



## Name and Gender Marker Change Resources\*

**Please note:** Due to the Trump administration's recent attempts to change federal practices around gender markers, please note OutFront Minnesota's guidance to "hold off on seeking any gender marker changes until there is clarity around the process" on federal documents (passports, Social Security) as of January 20, 2025. Please reach out with questions.

### Get Help

Family Tree is happy to assist patients in filling out forms and navigating the name change process. In Minnesota, legally changing your name is straightforward, and in most cases, you do not need an attorney.

- Forms are available online at [MNCourts.gov](https://mncourts.gov). You can also find forms at your county courthouse. Please contact [navigator@familytreeclinic.org](mailto:navigator@familytreeclinic.org) or 612-454-0738 for more resources, including information on our quarterly Legal Name & Gender Marker Change Clinics with legal professionals.

### Legal Name Change Requirements

- You must have lived in MN for at least 6 months and be a resident of the county in which you apply.
- You must have two adult witnesses at your name change hearing who have known you for at least a year, and they can be friends or family. If you are married, one witness should be your spouse.
- Most counties [charge around \\$300.00](#) for the Name Change filing fee. However, if you are low income, are on or eligible for any type of public assistance (such as Medical Assistance, SSI, or SNAP), you may be able to have the fee waived. If you need the fee waived due to financial hardship, it is worth filling out an [Affidavit for Proceeding In Forma Pauperis \(IFP\)](#).
- The only reason that the court will not grant the name change is if the judge feels that you are changing your name to defraud or mislead anyone (Please see Minnesota Statute 259.11).
- If the person whose name is being changed is under 18, all known parents must be notified of the name change before the court hearing (they don't necessarily have to agree). One parent or guardian must submit the application on behalf of the minor. Once a person turns 18, they would be able to apply for IFP on their own and may be more likely to get the fee waived.

### Gender Marker Changes **(please see above note)**

- There is a space on the name change forms for adults to request a gender marker change on an MN birth certificate. Most judicial officers will order the gender marker change; others may not depending on how they interpret the statute governing changes to birth certificates. If you are asking for a gender marker change on your birth certificate, you may want to come to court with an ACT (Appropriate Clinical Treatment for gender transition) letter from your provider. This letter



would need to be signed by a physician (MD or DO). Contact our front desk if you would like one of these letters from your provider.

- If a gender marker change was not included in your name change order, an administrative process allows you to change your gender marker on your birth certificate if you were born in MN through the MN Department of Health. For this, you will need an [ACT letter](#). You do not need to go through the court to have your gender marker changed on any documents.
- You do not need an ACT letter from a physician to get your gender marker changed on your Minnesota driver's license. It is a self-identifier like changing your eye color on your ID. It is a good idea to let the clerk know that you are making that change so they enter it correctly. You can choose between the gender markers M, F, and X on MN driver's licenses.
- As of June 2021, an ACT letter is no longer required to change your gender marker on a passport. It is now a self-identifier like it is at the DMV. You will still need a court order to change your name on your passport, but the gender marker can be done without the court order or ACT letter. Passports offer M, F, or X as gender markers.
- As of fall 2022, an ACT letter is no longer required to change your gender marker with social security. It is now a self-identifier like it is at the DMV or on passports. Social security still only has M and F options, no X option. You will still need the court order to change your name with social security.

***Were you born in another state?*** Courts in MN cannot always order other states to change their birth record. If you need assistance changing your birth certificate in another state, our quarterly Legal Name and Gender Marker Change Clinic may be able to help you navigate that process.

## **Name Change Process**

- The name change process is similar in most counties. You will need to fill out three [forms](#): 1) the Application for Name Change, 2) the Proposed Order for Name Change, and 3) the Criminal History Check Release. If you have a felony on your record, there may be more forms or steps you must take; it's a good idea to speak with an attorney or legal clinic before your court hearing if you have a felony on your record.
- The forms are filled out according to the instructions and submitted to the [county courthouse](#) in the county where you live along with the filing fee or fee waiver form.
- After you submit your forms/fees, the court will send you a letter within 2 weeks notifying you of which judge has been assigned to your case. Call the judge's clerk to schedule a hearing.

***Do you live in Hennepin County?*** You can drop off your forms and either your cash, check, card or money order (made payable to District Court Administrator) or fee waiver form at the Civil Filing counter on the 3rd floor of the C Tower in the Hennepin County Government Center in downtown Minneapolis (300 South 6th St).

*\*This is not legal advice. We recommend contacting an attorney or legal clinic if you have questions that are not answered here.*



## Court Hearing

- You and your witnesses should arrive early for your court date. Your court date will likely be virtual (such as over Zoom) or in-person in a courtroom if you request.
- If your hearing is in person, you can also have other support in the courtroom, though they will need to stay in the gallery when your name change request is heard before the court. Be aware that there will be security measures in place at the courthouse. These vary from metal detectors to restrictions on bags, weapons, food, and drinks. Make sure that both you and your witnesses are aware of the restrictions. Many courts do not like young children in the courtroom (they must be silent the entire time they are in the court). Be prepared to have someone stay with your child(ren) outside the courtroom if the court asks that they leave.
- The hearing usually lasts no more than a few minutes, though you will have to wait for your turn on the docket (multiple civil cases may be scheduled for the same time).
- The Judicial Official may ask you questions regarding your identity, how long you have lived in Minnesota, if you are changing your name to defraud or mislead anyone, and why you are changing your name. Witnesses will be asked similar questions. If you are asking for a gender marker change, you should have an ACT (Appropriate Clinical Treatment for gender transition) letter from a licensed health care provider with you to give to the court.
- After the hearing, you will receive a copy of the order. In some counties, the order is available immediately; in others, you will receive it in the mail. You will need to get at least one certified copy of the order (2-3 copies is suggested). The certified order with the raised seal is the legal document that you will need to show to change your name on your birth certificate, driver's license, passport, social security card, etc. These usually cost roughly around \$15 a piece.
- The most important document that you need to change after you receive your certified copy of the name change order is your social security card. Many other documents and organizations need the name changed with social security before they can make any changes. The Minnesota online driver's license process also cross checks your name with social security, so if you are planning to start your driver's license process online you should change your name and gender with social security first. Changing your name with the DMV needs to be done within 30 days of your court date, so it is best to get your name changed with social security as soon as possible. If done in person at your local SSA office, your name can usually be updated in the social security system within 48 hours.



### Name and Gender Change Checklist (please see above note)

Here are common steps that people go through when changing their name and gender. Not all of these steps apply to all people, your situation may differ.

- Fill out name change paperwork
- Submit to county courthouse and pay filing fee (in-person recommended)
- If requesting gender marker change on your birth certificate, get an ACT (Appropriate Clinical Treatment for gender transition) letter from medical provider
- Wait for courthouse to assign you a judge
- Call the judge's clerk to schedule your hearing and/or request interpreter
- Find witnesses to go to court date
- Notify all legal parents/guardians if changing the name of a minor
- Show up early for court date
- Go to your court hearing
- Receive certified official copies of the court order
- Go to social security office to change name and/or gender on card
- Go to DMV to get new driver license or ID with new name and/or gender\*\*
- Bring new social security card to employer to update name and records at work including health insurance
- Update your new name with your school (and former schools for transcripts and to get new diplomas if you wish)
- Call any public or private health insurance to update with new name and/or gender\*\*
- Update your name and gender with your medical providers and pharmacy (after insurance has been updated)
- Update your name with banks, landlord, utilities, cell phone company, credit card companies, car insurance, car title, mortgage, student loan servicer, voter registration, etc.\*\*
- Update your name with your tribe, if applicable
- Update your name with U.S. Citizenship and Immigration Services, if applicable\*\*
- Go online at the Minnesota Department of Health to download and fill out paperwork to update your birth certificate
- Apply for a new passport\*\*

\*\*May need gender and/or name changed with Social Security first