

Services for Transgender and Gender Non-Conforming (TGNC) People

Correcting Your NY, NJ, CT, and Federal Identity Documents

Callen-Lorde Community Health Center

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A quick guide to correcting sex designations ...

What is an Identity Document?

- Driver's License and Non-Driver's Photo ID
- NYS Benefits Card
- Social Security Card (and record)
- Passport
- Birth Certificate
- Naturalization Certificate, Employment Authorization Card, or Permanent Resident Card



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Going to change your info...

Going to these offices to change your information is sometimes very stressful. We don't always know what to expect, or how we will be treated. Here are some things to keep in mind to try to make your trip go smoothly.

- **Know what is required to make the requested change.** If you don't have the correct documentation you will not be able to get the changes or documents you are requesting.
- **Bring a friend!** It's always great to have someone by your side, who can both keep you cool, calm, and collected, and who can also advocate for you, if needed.
- **Believe the best-case scenario is possible.**
- **Keep a positive and professional attitude,** even if seems hard, and even if they are being rude, inconsiderate, or even transphobic. If it is getting to a point where you need to leave, try to do so calmly.
- **Stay safe!** If you get upset, do not escalate, and do not give anyone a reason to call security or the police.
- **Have a plan for something nice to do afterwards.** Touch base with a friend. Take a walk. Treat yourself to something calming or celebratory!

And remember...

- If the worker you are talking to asks detailed questions about your surgical or genital status, your identity, or other invasive questions, you do not need to answer them. You can say: "I do not feel comfortable discussing my personal medical history. I'm just trying to update my record. Can you help me out?"
- If you are having a problem with the worker you are talking to, you can request to speak to their supervisor.
- You might have a totally different experience if you come back the next day! You never know who's going to be waiting for you at the window. They might be a fantastic ally!

Remember!

Be sure you have what you need to make changes to your identity documents! Always bring:

- Photo ID
- Birth Certificate, Immigration Documents, or Passport
- Social Security Card
- Proof of Address
- Court-Order Name Change if some of your documents have your new name and some have your old name
- Any required fees

First, A Note ...

We hope this guide will help you make the changes you need to make on your documents. There’s information about documents and fees needed, and some strategies, too. Fees are subject to change, so double-check to make sure you have the right amount.

State IDs

New York State

Change Name: Show a Court Ordered Name Change. Submit with Form MV-44.¹

Change Sex: Provide a letter from your primary care provider with a “medical determination that one gender predominates over the other.”² No surgeries are necessary to correct your NYS Driver’s License or Photo ID. Submit this with Form MV-44, Application for DL or Photo ID.

You must go to the DMV office to correct this ID Document. If you are getting a new ID or your ID has expired, you will be required to pay the fee for a new or renewed ID. Otherwise, you will need to pay the fee for a correction. Take it to the DMV office with 6 points of identity³ and a fee of \$12.50 (DL) or \$5 (Photo ID).



New Jersey

Change Name: Show a Court Ordered Name Change.

Change Sex: Complete the top section of the Declaration of Gender Designation Change for NJ Motor Vehicle Commission (MVC) Driver License or ID Card.⁴ Have your licensed medical provider, therapist, or social worker complete the bottom section and sign the form. Take it to the MVC office with 6 points of identity⁵ and a fee of \$11.



Connecticut

Change Name: Show a Court Ordered Name Change. Submit with form E-78.⁶

Change Sex: Provide a letter from your primary care provider attesting that you are “in active treatment” and “living full time according to the requirements mandated by the [WPATH] Standards of Care for Sexual Reassignment.” No surgeries are necessary. Take it to the DMV with a current Photo ID and a fee of \$30.



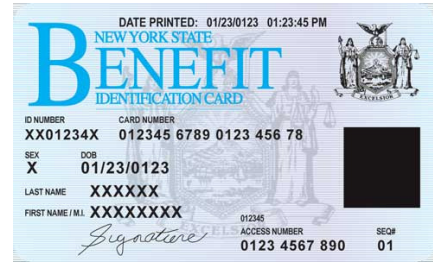
NY State Benefits Cards

Change Name: Show a Court Ordered Name Change.

Change Sex: There is no policy. The Human Resources Administration (HRA)/Medicaid unofficially requires correcting the Birth Certificate and/or Social Security Record to correct your Medicaid/Benefits card.

You must go to the Medicaid office to correct this ID document. If you are on HASA, you must go to your HASA worker.

To correct your Managed Care Plan Card, you must correct your HRA record and then call your Managed Care Plan and ask them to correct their record and send you a new card.



If you receive PA, MA, or Foodstamps **in a state other than New York**, please see a local LGBT Center or social services office for assistance.

Birth Certificates

Birth Certificate rules are based on your birthplace and vary by state. For detailed explanations, see Dr. Becky Allison’s guide to Changing Birth Certificates at drbecky.com/birthcert.html and Lambda Legal’s *Sources of Authority to Amend Sex Designations on Birth Certificates* at lambdalegal.org/publications/sources-of-authority-to-amend.

New York City

Change Name: Show a Court Ordered Name Change. Submit with form VR-172.⁷

Change Sex: Complete VR-172, the Application for the Correction of a Birth Certificate, especially section F and Step 5, where you can indicate the needed change to your sex designation and/or name.

You must include medical documentation to correct the sex on your Birth Certificate. DOHMH is looking specifically for: (1) date surgery was performed; (2) name of surgeon; (3) medically-specific details of the surgeries performed, including specific types of surgery (penectomy, orchiectomy, vaginoplasty, hysterectomy, and/or



phalloplasty); (4) a signed statement or report from the surgeon who performed the surgery stating that the surgery was actually performed and successfully completed; and (5) a letter from your medical provider confirming that they examined you and the surgical change of sex was completed.

Follow directions on form VR-172 to submit application, with fees (\$40 processing fee plus \$15 per copy for each new certificate). Take or mail to 125 Worth St., Rm 144, NY, NY 10013.

You will be issued a new birth certificate.

New York State

Change Name: Show a Court Ordered Name Change. Submit with form DOH-297.⁸

Change Sex: Complete the Application for the Correction of Birth Certificate, indicating the needed change to your sex designation and/or name.

You must include medical documentation to correct the sex designation on your Birth Certificate. You should provide: (1) a letter from your surgeon indicating date and place surgery was performed, and type of sex reassignment procedure performed (only lower surgeries count); (2) the surgical operative report from your surgery, dated and signed by your surgeon; (3) a letter from a therapist "documenting true Transsexualism or inappropriate sexual identification"; and (4) a letter from your medical provider regarding "hormonal, chromosomal, or endocrinological information."

Follow directions on the form to submit application, with relevant fees. (First corrected certificate free, additional certified copies are \$15 each). Send to: Correction Unit, Vital Records Section, PO Box 2602, Albany, NY 12220-2602.

You will be issued a new birth certificate.

New Jersey

Change Name: Show a Court Ordered Name Change. Submit with letter indicating change needed.⁹

Change Sex: Write a letter detailing the changes you are requesting be made to your birth certificate (name you are changing to, sex designation), along with your original birth information (name given at birth, date and



location of your birth, your parents' names) or a copy of your birth certificate and include with it a sealed copy of the court ordered name change, a notarized copy of a detailed letter from your surgeon regarding your SRS (or a notarized copy of the surgical report from your surgery), and your return address and phone number. Mail this documentation with a \$27 check or money order made out to the New Jersey State Treasurer to New Jersey Department of Vital Statistics, ATTN: Modifications Unit, PO Box 370, Trenton NJ, 08625. Requests may only be made by mail.

You will be issued a new birth certificate.

Connecticut

Change Name: Show a Court Ordered Name Change.

Change Sex: You will need a letter or affidavit from (1) the surgeon who performed the "sex change operation, attesting to the fact that the surgery was performed" and (2) a licensed MH provider (therapist or psychiatrist) indicating that you are "socially, psychologically, and mentally" the gender you identify as. Submit to your local dept of health for review by the commissioner.¹⁰

You will be issued a new birth certificate.

Social Security Cards

The gender marker in your SS record is used in background checks, in your SSD/I benefits record, and for Medicare. NYC residents can make corrections to SS records at any Card Center (Manhattan—123 Williams St., 3rd Fl.; Brooklyn—154 Pierrepont St., 6th Fl.; Bronx—820 Concourse Village West, 2nd Fl., Queens—155-10 Jamaica Ave., 2nd Fl.). Outside of NYC go to your local SS office. If you receive SS benefits and live in NYC go to the SS Benefits office to be sure your record is completely corrected.



Change Name: Show a Court Ordered Name Change.

Change Sex: Show any one of the following documents: (1) a letter from an MD/DO (doctor) stating that you have had appropriate clinical treatment for gender transition (to the gender you ID as), that you have a doctor/patient relationship, and that the provider is not perjuring themselves (this is the same policy used by the Department of State for US Passports); OR (2) correct passport; OR (3) correct birth certificate; OR (4) a court-ordered gender marker change.

United States Passports

Change Name: Show a Court Ordered Name Change.

Change Sex: You will need a letter from your primary care provider indicating that you are in clinical treatment determined by your doctor to be appropriate for your gender transition. There is a template for the letter on National Center for Transgender Equality's fact sheet on Understanding the New Passport Gender Change Policy¹¹ and detailed requirements on the Department of State's website.¹²



Requesting corrections to your Passport:¹³

If this is your first passport: You must apply in person and provide valid documentation, at any post office or at the Passport Agency office at 376 Hudson Street, Manhattan. You can only apply at the Passport Agency office if you have international travel scheduled within the next 2 weeks or if you need your passport within 4 weeks to obtain a visa.

Complete Form DS-11,¹⁴ the Passport Application, and submit it along with one passport photo, proof of citizenship (a US Birth Certificate, a Consular Report of Birth Abroad, a Naturalization Certificate, or a Certificate of Citizenship), a government-issued photo-ID, your passport fee (\$140 for a Passport Book & Card, \$110 for a Passport Book only, and \$30 for a Passport Card only, plus a \$25 execution fee, and an optional \$60 fee for expedited service), your court-ordered name change, and the letter from your PCP regarding your sex designation change. You will receive your passport in 4-6 weeks for routine service or 2-3 weeks for expedited service.

If your passport is less than 1 year old and you are making a correction to your name and/or gender: Complete Form DS-5504 for Name Change and Data Correction. You will not need to pay an additional fee (expedited service will cost \$60). All people correcting their gender must submit their documentation in person. Bring your completed form along with your supporting documentation (court order and provider's letter) to the passport office to request the corrections.

If your passport is more than 1 year old and you are correction to your name and/or gender: Complete form DS-11, the Passport Application. You will need to pay the fee for a passport renewal (\$140 for Passport Book & Card, \$110 for a Passport Book only, and \$30 for a Passport Card only, and \$60 for expedited service if necessary), bring all necessary documentation

for a passport renewal, a new passport photo, your court order name change, and provider's letter to the passport office to request the corrections. If you are only changing your name you may complete form DS-82,¹⁴ the Passport by Mail application, and submit your change by mail.

Immigration Documentation

Naturalization Certificate or Certificate of Citizenship

Change Name: If you are applying for Naturalization: There is an option on the naturalization form that will allow you to change your name without a court process. Talk with your immigration lawyer if you have questions.

If you are already a naturalized citizen, you must show a Court Ordered Name Change to correct your record and submit Form N-565,¹⁵ the Application for a Replacement Naturalization/ Citizenship Document



Change Sex: Complete Form N-565 along with a letter from your provider certifying that you are in care and that you have had appropriate clinical treatment for transition to the gender you identify as, and that your provider has either treated you or reviewed your medical history regarding your transition.¹⁶ A similar letter to that used by the Department of State for correcting US Passports may be used. Submit Form N-565 along with required identity documents, a passport photo, and the required filing fee to the appropriate processing center (by state, see Form N-565 for directions).

Employment Authorization Card

Change Name: Show a Court Ordered Name Change and submit it with Form I-765 for a Replacement Employment Authorization Card.¹⁵

Change Sex: Complete Form I-765 along with a letter from your provider certifying that you are in care and that you have had appropriate clinical treatment for transition to the gender you identify as, and that your



provider has either treated you or reviewed your medical history regarding your transition.¹⁶ A similar letter to that used by the Department of State for correcting US Passports may be used. Submit Form I-765 along with required identity documents, a passport photo, and the required filing and biometric fees to the appropriate processing center

Green Card/Permanent Resident Card

Change Name: Show a Court Ordered Name Change and submit it with Form I-90 and applicable supporting documentation and fees.¹⁵

Change Sex: Complete Form I-90 along with a letter from your provider certifying that you are in care and that you have had appropriate clinical treatment for transition to the gender you identify as, and that your provider has either treated you or reviewed your medical history regarding your transition.¹⁶ A similar letter to that used by the Department of State for correcting US Passports may be used. Submit Form I-90 along with required identity documents, a passport photo, and the required filing and biometric fees to the appropriate processing center.



Remember!

Be sure you have what you need to make changes to your ID docs!

Always bring:

- Photo ID
- Birth Certificate, Immigration Documents, or Passport
- Social Security Card
- Proof of Address
- Court-Order Name Change if some of your documents have your new name and some have your old name
- Any required fees

Having problems correcting your documents?

First, check:

- Do I have the right documentation to complete the change I am requesting?
- Do I have the right documentation to prove that the record is mine?

Then: If it seems there is some other problem that is making it difficult to correct your documentation, it might be a good time to seek support.

These are some legal organizations with experience supporting transgender and gender non-conforming people around these issues.

Immigration Equality (NYC)

Manhattan: 40 Exchange Place, St. 1705 / (212) 714-2904 / immigrationequality.org/

Lambda Legal (National/Northeast)

Manhattan: 120 Wall Street , 19th Fl. / (212) 809-8585 / lambdalegal.org/nhq

Legal Services of New Jersey (New Jersey)

Web Intake: lsnjlawhotline.org/ / (888) 576-5229 / lsnj.org

The Loft LGBT Center (Westchester)

White Plains: 252 Bryant Ave. / (914) 948-2932 / loftgaycenter.org/

Long Island GLBT Community Center (Long Island)

Bay Shore: 34 Park Ave. / (631) 665-2300 / liglbtcenter.org

NYLAG: LGBT Law Project (NYC)

Manhattan: 7 Hanover Sq., 18th Fl. / (212) 613-5000x5107 / nylag.org/units/lgbt-law-project/

Sylvia Rivera Law Project (NYC)

Manhattan: 147 W 24th St, 5th Fl. / (212) 337-8550 / srlp.org/

Transgender Legal Defense & Education Fund (NYS)

Manhattan: 151 West 19th St., Ste. 1103 / (646) 862-9396 / transgenderlegal.org/

Urban Justice Center: Peter Cicchino Youth Project (NYC)

Manhattan: 123 William St., 16th Fl. / (877) LGBT-LAW / urbanjustice.org/ujc/help/peter.html

Resources

1. NYS DMV Forms. www.dmv.ny.gov/forms.htm
2. Patricia Adduci to All Issuing Offices, April 29, 1987, NYS DMV, Office of the Commissioner. srp.org/files/NY%20DMV%20Sex%20Change%20Policy.pdf.
3. NYS DMV. Proofs of Identity. <http://www.dmv.ny.gov/forms/id44.pdf>
4. NJ MVC. Declaration of Gender Designation Change for Driver License or ID Card. www.state.nj.us/mvc/pdf/Licenses/genderchange.pdf.
5. NJ MVC. 6 Point ID Verification System. www.state.nj.us/mvc/pdf/Licenses/ident_ver_posterpint.pdf.
6. CT DMV. Change of Name. www.ct.gov/dmv/cwp/view.asp?a=805&q=244738.
7. NYC DOHMH. Correcting a Birth Certificate. www.nyc.gov/html/doh/downloads/pdf/vr/bcorrect.pdf.
8. NYS DOH. DOH-297, Application for Correction of Certificate of Birth. www.malonevillage.com/FORMS/Birth_correction.pdf.
9. State of NJ. DOH. How to Amend a Record. www.state.nj.us/health/vital/amend.shtml.
10. CT Dept. of Pub. Health. Amendments and Corrections to Vital Records. tiny-url.com/AmendCTBirthCert.
11. National Center for Transgender Equality. Understanding the New Passport Gender Change Policy. January 2012. transequality.org/Resources/passports_2012.pdf.
12. US Dept. of State (DOS). Identification Requirements for Gender Reassignment Applicants. travel.state.gov/passport/get/first/first_5100.html.
13. US DOS. Change or Correct Passport. travel.state.gov/passport/correcting/correcting_2654.html.
14. US DOS. Passport Forms. www.state.gov/m/a/dir/forms/passport/.
15. US Citizenship and Immigration Services (USCIS). Forms. www.uscis.gov/Forms.
16. US Dept. of Homeland Security. USCIS. Policy Memorandum. PM-602-0061. Adjudication of Immigration Benefits for Transgender Individuals. April 10, 2012. www.uscis.gov/USCIS/Outreach/Feedback%20Opportunities/Interim%20Guidance%20for%20Comment/Transgender_FINAL.pdf.

Notes



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