rule 6 does not require that Plaintiff endure targeted threats, violence, or abuse before granting temporary and permanent sealing and a publication waiver. *E.g. In Re M.E.B.*, 126 N.E.3d 932 at 934 (Ind. Ct. App. 2019).
- 13. There are no other parties or interested persons to this action.

WHEREFORE, Petitioner respectfully requests that, under Access to Court Records Rule 6 and 5, this case be excluded from public access by sealing the record of this proceeding and by waiving the publication requirements of Indiana Code § 34-28-2-3(a).

I affirm under penalties for perjury that the foregoing representations are true to the best of my knowledge and belief.

Respectfully Submitted,

Date

Signature

Printed Legal Name

IN THE	COUNTY	COURT

(county you are filing in)

COUNTY OF \_

(county you are filing in)

Case Number:

IN RE MATTER OF:

(current legal name)

Petitioner

### **PUBLIC NOTICE OF HEARING**

Please take notice: Petitioner filed a Verified Request to Prohibit Public Access and Waive

Publication Pursuant to Access to Court Records Rules and requested that the Court enter an Order to

permanently exclude the entire case from public access. The Court, having duly examined said request,

hereby sets the matter for hearing on

ORDERED \_\_\_\_\_

IN THE	 COUNTY	COURT
	 COUNTI	COURI

(county you are filing in)

COUNTY OF \_\_\_\_\_

(county you are filing in)

**Case Number:** 

IN RE MATTER OF:

(current legal name)

Petitioner

### **INTERIM ORDER ON VERIFIED REQUEST TO PROHIBIT PUBLIC ACCESS**

Upon review of Petitioner's Verified Request to Prohibit Public Access and Waive Publication Pursuant

Access to Court Records Rules, the Court issues the following interim order:

- Pursuant to Access to Court Records Rule 6(C)(2), the Clerk is directed to post a copy of the Public Notice of Hearing in accordance with I.C. 5-14-3-5.5.
- Pursuant to Access to Court Records Rule 6(A), the Clerk is directed to render this case confidential, by excluding it from public access on the Court's electronic case management system, until a final ruling on the request is made.

ORDERED \_\_\_\_\_

IN THE	COUNTY	COURT
	000111	00011

(county you are filing in)

COUNTY OF \_\_\_\_

(county you are filing in)

**Case Number:** 

IN RE MATTER OF:

(current legal name)

Petitioner

# **ORDER ON VERIFIED REQUEST TO PROHIBIT PUBLIC ACCESS**

Following a hearing on the matter, held on \_\_\_\_\_\_, the Court now issues the

following Findings and Order:

- Petitioner has demonstrated by clear and convincing evidence that the requirements of Access to Court Records Rules 6(A) are met.
- 2. Petitioner demonstrated that the personal safety interests served by prohibiting public access to the entire court record of this case outweigh the public access interests served by the Access to

Court Records Rules.

3. Permanently prohibiting public access to the entire court record and waiving the publication

requirements are/is the least restrictive means and duration to protect Petitioner's personal safety.

**WHEREFORE IT IS ORDERED** that public access to the entire court record under this case number is permanently prohibited and all public access to all further proceedings and documents under this case number is prohibited.

**IT IS FURTHER ORDERED** that the publication requirements of Indiana Code §34-28-2-3(a) are waived.

ORDERED \_\_\_\_\_

IN THE \_\_\_\_\_ COUNTY COURT

(county you are filing in)

COUNTY OF \_

(county you are filing in)

**Case Number:** 

IN RE MATTER OF:

(current legal name)

Petitioner

## **NOTICE OF PETITION FOR CHANGE OF NAME**

Notice is hereby given that I have filed a Petition for Change of Name in \_\_\_\_\_

County, Indiana and that said petition will be heard by the Court on

Clerk