

Transcript for
What's in a Name? Supporting Safety for Survivors
Through Identity Document Changes
Presented on: August 13, 2025

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00:00:00,000 --> 00:00:05,966

Good morning, everyone. Before we get started, I wanted to make sure that the advocates in

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00:00:05,966 --> 00:00:12,366

Wisconsin know that there is an LGBTQ+ committee, and this Coalition committee

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00:00:12,366 --> 00:00:19,932

is comprised of domestic violence and sexual assault advocates who identify as LGBTQ+.

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00:00:19,933 --> 00:00:26,166

We meet up to 4 times per year, virtually, to connect with each other, especially during these

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00:00:26,166 --> 00:00:33,732

times to share out our updates, our challenges that we're going through, and to learn from

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00:00:33,733 --> 00:00:41,899

each other, so providing feedback and other opportunities to grow your leadership skills.

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00:00:41,900 --> 00:00:49,266

For more info, you can contact myself, Cody Warner [at] my email below or Angie Rehling

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00:00:49,266 --> 00:00:55,366

at the Wisconsin Coalition Against Sexual Assault. Thank you.

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00:00:55,366 --> 00:01:01,466

Thank you. This is Colleen Cox, End Domestic Abuse Education and Training Coordinator, and

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00:01:01,466 --> 00:01:06,432

I use she and her pronouns. All of our presenters from Diverse and Resilient will

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00:01:06,433 --> 00:01:10,166

introduce themselves, and we'll get started with the program.

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00:01:10,166 --> 00:01:17,466

Hello, everybody! My name is Jazz Bass. I use she/her/hers pronouns.

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00:01:17,466 --> 00:01:24,132

And, I just wanted to thank you all for being in community with us here today, especially in

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00:01:24,133 --> 00:01:30,733

today's climate. Today, our webinar is "What's in a Name?" and the main purpose is supporting

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00:01:30,733 --> 00:01:34,899

safety for survivors through identity document changes.

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00:01:34,900 --> 00:01:38,200

We are going to jump right in with that interactivity.

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00:01:38,200 --> 00:01:41,333

We are just gonna be asking you to check in with us today.

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00:01:41,333 --> 00:01:50,333

How are you all showing up mentally and emotionally for this training today?

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00:01:50,333 --> 00:02:01,199

As you put in your responses into Menti, it should create a word cloud for everyone to see.

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00:02:01,200 --> 00:02:11,033

Awesome, I'm seeing worried, curious, interested, solid, sleepy, so valid. Nervous.

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00:02:11,033 --> 00:02:18,099

Good. Open minded, Appreciative, and we appreciate all of you, especially if for doing this

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00:02:18,100 --> 00:02:25,200

with us.

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00:02:25,200 --> 00:02:32,533

All right. To go briefly over what we're going to be talking about today or a little roadmap.

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00:02:32,533 --> 00:02:36,733

We're gonna be talking about who we are as Diverse and Resilient, who we are as an

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00:02:36,733 --> 00:02:41,399

agency, ID document changes as violence prevention and intervention,

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00:02:41,400 --> 00:02:46,900

initial considerations, fee waivers, standard name changes versus confidential name

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00:02:46,900 --> 00:02:52,200

changes, gender marker changes, post-hearing steps, safety planning, and then, of course,

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00:02:52,200 --> 00:02:55,566

room and time for questions.

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00:02:55,566 --> 00:02:59,232

Who is Diverse and Resilient?

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00:02:59,233 --> 00:03:05,699

Our mission is to achieve health equity and improve the safety and well-being of LGBTQ+

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00:03:05,700 --> 00:03:11,700

folks in communities here in Wisconsin. Our vision is to see a future in which lesbian, gay,

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00:03:11,700 --> 00:03:18,033

bisexual, transgender, and queer people in Wisconsin not only thrive, but live healthy,

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00:03:18,033 --> 00:03:21,466

satisfying lives in safe and supportive communities.

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00:03:21,466 --> 00:03:26,599

What's so special about our name, is it kind of serves as a beacon, and a reminder

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00:03:26,600 --> 00:03:33,200

that LGBTQ+ people are everywhere. We engage in interesting and meaningful lives,

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00:03:33,200 --> 00:03:38,066

and we contribute to the welfare of each other, as well as, the community as a whole.

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00:03:38,066 --> 00:03:42,699

We are a statewide LGBTQ+ public health organization.

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00:03:42,700 --> 00:03:49,000

We have two offices, one in Appleton, as well as Milwaukee, and our programming, it falls under

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00:03:49,000 --> 00:03:55,300

four different categories. The first being capacity building. We work with community members,

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00:03:55,300 --> 00:04:00,433

businesses, social service agencies, medical providers and other groups to promote

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00:04:00,433 --> 00:04:03,833

acceptance, inclusion, and leadership development.

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00:04:03,833 --> 00:04:10,266

We also offer ally training, which are workshops that include exploring ways that allies can work

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00:04:10,266 --> 00:04:14,699

to create change in the workplaces, communities, as well as, even their families

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00:04:14,700 --> 00:04:19,633

to help achieve LGBTQ+ health equity and equality.

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00:04:19,633 --> 00:04:24,999

We also have our community programs such as our school programming, our SHEOBA

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00:04:25,000 --> 00:04:29,466

programming, which is Sisters Helping Each Other Battle Adversity, which is a Transwomen's

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00:04:29,466 --> 00:04:35,866

group. We have our Youth Advisory Council, which is weekly, in-person and virtual, and that

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00:04:35,866 --> 00:04:42,566

invites all youths who have an interest in

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LGBTQIA+ advocacy, social justice,

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00:04:42,566 --> 00:04:49,232

and essentially, learning more about gender and identity. For our sexual health programming,

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00:04:49,233 --> 00:04:54,033

we do have our CTR, which is our Counseling, Testing, and Referral Program.

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00:04:54,033 --> 00:05:01,333

We do accept walk-ins, as well as, by appointment. With those, we do STI testing, as

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00:05:01,333 --> 00:05:04,933

well as, having STI and PrEP clinics.

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00:05:04,933 --> 00:05:10,899

We have our peer navigation program that offers a holistic and whole self-care approach

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00:05:10,900 --> 00:05:16,766

to peer navigation, with each peer navigator bringing with them their own unique approach to

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00:05:16,766 --> 00:05:24,799

navigating life after a positive diagnosis, either.... positive diagnosis to HIV, either due to

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00:05:24,800 --> 00:05:30,866

their lived experience or just personal experience. They do assist with navigating and

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00:05:30,866 --> 00:05:35,266

communicating with different care teams. They support with transportation to medical

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00:05:35,266 --> 00:05:41,799

appointments. They assist with health insurance as well as medication adherence.

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00:05:41,800 --> 00:05:48,966

And, then even something as profound and simple as simply sitting, talking and listening

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00:05:48,966 --> 00:05:58,366

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to and with survivors and offering emotional support. And then lastly, there is us,

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00:05:58,366 --> 00:06:07,399

the Anti-Violence Program. We serve LGBTQ+ survivors of all violence, intimate partner

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00:06:07,400 --> 00:06:14,100

violence, domestic and family violence, sexual assault, hate, or community-based violence, etc.

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00:06:14,100 --> 00:06:21,200

We do that by having a statewide resource line. The number can be found here on the slide.

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00:06:21,200 --> 00:06:25,266

We assist with connection to both resources within the agency, whether that's

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00:06:25,266 --> 00:06:33,732

connecting the survivors to our CTR program or our PNP program, and then, as well as

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00:06:33,733 --> 00:06:40,299

community programs outside of the agency. We also offer emotional support, co-advocacy, such

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00:06:40,300 --> 00:06:48,633

as with CCS, emergency financial assistance, such as gift cards for Walmart, food, gas, and

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00:06:48,633 --> 00:06:54,866

so on, and then we also do safety planning.

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00:06:54,866 --> 00:06:58,999

Here's a slide with all of our beautiful faces and our team.

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00:06:59,000 --> 00:07:03,166

You've already heard from Reiko earlier, as well as myself.

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00:07:03,166 --> 00:07:08,699

Once I'm done speaking, Eli will be jumping in. You'll also be hearing from Raphael, as well as

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00:07:08,700 --> 00:07:15,100

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Nick, and as Kate said, they're in the chat, they'll be answering any questions as well as

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00:07:15,100 --> 00:07:21,100

helping people troubleshoot.

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00:07:21,100 --> 00:07:28,066

In our Appleton office, we do assist with gender and marker change as well as name change.

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00:07:28,066 --> 00:07:36,299

They do host a clinic. They assist with forms and processes. They do accompaniment to

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00:07:36,300 --> 00:07:44,800

any legal-type thing as well as to court, and then, they also do financial assistance.

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00:07:44,800 --> 00:07:49,966

And then, in Milwaukee, and I'm based in the Milwaukee office with Eli,

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00:07:49,966 --> 00:07:56,532

we have a partnership with the Milwaukee Justice Center. They do in-person clinics.

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00:07:56,533 --> 00:08:01,533

We also process fee waivers as well as helping with confidential requests.

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00:08:01,533 --> 00:08:06,699

I will say in Milwaukee, we do have new, more trans-friendly court officials and processes

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00:08:06,700 --> 00:08:12,033

which is amazing. And then, we also have the Legal Help Center, which is also located in the

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00:08:12,033 --> 00:08:18,599

Milwaukee Justice Center. And again, Kate will be dropping links for things in the chat as well

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00:08:18,600 --> 00:08:21,533

as any supplemental information.

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And with that, I will be passing it over to Eli.

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00:08:26,866 --> 00:08:35,532

Thanks, Jazz way to be! My name's Eli, they, them. Like Jess said, Milwaukee-based Anti-Violence Advocate.

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00:08:35,533 --> 00:08:43,466

Before we launch into getting into how ID document changes can be part of a violence

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00:08:43,466 --> 00:08:54,499

prevention and intervention strategy, I'd like to begin by defining some key terms that will be helpful to know.

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00:08:54,500 --> 00:09:04,500

First, let's talk about gender. Gender is how you experience the world in relation to or outside of

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00:09:04,500 --> 00:09:14,766

social, psychological, cultural and behavioral qualities of femininity and masculinity.

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00:09:14,766 --> 00:09:22,232

Moving on to transgender. What that means is individuals whose gender identity is different

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00:09:22,233 --> 00:09:28,633

from this sex a doctor assigned to them at birth by looking at their anatomy.

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00:09:28,633 --> 00:09:33,499

If you understand yourself to be a woman, your internal experience is that of a woman

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00:09:33,500 --> 00:09:41,733

then you are a woman regardless of the anatomy that you have.

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00:09:41,733 --> 00:09:51,366

Cisgender: Individuals whose felt sense of gender identity match their sex assigned at birth are cisgender.

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00:09:51,366 --> 00:09:59,299

Intersex is an umbrella term that describes bodies that fall outside the strict male/female

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00:09:59,300 --> 00:10:05,200

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dichotomy or binary. There are lots of ways someone can be intersex, and roughly

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00:10:05,200 --> 00:10:12,033

1 in 1,000 babies are born intersex.

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00:10:12,033 --> 00:10:19,333

Transitioning: When we talk about transitioning, we're talking about the process of affirming and

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00:10:19,333 --> 00:10:27,366

expressing one's internal sense of gender rather than the associated sex assigned at birth.

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00:10:27,366 --> 00:10:40,199

Another way to think of this is externalizing someone's internal experience of gender.

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00:10:40,200 --> 00:10:46,800

Transitioning is different for everyone, and can include adopting the outward or physical

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00:10:46,800 --> 00:10:52,300

characteristics that match one's gender identity with gender-affirming medical care,

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00:10:52,300 --> 00:10:58,400

but not everyone has access to this.

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00:10:58,400 --> 00:11:04,033

Social transitioning is part of transitioning, too, and what that looks like is coming out to friends

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00:11:04,033 --> 00:11:13,833

and family, using a different name, using different pronouns, dressing and styling hair

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00:11:13,833 --> 00:11:22,766

in ways that feel comfortable, and using your voice differently.

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00:11:22,766 --> 00:11:35,166

Transphobia: transphobia can include fear, aversion, anger, hatred, or violence towards

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00:11:35,166 --> 00:11:44,399

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people who do not conform to normal gender roles.

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00:11:44,400 --> 00:11:50,400

How does this all come together, and how does it all relate to violence prevention?

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00:11:50,400 --> 00:11:56,966

When a person's name and gender expression are different than their legal name and gender

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00:11:56,966 --> 00:12:07,199

marker on their government IDs, it calls attention to their transness. In a transphobic

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00:12:07,200 --> 00:12:16,733

society, where government ID is required for essential activities in daily life, Trans people are

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00:12:16,733 --> 00:12:31,266

subject to discrimination, mistreatment, loss of employment, housing instability, and violence on

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00:12:31,266 --> 00:12:38,166

a regular basis. I also want to underscore that Transwomen of color are disproportionately

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00:12:38,166 --> 00:12:45,366

subject to fatal transphobic violence.

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00:12:45,366 --> 00:12:57,232

Everyone, be they trans, cis, nonbinary or agender, deserves accurate ID because

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00:12:57,233 --> 00:13:05,899

transitioning is a process that unfolds over time, Trans people with additional social barriers

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00:13:05,900 --> 00:13:12,233

face challenges navigating the legal name change process prolonging their undue risk of

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00:13:12,233 --> 00:13:22,233

violence, and this is where advocates like ourselves can step in and assist.

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00:13:22,233 --> 00:13:32,733

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Now, let's enjoy another interactivity time, so if you could, scan the QR code,

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00:13:32,733 --> 00:13:38,999

and, let us know what you think with this next
interactive activity that would be great.

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00:13:39,000 --> 00:13:46,733

We're asking folks. Why might a survivor want to legally change their name?

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00:13:46,733 --> 00:13:58,566

And, I just want to note in the chat there are additional instructions for joining this interactive activity as well.

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00:13:58,566 --> 00:14:09,932

Thank you for your answers. I'm gonna give folks a little more time.

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00:14:09,933 --> 00:14:17,299

Yeah, I love these answers. So, we're seeing safety and protection from abuser, safety,

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00:14:17,300 --> 00:14:24,033

privacy, confidentiality, name represents how they identify, absolutely. Changing a name

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00:14:24,033 --> 00:14:34,033

shared with an abuser, 100%. Reflecting their gender identity, very nice. Safety, gender

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00:14:34,033 --> 00:14:43,766

euphoria, love that answer. Unable to transition well with the abuser, 100%.

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00:14:43,766 --> 00:14:55,366

To feel seen. So, yes, like we said earlier, there are reasons why a legal name change greatly

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00:14:55,366 --> 00:15:02,232

improves the safety of folks who are transgender, and also, changing one's identity

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00:15:02,233 --> 00:15:08,766

documents can be a meaningful safety strategy for folks regardless of gender identity.

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00:15:08,766 --> 00:15:13,032

One of those reasons is changing a family name because of family violence.

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00:15:13,033 --> 00:15:23,333

This could be family rejection based on LGBTQ+ identity or because of family trauma,

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00:15:23,333 --> 00:15:35,466

regardless of LGBTQ+ identity. Another reason avoiding stalking, harassment, or doxing, etc.

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00:15:35,466 --> 00:15:43,399

Changing a name shared with an abuser. Let's say, a parent was abusive, we might want to

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00:15:43,400 --> 00:15:50,900

change our last name so that we don't have to be tied in that way to the person who abused us.

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00:15:50,900 --> 00:15:59,033

Partnerships and chosen family not necessarily associated with marriage. So, let's say there's

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00:15:59,033 --> 00:16:09,033

an important family relationship that a shared name can support. That can happen with a legal

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00:16:09,033 --> 00:16:17,799

name change, and that doesn't necessarily have to be part of a legal marriage.

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00:16:17,800 --> 00:16:26,266

Thank you so much. Now, I'm gonna pass it on to my colleague, Nick. Take it away, Nick.

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00:16:26,266 --> 00:16:32,966

Thank you! Hello, everyone. I hope you can see my face. You deserve to see my face.

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00:16:32,966 --> 00:16:40,232

My name's Nick, I use they/them pronouns, and I've been at Diverse and Resilient since 2019,

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00:16:40,233 --> 00:16:48,966

and my role currently is Community Education and Outreach Advocate, and I'm also running

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00:16:48,966 --> 00:16:55,899

the slide deck, so any errors, like with things going back and forth, just send me an email.

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00:16:55,900 --> 00:17:02,033

We're gonna talk about initial considerations to think through as you are working with

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00:17:02,033 --> 00:17:09,733

somebody who is considering going through an identity document change process.

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00:17:09,733 --> 00:17:17,333

We do need to make some disclaimers. For example, these identity document change

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00:17:17,333 --> 00:17:25,733

processes are guided by state law. State statutes cannot hold the full range and diversity

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00:17:25,733 --> 00:17:33,133

of human experiences especially Trans experiences. For changing a gender marker on

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00:17:33,133 --> 00:17:42,366

a Wisconsin birth certificate, our state laws refer to "surgical" procedures, but many Trans people

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00:17:42,366 --> 00:17:49,399

will not or do not want to pursue surgical procedures.

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00:17:49,400 --> 00:17:54,866

With all of this in mind, when we were working with somebody, a Trans person who's

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00:17:54,866 --> 00:18:02,166

considering this process, we can assist them while maintaining dignity and respect by

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00:18:02,166 --> 00:18:12,099

refraining from referring to specific body parts, medical procedures, etc., and by affirming that a

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00:18:12,100 --> 00:18:20,300

person is who they are regardless of what any legal documents says. What we can do is

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00:18:20,300 --> 00:18:27,633

explain that this is what the text of the law says, and then we can just ask open-ended

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00:18:27,633 --> 00:18:34,033

questions instead of something invasive, like, "Have you had a surgery?" We can ask

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00:18:34,033 --> 00:18:39,933

"Do you think this is something you want to pursue knowing this information?"

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00:18:39,933 --> 00:18:45,733

As you will see later on in the presentation, the outcomes we have observed related to gender

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00:18:45,733 --> 00:18:57,433

marker change, they're not always based on people having surgeries. So, we'll talk more about that later.

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00:18:57,433 --> 00:19:07,733

Another disclaimer is that this presentation focuses on name change processes for individuals 14 or older.

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00:19:07,733 --> 00:19:15,866

There are similar processes for individuals younger than 14 that were not able to cover in today's training.

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00:19:15,866 --> 00:19:23,766

They're similar, but they will have additional steps and require parent involvement.

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00:19:23,766 --> 00:19:32,066

And, as domestic violence advocates, you are all very familiar with the concept of not giving

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00:19:32,066 --> 00:19:40,099

legal advice. So, you may be thinking, how do we do this, which is a very legal process without

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00:19:40,100 --> 00:19:48,633

giving legal advice, and basically we can share information on the process, like how to

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00:19:48,633 --> 00:19:56,133

complete forms, where the court is, the way a hearing happens based on what you've

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00:19:56,133 --> 00:20:04,066

observed, but we can't tell folks what they should do to get certain outcomes.

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00:20:04,066 --> 00:20:11,699

That's legal advice. We can share what we have observed, and our team members at this point

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00:20:11,700 --> 00:20:16,766

have been in dozens of courtrooms and assisted dozens of folks.

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00:20:16,766 --> 00:20:24,066

So, we can talk about what we have seen before. And, we can elevate different options

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00:20:24,066 --> 00:20:31,466

that folks can consider, but we don't cross over into should. So, we focus on could,

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00:20:31,466 --> 00:20:38,666

which is about options. You could do this, you could do this. You could do this, and with each

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00:20:38,666 --> 00:20:42,232

option, we go through safety planning.

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00:20:42,233 --> 00:20:48,233

What we don't want to do is say, you should do this in order to get this.

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00:20:48,233 --> 00:20:52,866

That is legal advice.

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00:20:52,866 --> 00:21:01,332

It's important to note. That in our work in the Fox Valley, in Milwaukee, and across the state

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00:21:01,333 --> 00:21:09,233

we have observed no consistency and process, from county to county, judge to judge, or even

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00:21:09,233 --> 00:21:12,599

case to case in the same courtroom.

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00:21:12,600 --> 00:21:19,966

So that helps in, being able... holding the line and not providing legal advice.

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00:21:19,966 --> 00:21:26,799

because we've seen judges act differently with a similar case. That is important to know, because

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00:21:26,800 --> 00:21:34,100

if you're like me, you grow up and you learn in school that the law, its liberty and justice for all,

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00:21:34,100 --> 00:21:45,000

and the law is the law is the law, but, we know that there is not consistency in many of these processes.

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00:21:45,000 --> 00:21:51,333

Advocates are also already familiar with the work of assessing risk as part of safety planning

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00:21:51,333 --> 00:21:58,566

with survivors, and it's a critical part of our role to provide support and resources

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00:21:58,566 --> 00:22:05,366

to help the survivor assess the risks. Survivors are the experts on their own lives.

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00:22:05,366 --> 00:22:13,699

But, it's really important to remember that in this specific time, we are experiencing a lot of

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00:22:13,700 --> 00:22:24,666

intentional fear-mongering through anti-trans rhetoric on the street all the way up to the highest levels of power.

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00:22:24,666 --> 00:22:31,532

And, all of these executive orders, that fear- mongering creates heightened risk.

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00:22:31,533 --> 00:22:37,866

It's really important that we're able to provide valid and credible resources to help guide

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00:22:37,866 --> 00:22:43,466

decision making, and we're going to share those with you in the presentation, and then after the

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00:22:43,466 --> 00:22:50,532

fact. Links for everybody. Two great ones, ACLU has an FAQ on passports specifically,
193

00:22:50,533 --> 00:22:57,466

and Lambda Legal has a great resource on identity documents as well.
194

00:22:57,466 --> 00:23:03,099

Alright, now, getting into some of the nuts and bolts of these processes.
195

00:23:03,100 --> 00:23:13,533

Some of the forms require a notary... a notarized seal. And, the examples of the forms
196

00:23:13,533 --> 00:23:19,133

that do need a notary include a Waiver of Court Fees, which we'll talk about in just a moment,
197

00:23:19,133 --> 00:23:26,433

and for the process of changing a gender marker on a Wisconsin birth certificate,
198

00:23:26,433 --> 00:23:37,733

there needs to be a document attesting to a gender marker change from a doctor,
199

00:23:37,733 --> 00:23:43,899

and that needs to be notarized. And, we'll talk about that again later.
200

00:23:43,900 --> 00:23:55,100

Free notary services are available at a lot of local libraries, some municipalities, banks, etc.
201

00:23:55,100 --> 00:24:04,400

So, this is going to be an overview of costs. A court filing fee for a name change or any civil
202

00:24:04,400 --> 00:24:13,733

process is \$164, and now, I'm questioning if it's 40 cents or 50 cents. I think that's a typo, and it's 50 cents.
203

00:24:13,733 --> 00:24:19,333

For a standard name change, there is an antiquated but necessary publication
204

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00:24:19,333 --> 00:24:23,433

requirement, which can cost up to \$100.

205

00:24:23,433 --> 00:24:30,299

After the hearing, folks will need to purchase several certified copies of various court

206

00:24:30,300 --> 00:24:39,033

documents, which cost about \$7.50 a piece. In some counties, they have a separate Register

207

00:24:39,033 --> 00:24:46,466

of Deeds, and that requires a fee to record the outcome of the case. The Register of Deeds,

208

00:24:46,466 --> 00:24:56,266

some counties have it, some don't. If the county has it, there will be a fee to record the outcome with that office.

209

00:24:56,266 --> 00:25:01,532

Updating a driver's license can cost anywhere from \$14 to \$34.

210

00:25:01,533 --> 00:25:08,299

There's also a fee associated with updating a Wisconsin birth certificate, and those are the

211

00:25:08,300 --> 00:25:18,233

\$10 fee and the \$20 fee. Then, if an individual is pursuing a passport, that fee is \$165.

212

00:25:18,233 --> 00:25:26,233

So, you can also see with this list that it costs a lot to even try to get your identity documents to

213

00:25:26,233 --> 00:25:34,899

match who you are. One way to remove some of the cost is through a standard court fee

214

00:25:34,900 --> 00:25:42,166

waiver. Some of you may have worked with this in the past with folks. This is probably going

215

00:25:42,166 --> 00:25:50,066

to be the most complicated form in the whole process. You're only seeing part of the form.

216

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00:25:50,066 --> 00:25:57,799

This is just to give you an idea of what it looks like. There will be links to this form provided.

217

00:25:57,800 --> 00:26:07,733

A reminder that this is a form that needs to be notarized. The form is meant to make it so that

218

00:26:07,733 --> 00:26:15,099

a person does not have to pay that \$164.50.

When preparing this form with a survivor,

219

00:26:15,100 --> 00:26:25,266

it's important to complete the form as much as possible, but do not sign the form until in front of a notary.

220

00:26:25,266 --> 00:26:34,199

This form gets filed with all other documents at the beginning, and we've been in many different

221

00:26:34,200 --> 00:26:39,400

county court systems, so it depends on your county, and maybe you know already how they

222

00:26:39,400 --> 00:26:46,800

do this, but a court may make a determination right then and there when you file, or

223

00:26:46,800 --> 00:26:53,033

they may contact you later with that determination through phone, email, mail.

224

00:26:53,033 --> 00:27:00,166

If a fee waiver is denied, but cost is still a barrier, please reach out to us. We can't

225

00:27:00,166 --> 00:27:05,932

guarantee financial assistance, but we will do what we can to see if we can help.

226

00:27:05,933 --> 00:27:10,833

And, that's just a link right there to the waiver.

227

00:27:10,833 --> 00:27:17,166

With that, I'm actually going to pass it right back to Eli.

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228

00:27:17,166 --> 00:27:20,832

Thank you, Nick. It's me, Eli, I'm back.

229

00:27:20,833 --> 00:27:29,866

We're gonna do overview of the standard legal name change. The standard legal name change

230

00:27:29,866 --> 00:27:36,966

we think about it in three phases. Phase 1, fill out and file the forms,

231

00:27:36,966 --> 00:27:48,399

Step Two, publish Notice of Hearing, and Step Three, prepare for and attend the hearing.

232

00:27:48,400 --> 00:27:56,500

Here's how we lay it out, and I just want to reference this slide. There is also going to be an

233

00:27:56,500 --> 00:28:06,033

interactive PDF version of this, and it includes embedded links to the specific forms required at

234

00:28:06,033 --> 00:28:14,866

the different steps. The three forms for a standard legal name change are the Petition

235

00:28:14,866 --> 00:28:24,032

for Name Change, form CV450. The second is Notice and Order for Name Change Hearing,

236

00:28:24,033 --> 00:28:32,799

Form CV460, and the third is Order for Name Change, form CV470.

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00:28:32,800 --> 00:28:41,733

Now, when you fill out these forms, they are pretty repetitive, and again, just want to

238

00:28:41,733 --> 00:28:49,566

highlight all of these forms are available online via the link provided from the Wisconsin Court System.

239

00:28:49,566 --> 00:28:56,099

The three forms are pretty similar. It's the petition is saying, "Hey, I want to change my

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240

00:28:56,100 --> 00:29:05,733

name," and you'll have to write the old name, or the current legal name, the desired new legal

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00:29:05,733 --> 00:29:15,533

name, as well as information about where the petitioner was born, and where they reside.

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00:29:15,533 --> 00:29:19,799

That's pretty, perfectly queer, that one.

243

00:29:19,800 --> 00:29:26,600

Notice and order gets you a hearing date. The petition is saying, "I legally want to change my

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00:29:26,600 --> 00:29:32,666

name," that's official, and then the notice and order is the next step for that is to have a name

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00:29:32,666 --> 00:29:41,532

change order hearing, and part of the process is to publish publicly that hearing is happening,

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00:29:41,533 --> 00:29:47,366

that a person with this name is changing their name and there is going to be a hearing about

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00:29:47,366 --> 00:29:51,432

it. So, that is what the second form is all about.

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00:29:51,433 --> 00:30:02,833

This form, later on, you'll take that to a publication to satisfy the publication requirement piece.

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00:30:02,833 --> 00:30:10,466

Three, the Order for Name Change. This is the form that, again, repeats current legal name,

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00:30:10,466 --> 00:30:17,532

what I want to change it to, where I live, where I was born. It is essentially a repeat of the

251

00:30:17,533 --> 00:30:25,566

petition, however, this is the document that the judge signs during the hearing, and then this is

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252

00:30:25,566 --> 00:30:34,166

the official name change order that then serves as proof of a legal name change when that

253

00:30:34,166 --> 00:30:41,499

proof is required updating identity documents down the road, updating the name associated

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00:30:41,500 --> 00:30:50,100

with different bank accounts, health insurance, etc. This is the form that the judge signs,

255

00:30:50,100 --> 00:30:54,133

and that's why it is special.

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00:30:54,133 --> 00:31:01,533

A couple notes about what can come up on the forms. Well, it's mostly pretty basic info.

257

00:31:01,533 --> 00:31:08,699

There is going to be a question about sex offender status, so Wisconsin state law prohibits

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00:31:08,700 --> 00:31:15,600

those with a sex offense from changing their names, and petitioners will be asked on the

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00:31:15,600 --> 00:31:23,533

forms as part of this standard process if they are a registered sex offender, and it may be

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00:31:23,533 --> 00:31:30,466

helpful to prepare someone that that question is coming, and acknowledge that it's... it may be

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00:31:30,466 --> 00:31:39,932

an uncomfortable question, or that it's nothing personal about them, it's just part of the process.

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00:31:39,933 --> 00:31:48,233

There are also those who may have employment that requires a state license, and

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00:31:48,233 --> 00:31:55,266

that is a question that comes up on the form, and when prompted by that there will be

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264

00:31:55,266 --> 00:32:03,532

additional steps. So, I assisted somebody recently with this, and what it can involve is

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00:32:03,533 --> 00:32:10,399

contacting the state board that licenses that profession, and putting in essentially a

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00:32:10,400 --> 00:32:18,766

customer service request letting them know I plan to legally change my name. Could you

267

00:32:18,766 --> 00:32:29,299

please write a letter of support, and do that. And, the reason why that is required is because

268

00:32:29,300 --> 00:32:36,866

some employment and jobs associated with the name that needs to be updated for their

269

00:32:36,866 --> 00:32:45,066

records, but also to prevent somebody from copying somebody else's name that

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00:32:45,066 --> 00:32:51,032

already registered there. It's important to keep track of. The state has an interest in that, that's

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00:32:51,033 --> 00:32:57,199

my understanding of why that's required. There may be additional steps based on the

272

00:32:57,200 --> 00:33:00,833

employment that the petitioner has.

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00:33:00,833 --> 00:33:12,599

Besides the basic information, there is also an opportunity to give a reason why the petitioner

274

00:33:12,600 --> 00:33:21,466

is doing the name change, so this is something that may benefit from supportive conversations

275

00:33:21,466 --> 00:33:30,166

with survivors, and to safety plan around what they are comfortable putting on the form, and

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276

00:33:30,166 --> 00:33:38,099

how they will answer this at the hearing. Because a judge will look at that form, and

277

00:33:38,100 --> 00:33:46,133

maybe ask the petitioner to clarify what they mean or to state their reason. As much as we

278

00:33:46,133 --> 00:33:53,366

prepare someone to answer that question comfortably and confidently when prompted by

279

00:33:53,366 --> 00:33:59,432

the judge the better off they'll be.

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00:33:59,433 --> 00:34:09,566

For the first phase of name changing, the steps are to complete the required forms including a

281

00:34:09,566 --> 00:34:18,899

notarized waiver of fees, if using that, then to go to the county's courthouse, find the Clerk of

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00:34:18,900 --> 00:34:28,566

Courts to file the forms, and pay the \$164.50 fee, if not using a waiver.

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00:34:28,566 --> 00:34:37,132

Because this varies county to county, please check the courthouse website ahead of time

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00:34:37,133 --> 00:34:44,299

to see what forms of payment they accept.

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00:34:44,300 --> 00:34:51,033

In the second phase of the standard legal name change process, there's the publication part.

286

00:34:51,033 --> 00:34:59,033

When you file the three forms with the Clerk of Courts, they'll give you specific instructions on

287

00:34:59,033 --> 00:35:06,799

how to do this part, but a requirement across the state is to publish in a newspaper for 3

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288

00:35:06,800 --> 00:35:17,633

consecutive weeks. Often, the clerk will have suggestions for one or two publications that

289

00:35:17,633 --> 00:35:24,166

take public notices of this type, so that you can go right from the clerk to the publisher to set up

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00:35:24,166 --> 00:35:32,066

that public notice. When you file the name change forms with the clerk, you will also be

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00:35:32,066 --> 00:35:39,699

assigned a judge, and while this varies from county to county also a hearing date.

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00:35:39,700 --> 00:35:46,866

Speaking from my experience in Milwaukee County, what happens is you file the forms with

293

00:35:46,866 --> 00:35:53,632

the Clerk of Court[s], they assign a judge, and then you go to the judge's courtroom

294

00:35:53,633 --> 00:35:59,366

and schedule the hearing date with the judge's clerk, but this, again, can vary county by

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00:35:59,366 --> 00:36:08,832

county. Everyone's aware of the 3-week publication requirement, so the hearing will be

296

00:36:08,833 --> 00:36:17,333

scheduled no sooner than 5 weeks out. Start to finish process of a standard legal name change,

297

00:36:17,333 --> 00:36:25,733

we're looking at about 5 weeks. But because judges' schedules can vary, it may be 8 weeks,

298

00:36:25,733 --> 00:36:36,266

it may be 10, it depends. We can't underscore enough how good of an idea it is to go right

299

00:36:36,266 --> 00:36:47,266

from the Clerk of Court[s] after filing to set up the publication because it is crucial that runs

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300

00:36:47,266 --> 00:36:56,666

before the hearing. Many newspapers also have online forms for creating and paying for a public notice.

301

00:36:56,666 --> 00:37:02,732

I'm seeing a question in the chat. How does the court ensure their safety when requiring new

302

00:37:02,733 --> 00:37:09,833

names to be published in the newspaper? That is a good question. In a standard legal name

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00:37:09,833 --> 00:37:19,866

change, there is no insurance of safety there. A confidential legal name change where the

304

00:37:19,866 --> 00:37:26,432

publication step isn't required is possible, and my colleague Raphael is gonna get into that in a

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00:37:26,433 --> 00:37:38,433

little bit, but I will say that the publications that are used publish a lot of public notices, and

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00:37:38,433 --> 00:37:44,233

typically they're not read. It's not like in the Milwaukee Journal Sentinel or anything.

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00:37:44,233 --> 00:37:51,533

Sometimes it's a law review that is a technical newspaper that folks don't necessarily read

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00:37:51,533 --> 00:37:58,033

front page to back page. There's also the Milwaukee Community Journal in Milwaukee

309

00:37:58,033 --> 00:38:05,566

has a public notice section. While it's a requirement and there's some logic behind it,

310

00:38:05,566 --> 00:38:14,166

It's also not a publication that's a news story or something like that. So, I hope that provides

311

00:38:14,166 --> 00:38:24,399

some helpful information, and you're welcome to reach out to us after if you have other questions.

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312

00:38:24,400 --> 00:38:29,666

Preparing for the hearing. Preparing the required documents and bringing them to the

313

00:38:29,666 --> 00:38:37,366

hearing is crucial. The three required forms previously filed gotta bring those. When you

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00:38:37,366 --> 00:38:43,866

publish, the publication should mail the petitioner or the advocate, if the petitioner

315

00:38:43,866 --> 00:38:53,966

doesn't have a stable mailing address, the proof of publication affidavit that is required.

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00:38:53,966 --> 00:39:02,466

An email copy or a digital copy is a possibility, if

it hasn't arrived in the mail in time, or if folks

317

00:39:02,466 --> 00:39:06,099

prefer to work that way, that's a way to go, too.

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00:39:06,100 --> 00:39:13,933

I will also say that picking up a physical copy of the publication as a redundant proof of

319

00:39:13,933 --> 00:39:20,033

publication can also work. I'm working with someone who publishes in the Daily Reporter in

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00:39:20,033 --> 00:39:27,399

Milwaukee, I can make a point to pick up a copy of it for the 3 weeks that the public notice was

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00:39:27,400 --> 00:39:36,300

running because that would also be acceptable proof in the courtroom. We've got the forms,

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00:39:36,300 --> 00:39:45,733

the proof of publication, a certified copy of a birth certificate, current, unexpired state ID,

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00:39:45,733 --> 00:39:53,599

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and proof of address, if different than ID. Those are the things that are required to complete the
324

00:39:53,600 --> 00:39:59,366

hearing process, and this can also vary judge by judge [or] county by county. You may see a
325

00:39:59,366 --> 00:40:07,866

judge who will exit folks from the courtroom, who don't have a certified birth certificate.
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00:40:07,866 --> 00:40:16,999

You may see a judge who looks over the forms, and is "Let's go!" So, it can vary judge by
327

00:40:17,000 --> 00:40:24,600

judge, but we want to prepare you to be ready for the most strict situation that we've
328

00:40:24,600 --> 00:40:31,466

encountered so far in order to prepare you the best that we can for this. In addition to that
329

00:40:31,466 --> 00:40:42,266

documentation, there will also be funds needed for post-hearing fees. When it comes to being in
330

00:40:42,266 --> 00:40:50,466

the hearing itself, it's a good idea to get there 30 minutes early. 30 minutes early is on time in this
331

00:40:50,466 --> 00:40:56,699

situation and to wear comfortable, court-appropriate clothing. You want to be comfortable
332

00:40:56,700 --> 00:41:04,133

so that when the judge calls on you, you can speak assertively and feel good about it
333

00:41:04,133 --> 00:41:10,699

while also being court-appropriate. It's a good idea to have a support person because this is
334

00:41:10,700 --> 00:41:17,733

a big deal just like other sort of accompaniment or safety stuff, it's nice to have supportive
335

00:41:17,733 --> 00:41:25,533

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people in attendance. Just wanted to note that typically non-confidential name changes have
336

00:41:25,533 --> 00:41:33,533

been pretty matter-of-fact. We can't guarantee that will be everyone's experience, but more
337

00:41:33,533 --> 00:41:41,366

often than not, that is the case, and just wanted to reiterate those required things, make sure
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00:41:41,366 --> 00:41:45,299

they are in order, ready to go.

339

00:41:45,300 --> 00:41:55,166

This can vary judged by judge. Some folks will get somebody, who is trans, who is going
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00:41:55,166 --> 00:42:00,699

through this process, would benefit from being asked their name and pronouns that they
341

00:42:00,700 --> 00:42:07,733

should use when they're conversing during the hearing, and then other judges may be such
342

00:42:07,733 --> 00:42:16,466

sticklers that they may insist on using the current legal name until the order is signed, and
343

00:42:16,466 --> 00:42:24,732

then they can use the legal name, so that is something to prepare folks for. While this can
344

00:42:24,733 --> 00:42:32,766

be a gender-affirming process, some aspects of it maybe a little tricky for trans folks, so be
345

00:42:32,766 --> 00:42:40,466

prepared to safety plan with the survivor around this.

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00:42:40,466 --> 00:42:47,166

Without further ado, I am going to send it to my sibling from another parent Raphael, and thank
347

00:42:47,166 --> 00:42:55,166

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you so much or your time and attention today, everyone.

348

00:42:55,166 --> 00:43:01,599

Thank you, Eli. As I said, my name is Raphael. I use they/them pronouns, and I am the Youth

349

00:43:01,600 --> 00:43:06,166

and Young Adult Advocate at the Appleton Office for Diverse and Resilient in the Anti-Violence Program.

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00:43:06,166 --> 00:43:12,399

So, today, I'm going to be talking about the confidential name change process, and in that

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00:43:12,400 --> 00:43:19,533

process, we're going to talk about considerations, filling out and filing forms,

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00:43:19,533 --> 00:43:28,166

receiving court determination on confidentiality, as well as preparing for and attending the hearing.

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00:43:28,166 --> 00:43:34,766

As some initial considerations, once again, we can't predict whether or not a judge will approve

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00:43:34,766 --> 00:43:42,166

or deny a confidential process. Regardless of political affiliation, we have seen judges approve

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00:43:42,166 --> 00:43:44,932

and deny certain cases.

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00:43:44,933 --> 00:43:49,666

Further considerations are that petitioners cannot choose which judge will hear their case,

357

00:43:49,666 --> 00:43:56,299

we cannot predict what a judge will do in a particular case based on previous or similar cases.

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00:43:56,300 --> 00:44:02,000

A petitioner without an attorney can submit any documentation along with the forms that they

359

00:44:02,000 --> 00:44:07,100

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might think help their confidentiality request, which includes letters from mental health
360

00:44:07,100 --> 00:44:13,066

providers, as well as police reports.

361

00:44:13,066 --> 00:44:17,132

Now, we're going to move on to a court case that happened, In the Matter of the Name

362

00:44:17,133 --> 00:44:24,499

Change of R.I.B. v. Brown County Circuit Court (1). Essentially in January of 2023, the

363

00:44:24,500 --> 00:44:30,400

Wisconsin Court of Appeals ruled that a trans teen was required to show that publication of his

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00:44:30,400 --> 00:44:35,500

name change petition could expose him to physical danger in order for the petition to

365

00:44:35,500 --> 00:44:41,300

remain confidential. The court also held that the teenager failed to show that publishing the

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00:44:41,300 --> 00:44:46,700

petition could expose him to harm because the people who had physically bullied him because

367

00:44:46,700 --> 00:44:50,866

of his gender identity in the past were already aware of his name change.

368

00:44:50,866 --> 00:44:56,666

The impact of this ruling is very unclear. You could say that this was a very transphobic

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00:44:56,666 --> 00:45:04,066

ruling in that it overlooked a lot of statistics regarding transphobic violence, as well as

370

00:45:04,066 --> 00:45:10,066

excluding the mental and emotional harm that can be done, aside from physical harm.

371

00:45:10,066 --> 00:45:16,599

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Some judges continue to determine that existing publicly as trans is enough to prove that
372

00:45:16,600 --> 00:45:22,600

the potential for physical harm. Whereas others will demand evidence such as police reports, in
373

00:45:22,600 --> 00:45:27,933

order to "prove" the potential for physical harm.

374

00:45:27,933 --> 00:45:36,633

We're going to be moving on to Petition for Confidential Name Change, CV451,

375

00:45:36,633 --> 00:45:43,066

Notice and Order for Confidential Name Change Hearing, CV461, as well as the Order for

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00:45:43,066 --> 00:45:50,799

Confidential Name Change, otherwise known as CV471.

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00:45:50,800 --> 00:45:57,600

This is what CV451 looks like. The Petition for Confidential Name Change. You can also see at

378

00:45:57,600 --> 00:46:02,233

question 9, it asked how this could endanger you, and for the following reasons, or your

379

00:46:02,233 --> 00:46:07,933

participant, and you can attach a personal statement or other documentation.

380

00:46:07,933 --> 00:46:12,266

Also, want to note that, once again, we have the question about being a convicted sex offender

381

00:46:12,266 --> 00:46:18,499

or being on a sex offender registry. Again, prompting your participant that this may be an

382

00:46:18,500 --> 00:46:20,533

upsetting question to come across.

383

00:46:20,533 --> 00:46:27,566

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We have CV461, which is the Notice in Order of Confidential Name Change Hearing, and this is
384

00:46:27,566 --> 00:46:30,966

just sort of what the form looks like.

385

00:46:30,966 --> 00:46:44,066

As well as CV471 Order for Confidential Name Change, and this is what this form looks like as well.

386

00:46:44,066 --> 00:46:49,032

Here are the steps for the confidential name changes, starting with the first ones.

387

00:46:49,033 --> 00:46:53,999

We have completing the forms, which includes the notarized waiver of fees if you plan on using

388

00:46:54,000 --> 00:46:59,466

that. You can still use that here. Go to the courthouse in the county in which the petitioner

389

00:46:59,466 --> 00:47:06,932

resides, go to the Clerk of Courts to file the forms and any supporting documentation,

390

00:47:06,933 --> 00:47:13,833

pay the \$164.50 if not using the waiver, and you can check ahead on the courthouse website to

391

00:47:13,833 --> 00:47:16,799

see what forms of payments they take.

392

00:47:16,800 --> 00:47:21,133

The court may make a determination on confidentiality as soon as you file.

393

00:47:21,133 --> 00:47:28,733

Otherwise, the court can follow up via phone or email, and the court also can wait until the

394

00:47:28,733 --> 00:47:33,199

hearing to make a confidentiality determination so you may have to wait.

395

00:47:33,200 --> 00:47:40,633

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Furthering the steps, we have attending the hearing, and then, bringing proof of publication,
396

00:47:40,633 --> 00:47:46,333

a certified copy of birth certificate, current unexpired ID and proof of address, if different
397

00:47:46,333 --> 00:47:52,799

than ID, copies of any supplemental documentation, and funds for post-hearing fees.
398

00:47:52,800 --> 00:47:57,633

I also want to note that some courts and judges may not ask to seize each of these documents,
399

00:47:57,633 --> 00:48:01,133

but it's best to bring them just in case they do.

400

00:48:01,133 --> 00:48:06,166

A petitioner should be prepared to answer in court as to why they are asked for this to be
401

00:48:06,166 --> 00:48:12,366

confidential, so just ensuring that your participant is well prepared for this question.

402

00:48:12,366 --> 00:48:18,532

If confidentiality is granted, the hearing will proceed. If confidentiality is denied, the

403

00:48:18,533 --> 00:48:23,866

petitioner may be asked to complete publication requirements and then reschedule the hearing

404

00:48:23,866 --> 00:48:30,866

or the petitioner may be asked if the hearing can proceed as a public hearing with transcriptions.

405

00:48:30,866 --> 00:48:37,799

Now, we're brought to another interactivity time. This one is regarding safety planning for court.

406

00:48:37,800 --> 00:48:44,166

And the Menti instructions are also in the chat once more, otherwise, the QR code is up on the screen.

407

00:48:44,166 --> 00:49:03,399

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What safety planning strategies might you use to help a survivor prepare for court?

408

00:49:03,400 --> 00:49:10,866

I'm seeing using a safe-at-home address if they don't qualify for confidential name change, so

409

00:49:10,866 --> 00:49:13,966

their address isn't on CCAP, that's a great one.

410

00:49:13,966 --> 00:49:19,232

Coping skills, role-playing for the stand, that could be really helpful.

411

00:49:19,233 --> 00:49:26,399

Coping mechanisms, yep. Being present with the client. Water and banana, that can be very

412

00:49:26,400 --> 00:49:30,466

helpful. Showing them the courtroom.

413

00:49:30,466 --> 00:49:32,266

The right clothes.

414

00:49:32,266 --> 00:49:37,432

Making sure you bring a safe person that can support you adequately during this process.

415

00:49:37,433 --> 00:49:39,299

Thank you all for participating.

416

00:49:39,300 --> 00:49:43,233

I'm gonna actually pass it to Reiko for Legal Gender Marker Change on Wisconsin Birth

417

00:49:43,233 --> 00:49:47,433

Certificates, and thank you all for listening and participating.

418

00:49:47,433 --> 00:49:49,899

Thank you, Raphael.

419

00:49:49,900 --> 00:49:57,300

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I just wanted to offer one more possible option that you can support folks to enhance their
420

00:49:57,300 --> 00:50:06,300

safety during they're hearing is something that I've seen some really great advocates, as well
421

00:50:06,300 --> 00:50:15,000

as public defenders working with Trans people in a courtroom is to address the judge before
422

00:50:15,000 --> 00:50:23,500

the court goes on record, and you can inform the judge of the person's affirmed name and
423

00:50:23,500 --> 00:50:31,000

pronoun. I have seen some judges adjust the way that they address folks in court based on
424

00:50:31,000 --> 00:50:32,866

that type of advocacy.

425

00:50:32,866 --> 00:50:40,132

This next section is on legal gender marker change on Wisconsin Birth Certificates.

426

00:50:40,133 --> 00:50:46,933

We will go over considerations for this, the notarized letter requirement, how to file the

427

00:50:46,933 --> 00:50:49,399

forms, and attend the hearing.

428

00:50:49,400 --> 00:50:56,800

It is important to note that if the survivor lives in Wisconsin, but their birth certificate was issued

429

00:50:56,800 --> 00:51:03,066

in another state, they would need to consult that state's vital records office for their gender

430

00:51:03,066 --> 00:51:11,199

marker change process. As someone who was born and raised in Hawaii, I have a Hawaii Vital

431

00:51:11,200 --> 00:51:20,566

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Records birth certificate. If I wanted to change my gender while living in Wisconsin, I would not
432

00:51:20,566 --> 00:51:28,132

be able to do anything with my birth certificate here. I would have to follow my home state's
433

00:51:28,133 --> 00:51:34,566

process for that. And a reminder, we cannot predict how a judge will decide on a gender
434

00:51:34,566 --> 00:51:42,232

marker change case. We have seen judges approve gender marker changes with little to no
435

00:51:42,233 --> 00:51:50,533

documentation, and we have seen other judges who deny the request when specific medical
436

00:51:50,533 --> 00:52:01,099

procedures have not been completed.
437

00:52:01,100 --> 00:52:07,866

The text of Wisconsin state law says that the petitioner must have had a surgical sex change
438

00:52:07,866 --> 00:52:15,199

procedure, and we have seen judges of all kinds vary widely on their interpretation of what
439

00:52:15,200 --> 00:52:24,500

that means, so if you were to look more closely at the statute, surgical sex change is not clearly
440

00:52:24,500 --> 00:52:33,566

defined. As both Eli and Nick have mentioned, there are really many ways that people embody
441

00:52:33,566 --> 00:52:42,399

their transness, and even for folks who do have some sort of medical procedure done, there are
442

00:52:42,400 --> 00:52:51,566

many, many different types of surgeries that one could have, and surgery is not defined by any
443

00:52:51,566 --> 00:53:03,699

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means in the statute, which means that
judges make pretty wide interpretations of this.

444

00:53:03,700 --> 00:53:11,200

Legal gender marker changes can get a little complicated, especially depending on what
445

00:53:11,200 --> 00:53:21,100

state their birth certificate is in and the inconsistent application of the statute, so this is
446

00:53:21,100 --> 00:53:31,400

one that if someone is having trouble, it may be valuable to consult an attorney, if possible.
447

00:53:31,400 --> 00:53:40,100

We love the folks at Wisconsin Trans Law Help. Also, a reminder that any supplemental
448

00:53:40,100 --> 00:53:48,733

documentation can be submitted along with the filing.
449

00:53:48,733 --> 00:53:58,066

Even if someone doesn't meet the state statute for changing their gender marker, we also want
450

00:53:58,066 --> 00:54:04,599

to note that there are a few other ways that you can change the gender marker on your state ID
451

00:54:04,600 --> 00:54:11,400

or the driver's license, for example, that doesn't involve the court process.
452

00:54:11,400 --> 00:54:18,566

The court process we're discussing right now specifically is to change the Wisconsin birth certificate.
453

00:54:18,566 --> 00:54:30,132

Nick will help us talk through some other workarounds if the birth certificate change is not successful.
454

00:54:30,133 --> 00:54:38,333

To change your Wisconsin birth certificate to an M to an F or an F to an M, it does require a
455

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00:54:38,333 --> 00:54:46,899

notarized letter from a doctor. The doctor must submit a letter attesting that you have been a
456

00:54:46,900 --> 00:54:55,333

patient of theirs, and that they have provided some sort of medical gender-affirming care.
457

00:54:55,333 --> 00:55:02,133

This usually includes things like what service was provided, what dates of service,
458

00:55:02,133 --> 00:55:09,766

and many providers of gender-affirming care are already familiar with this process.
459

00:55:09,766 --> 00:55:18,632

If you are working with someone whose provider has provided care, but isn't confident about the
460

00:55:18,633 --> 00:55:25,133

letter-writing process, you can feel free to contact us, and we'll connect them with other
461

00:55:25,133 --> 00:55:32,566

physicians with technical assistance or templates on how to write an appropriate letter
462

00:55:32,566 --> 00:55:39,666

for this process. When requesting this, again, be sure to request that it is notarized.
463

00:55:39,666 --> 00:55:49,966

You will want to have this letter ready before filing the forms.
464

00:55:49,966 --> 00:55:56,666

There are two forms required for a gender change on a Wisconsin birth certificate.
465

00:55:56,666 --> 00:56:03,532

Those forms are CV452 and CV474.
466

00:56:03,533 --> 00:56:09,399

Here is just an example of what the petition would look like. It looks very similar to
467

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00:56:09,400 --> 00:56:15,566

many other civil court petitions. And, then on the

468

00:56:15,566 --> 00:56:23,866

next page, this is what the order looks like. I do want to note, again, this particular process in

469

00:56:23,866 --> 00:56:32,566

the state of Wisconsin only supports male or female gender marker option. If you are trying to

470

00:56:32,566 --> 00:56:39,066

make changes on your birth certificate, the state of Wisconsin for Vital Records does not have an

471

00:56:39,066 --> 00:56:45,966

option for X gender marker, which is available in some other states.

472

00:56:45,966 --> 00:56:52,099

The overall steps for legal gender marker change would be to get that notarized letter

473

00:56:52,100 --> 00:57:01,600

from a doctor. You'll complete those two forms,

you take it to the county courthouse, and file

474

00:57:01,600 --> 00:57:09,366

those at the clerk's office. You will submit all forms, including the notarized letter, and then

475

00:57:09,366 --> 00:57:17,866

you'll either have the waiver for the \$164.50 if you did that or you would pay the filing fees.

476

00:57:17,866 --> 00:57:26,632

Timing of gender marker change legal processes can get a little bit tricky. As Eli noted

477

00:57:26,633 --> 00:57:33,666

in the beginning of this presentation, transitioning is a process that happens over a

478

00:57:33,666 --> 00:57:44,199

long period of time and looks different for everyone. Some people are ready to file both a

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479

00:57:44,200 --> 00:57:52,000

gender marker change and a name change at the same time. That's not always the case, but

480

00:57:52,000 --> 00:58:00,300

if someone is ready to do both at the same time,

you can file all forms at the same time.

481

00:58:00,300 --> 00:58:07,933

That usually means a single case number and that the judge will make a ruling on the name

482

00:58:07,933 --> 00:58:14,466

change and gender marker change at the same time. This also usually means only having to

483

00:58:14,466 --> 00:58:19,599

pay the \$164.50 one time.

484

00:58:19,600 --> 00:58:26,066

There are other times where someone may have previously filed a legal name change,

485

00:58:26,066 --> 00:58:33,699

but not yet done a gender marker change. If a petitioner has previously filed and received a

486

00:58:33,700 --> 00:58:43,066

legal name change, they might be able to use the same case number and forego a hearing.

487

00:58:43,066 --> 00:58:50,499

Again, this depends on a lot of different factors.

There's not a consistent process that we have

488

00:58:50,500 --> 00:59:00,066

seen county to county or judge to judge. As far as when they would just reopen the previous

489

00:59:00,066 --> 00:59:08,632

name change case in order to rule on the gender marker or if someone is required to file

490

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00:59:08,633 --> 00:59:14,799

separately and pay again. Our suggestion would be to call your Clerk of Courts' office

491

00:59:14,800 --> 00:59:19,933

for more information on how a judge would make that determination.

492

00:59:19,933 --> 00:59:27,299

Now I'm going to pass things back to Nick to talk about what it looks like once you have done

493

00:59:27,300 --> 00:59:33,600

all the filing and gone through your hearings. Thank you.

494

00:59:33,600 --> 00:59:41,466

Thank you, Reiko. This is the last section of the presentation, so give yourselves all a pat on the

495

00:59:41,466 --> 00:59:47,432

back, you've made it this far. We've only got a few minutes to go. So, you did great.

496

00:59:47,433 --> 00:59:53,699

Depending on what happens, there are several post-hearing steps that need to happen

497

00:59:53,700 --> 01:00:02,200

afterwards. We're gonna do a couple more... This is one of the final moments of interactivity,

498

01:00:02,200 --> 01:00:07,800

and it's going to be around emotional support, so get that Menti out.

499

01:00:07,800 --> 01:00:15,566

Stuff we all kind of know how to do. We often focus on safety planning around trauma, but

500

01:00:15,566 --> 01:00:22,332

how do we affirm a survivor and celebrate

a successful hearing? What are some little

501

01:00:22,333 --> 01:00:27,799

things you can to help make this special?

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502

01:00:27,800 --> 01:00:36,600

Provide praise, absolutely. Say their name, lots and lots, absolutely. Nice to formally meet you.

503

01:00:36,600 --> 01:00:43,233

Name, heart emoji. Love that, and highlight positives. While folks are adding things, I'm

504

01:00:43,233 --> 01:00:50,633

gonna share part of my practice developed over time is to do a high five because I like high

505

01:00:50,633 --> 01:00:56,766

fives, and I think their instant energy. Now, of course, you got to, like, know the person you're

506

01:00:56,766 --> 01:01:04,132

working with, and I'll always ask, can I give you a high five? But, something as simple as a high

507

01:01:04,133 --> 01:01:10,199

five just to be, "We did it!" feels really good. Get them something with their affirm name on it,

508

01:01:10,200 --> 01:01:16,600

absolutely, like the card. That's a really good idea. I might incorporate that in some of my

509

01:01:16,600 --> 01:01:25,000

practice. Say their name loud and proud, and then, yeah, even judges can participate in the

510

01:01:25,000 --> 01:01:29,000

celebration letting folks bang the gavel to seal the order.

511

01:01:29,000 --> 01:01:33,833

Yeah, these are all really great ideas.

512

01:01:33,833 --> 01:01:40,699

How can you affirm and validate a survivor after a decision doesn't go their way?

513

01:01:40,700 --> 01:01:50,733

I do have a note about this later, but this could happen not only because certain requirements

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514

01:01:50,733 --> 01:02:02,166

weren't met, but also because of just a bad judge or inconsistent information provided by

515

01:02:02,166 --> 01:02:13,299

different people along the way. At Clerk of Courts or the DMV, what we've found is in

516

01:02:13,300 --> 01:02:23,000

these constantly changing processes not all of the state bureaucrats are always up to speed on

517

01:02:23,000 --> 01:02:28,766

the most accurate information, and that has caused some hiccups in the past. So, that's,

518

01:02:28,766 --> 01:02:35,799

again, where an advocate comes in to help figure out what is the actual accurate

519

01:02:35,800 --> 01:02:42,733

information by calling the agencies, going to offices, doing some of that work, so the survivor

520

01:02:42,733 --> 01:02:50,299

doesn't have to. Other things we have here include assist with any next steps, absolutely

521

01:02:50,300 --> 01:02:56,666

still use their name, still use their pronouns. Again, all the way back to the beginning,

522

01:02:56,666 --> 01:03:00,599

you are who you are regardless of what any identity documents say.

523

01:03:00,600 --> 01:03:08,000

Navigate through other resources, Give space to feel the feelings, Access other name and

524

01:03:08,000 --> 01:03:16,400

gender marker processes, and then another thing would be to continue to help. If they still

525

01:03:16,400 --> 01:03:24,700

want to pursue this, you can help them access the things they need to make it successful in the

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526

01:03:24,700 --> 01:03:29,966

future. Thank you all for participating in that.

527

01:03:29,966 --> 01:03:36,899

Let's say a hearing goes the way we want it to, and the name is changed and or the

528

01:03:36,900 --> 01:03:42,766

gender marker is changed on the birth certificate. After the hearing, you will be sent

529

01:03:42,766 --> 01:03:49,266

down to the Clerks of Courts' office, And, that's where they will start guiding you through the

530

01:03:49,266 --> 01:03:56,266

next steps around changing stuff with the Vital Records office and Register of Deeds, if that is

531

01:03:56,266 --> 01:03:59,166

something the county has.

532

01:03:59,166 --> 01:04:06,499

At the clerk's office, you will need to get multiple copies of the order, certified copies.

533

01:04:06,500 --> 01:04:13,266

We suggest anywhere between 3 and 5. It's always good to have extra, and sometimes you

534

01:04:13,266 --> 01:04:19,999

have to mail one, so you'll be without one for a while and still need to do other things while

535

01:04:20,000 --> 01:04:26,533

things are processing. You will be at the clerk's office after the hearing, you will be purchasing

536

01:04:26,533 --> 01:04:32,533

those orders. They will also give you instructions on how to do the vital records

537

01:04:32,533 --> 01:04:40,099

process for the State of Wisconsin birth certificate, and sometimes they even do most

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538

01:04:40,100 --> 01:04:45,300

of that work for you, depends on the county, and then they'll also tell you if you need to do a

539

01:04:45,300 --> 01:04:53,366

register of deeds. That is sort of, like, the most immediate post-hearing steps for the court

540

01:04:53,366 --> 01:04:59,666

process. There's lots of other steps after that, and we often describe it as playing whack-a-

541

01:04:59,666 --> 01:05:08,332

mole because you have banks, schools, creditors, other institutions, phone plans, etc.

542

01:05:08,333 --> 01:05:13,933

You have to go to Social Security after the hearing. That will be your first step after leaving

543

01:05:13,933 --> 01:05:19,833

the courthouse. At the Social Security office, you would bring a certified copy of the name

544

01:05:19,833 --> 01:05:27,566

change order. If you successfully changed gender marker at the court, you cannot change

545

01:05:27,566 --> 01:05:35,366

it at Social Security. You were able to previously under the Biden administration, but it is no

546

01:05:35,366 --> 01:05:43,432

longer an option. We have heard from reputable sources, like Lambda Legal, that it is okay if the

547

01:05:43,433 --> 01:05:49,133

sex associated with the social security account does not match other documents.

548

01:05:49,133 --> 01:05:54,133

You would still want to talk to the person about this and if they're comfortable with this.

549

01:05:54,133 --> 01:06:00,866

Basically, there's no cost associated with this. You fill out the forms, you bring the documents,

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550

01:06:00,866 --> 01:06:07,566

and you change the things. You have to do this before going to the DMV. They will tell you to

551

01:06:07,566 --> 01:06:17,732

wait 48 hours before going to the DMV. When 48 hours has passed, bring a certified order of

552

01:06:17,733 --> 01:06:24,566

the name change to the DMV. Now, there are some different processes for gender markers on

553

01:06:24,566 --> 01:06:32,932

Wisconsin state IDs. If the person wants to change their gender marker to M or F,

554

01:06:32,933 --> 01:06:40,199

they can either bring a certified copy of a judge's order of the gender marker change

555

01:06:40,200 --> 01:06:49,100

or, this is a lot lower of a barrier, can bring a letter from a therapist or medical provider that

556

01:06:49,100 --> 01:06:52,366

states they are providing gender-affirming care.

557

01:06:52,366 --> 01:06:59,699

Again, most providers provide gender-affirming care are familiar with these letters and they

558

01:06:59,700 --> 01:07:05,833

don't need to be notarized in this case. At the DMV, they often refer to them as gender change

559

01:07:05,833 --> 01:07:16,099

documents. Now, it is possible to get gender marker X on your state ID in Wisconsin, but as

560

01:07:16,100 --> 01:07:23,666

of today, it's only possible if gender marker X is on a passport or birth certificate.

561

01:07:23,666 --> 01:07:31,099

Inconsistent knowledge from the state staff as these processes change makes this especially

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562

01:07:31,100 --> 01:07:36,466

confusing, and that's really where advocates come in handy.

563

01:07:36,466 --> 01:07:41,399

We're not going to spend a lot of time on this, even though passports are the most

564

01:07:41,400 --> 01:07:49,900

complicated situation right now. Folks can still change gender marker with no additional

565

01:07:49,900 --> 01:07:58,133

documentation required on U.S. Passports including to X verified as of earlier this week.

566

01:07:58,133 --> 01:08:05,099

And this is because of an injunction against the Trump administration that is currently stopping

567

01:08:05,100 --> 01:08:11,066

them from prohibiting people from changing their passports.

568

01:08:11,066 --> 01:08:17,199

There's a link here for updated ongoing passport developments. If you have changed

569

01:08:17,200 --> 01:08:23,200

changed your name, you will also need to submit the order of name change with that.

570

01:08:23,200 --> 01:08:29,400

It's important to really safety plan with survivors around this, and really we just don't know what

571

01:08:29,400 --> 01:08:36,866

the actual risk assessments are or what the actual risks will be as this process continues.

572

01:08:36,866 --> 01:08:42,299

So that's why we rely on the facts that we get from ACLU.

573

01:08:42,300 --> 01:08:48,033

We've got a slide with some of the most helpful resources. We will be following up with a

Transcript for
What's in a Name? Supporting Safety for Survivors
Through Identity Document Changes
Presented on: August 13, 2025

574

01:08:48,033 --> 01:08:54,799

resource folder that has many other resources included, including the awesome chart

575

01:08:54,800 --> 01:08:58,466

and the slides to this presentation.

576

01:08:58,466 --> 01:09:08,666

We can end, maybe, on this word cloud, and I know Colleen wants to say something about feedback.

I just want to say another thank you to. to everybody, from diverse and resilient, you—⁴

577

01:09:08,666 --> 01:09:18,166

I just want to say another thank you to everybody from Diverse and Resilient, you

578

01:09:18,166 --> 01:09:26,599

always provides such great trainings, and we appreciate you a lot and our interpreters as well.