

"What's in a name?" Supporting Safety for Survivors through Identity Document Changes







### Welcome and Introductions

- •Spanish/English Interpreters provide language & technology access instructions
- •ASL interpreters will each appear on screen when they are interpreting
- Participant video and mics will be turned off during the presentation
- •A link to provide feedback & access materials will be provided at the end.



#### LGBTQ+ Committee Work

- The coalition committee is comprised of domestic violence and sexual assault advocates who identify as LGBTQ+.
- Meet up to 4 times per year virtually to connect, share, and learn from others all over the state.
- For more information, contact Cody Warner (they/them) at <u>codyw@endabusewi.org</u> or Angie Rehling (they/them) at angier@wcasa.or



## A note from End Abuse and Diverse & Resilient leadership...



#### What's In A Name?

Supporting Safety for Survivors through Identity Document Changes

Diverse & Resilient Anti-Violence Program 8.13.25



# Interactivity Time

(quick check-in)



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



#### Overview

- Who is Diverse & Resilient?
- ID Document Changes as Violence Prevention and Intervention
- Initial Considerations
- Fee Waiver
- Standard Name Change
- Confidential Name Change
- Gender Marker Changes
- Post-Hearing Steps
- Safety Planning
- Questions?



# Who Is Diverse & Resilient?



#### Who We Are.

#### **Our Mission:**

To achieve health equity and improve the safety and well-being of LGBTQ people and communities in Wisconsin.

#### **Our Vision:**

We see a future in which lesbian, gay, bisexual, transgender, and queer people in Wisconsin thrive, living healthy, satisfying lives in safe, supportive communities.

#### **Our Name:**

Our name serves as reminder that LGBTQ people are everywhere, engage in interesting and meaningful lives, and contribute to the welfare of each other and the broader community.



#### Who is Diverse & Resilient?

We're a <u>statewide</u> LGBTQ+ public health organization with physical offices in Milwaukee and Appleton. Our programming falls under four categories:

Capacity Building

Community Programs

Sexual Health

Anti-Violence



#### **Anti-Violence Program (AVP)**

We serve LGBTQ+ survivors of all violence (intimate partner violence, domestic or family violence, sexual assault, hate- and community-based violence, etc) in the following ways:

Statewide resource line - 414.856.5428

Connection to resources

**Emotional support** 

Co-advocacy

**Emergency financial assistance** 

Safety planning



Reiko Ramos (they/them)

Director



Jasmyne Bass (she/her)
Milwaukee Advocate



Raphael Miller (they/them)
Appleton Youth Advocate



Eli Lu (they/them) Milwaukee Advocate



Kate Kuhn (they/them) Appleton Adult Advocate





Nick Ross (they/them)
Outreach and Education





### Appleton Name and Gender Marker Clinic

Assistance with forms and processes

Accompaniment

**Financial Assistance** 



#### Milwaukee Justice Center Partnership

Held in person clinic 7/25

Can process fee waivers/confidential requests

New more Trans-friendly court officials and processes

Legal Help Center | Milwaukee Justice Center



## ID Document Changes as Violence Prevention and Intervention



## Glossary of Key Terms



#### Gender

how you experience the world in relation to (or outside of) social, psychological, cultural, and behavioral qualities of femininity & masculinity



#### Transgender

individuals whose gender identity is different from the sex a doctor assigned to them at birth based on their anatomy. If you understand yourself to be a woman, you are a woman, regardless of anatomy.



### Cisgender

individuals whose felt sense of gender identity matches their sex assigned at birth



#### Intersex

an umbrella term that describes bodies that fall outside the strict male/female binary. There are lots of ways someone can be intersex.



#### Transition (1)

the process of affirming and expressing one's internal sense of gender, rather than the one associated with sex assigned at birth



#### Transition (2)

Transitioning is different for everyone and can include adopting the outward or physical characteristics that match one's gender identity with gender affirming medical care, but not everyone has access to this.



#### Transition (3)

Social transitioning can look like coming out to friends and family, using a different name, using different pronouns, dressing and styling hair in ways that feel comfortable, and using your voice differently.



### Transphobia

can include fear, aversion, anger, hatred, or violence towards people who do not conform to gender roles.



When a person's name and gender expression are different than their legal name and gender marker on their government IDs, it calls attention to their transness. In a transphobic society where government ID is required for essential activities in daily life, trans people are subject to discrimination, mistreatment, loss of employment, housing instability, and violence on a regular basis.

\*Trans women of color are disproportionately subject to fatal transphobic violence.



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

Transitioning is a process that unfolds over time. Trans people with additional social barriers face challenges navigating the legal name change process, prolonging their undue risk of violence.



# Interactivity Time

(low stakes, breakout-free!)



Why might a survivor want to legally change their name?



#### Reasons can include:

- Changing a family name because of family violence. This could be family rejection based on LGBTQ+ identity or because of family trauma regardless of LGBTQ+ identity
- To avoid stalking, harrassment, doxxing, etc
- Changing a name shared with an abuser (applies to adults or children)
- Partnerships and chosen family (and not necessarily to do with marriage)



## Initial Considerations



#### Disclaimer (1)

- State statutes cannot hold the full range and diversity of human experiences, especially Trans experiences.
- State statutes refer to "surgical" procedures, but many Trans people will not or do not want to pursue surgical procedures.



#### Disclaimer (2)

- We can assist folks with these processes while maintaining dignity and respect by:
  - refraining from referring to specific body parts, medical procedures, etc.
  - o affirming that a person is who they are regardless of what any legal document may say.



#### Disclaimer (3)

Today's presentation focuses on name change processes for individuals 14 or older. There are similar processes for individuals younger than 14 that we are unable to cover in today's training.



#### No Legal Advice Allowed

We can share information on the process (how to complete forms, etc.). We cannot tell folks what they \*should\* do to get certain outcomes. We can share what we have observed, and different options that folks can consider. We focus on "could" (options) vs. "should".



## No consistency in process from county to county, judge to judge, case to case.



### **Assessing Risk**

An advocate's role is to provide support and resources to help a survivor assess their potential risks. Survivors are the experts on their own lives, but intentional fear mongering through anti-Trans rhetoric and executive orders creates heightened risk.

Provide valid and credible resources to help guide decision-making, such as the ACLU's FAQ on Passports, or Lambda Legal:

<u>Identity Document Guidance for Transgender, Nonbinary, Gender-Nonconforming, and Intersex People - Lambda Legal</u>



#### **Notaries**

- Some documents in some processes need to be notarized:
- Waiver of Court Fees
- Document attesting to gender marker change for legal gender marker change on WI birth certificate.
- Free notary services are available at local libraries and some municipalities.



### Costs

- Court filing fee: \$164.40
- Name change publication: \$75 100
- Certified copies of court documents: \$7.50 each
- Recording to Register of Deeds: \$30
- WI Driver License: \$14-34
- WI Vital Records Update: \$10
- WI Birth Certificate: \$20
- Passport: \$165



# Fee Waiver



STATE OF WISCONSIN, CIRCUIT COURT,	COUNTY	
	☐ Amended	
vs-	Petition for Waiver of Fees and Costs Affidavit of Indigency	
	Case No	
DECLARE THAT:		
Because of poverty, I am unable to pay $\Box$ a	ny filing and service fees, including the electronic f	iling fee, or , in this action,

\*\*Petition for Waiver of Fees: Form CV-410A\*\*



#### Petition for Waiver of Fees: Form CV-410A

- Must be notarized.
- Complete form but DO NOT SIGN until in front of a notary.
- File with other documents.
- Court may make a determination when you file, or may contact you later with its determination.
- If waiver is denied but cost is still a barrier, contact us.
- No guarantee that D&R can provide financial assistance.
- https://www.wicourts.gov/forms/CV-410A.PDF



# Standard Legal Name Change

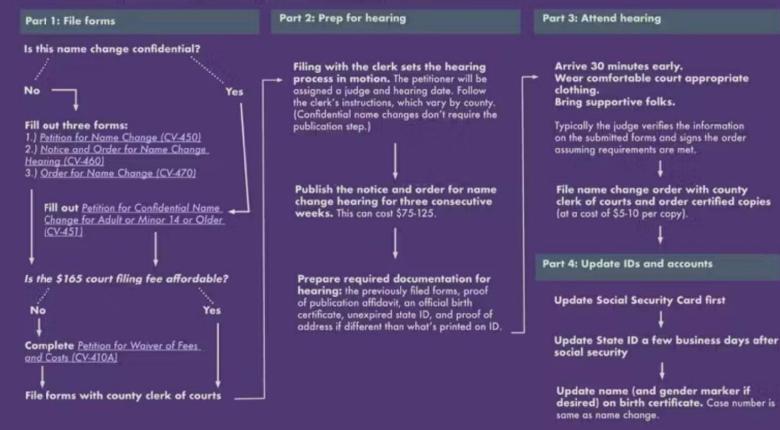
Fill out and file forms

Publish notice of hearing

Prepare for and attend hearing



An Overview of Legal Name Changes in Wisconsin Prepared by Diverse & Resilient | August 2025







### **Forms**

- Petition for Name Change: CV-450
- Notice and Order for Name Change Hearing: CV-460
- Order for Name Change: CV-470



# All name change forms (including confidential) available here:

Wisconsin Court System - Circuit court forms



Enter the name of the county in which this case was filed.	STATE OF WISCONSIN, CIRCU	JIT COURT, COUNTY	
Enter your current name. You are the Petitioner.	IN THE MATTER OF THE NAM	E CHANGE OF	
retitioner.	First Name Middle Name	Last Name	
			☐ Amended
The clerk will enter the case number.			Petition for Name Change for Adult or Minor 14 or Older (30708)
			Case No.
	One or both parties require the	e services of an interprete Complete and file	r. Which party?the Interpreter Request (GF-149) form.
	One or both parties require the Which language? I am the Petitioner and state:	e services of an interprete Complete and file	r. Which party?
complete address. In 2, enter the County	Which language? I am the Petitioner and state:	Complete and file	r. Which party?
complete address. In 2, enter the County	Which language? I am the Petitioner and state:	Complete and file	r. Which party? the Interpreter Request ( <u>GF-149</u> ) form.
In 1, enter your complete address. In 2, enter the County where you live. In 3, enter date and state of your birth.	Which language? I am the Petitioner and state:  1. My address is [Street Addre 2. I live in	Complete and file	r. Which party? the Interpreter Request ( <u>GF-149</u> ) form.

### 1. Petition - "I want to change my name."



Enter the name of the		
county in which this case was filed.	STATE OF WISCONSIN, CIRCUIT COURT,	COUNTY
Enter the current legal name of the person whose name is proposed	IN THE MATTER OF THE NAME CHANGE OF	_
to be changed.  Enter Petitioner's and  Co-Petitioner's (if any)  name(s) if the name	First Name Middle Name Last Name  By (Petitioner)	Notice and Order for Name Change Hearing
change is for a minor under 14 years of age. Enter the case number on	First Name Middle Name(s) Last Name  By (Co-Petitioner)	Case No
the far right.	First Name Middle Name(s) Last Name	
Enter the current legal name. Enter the proposed new	NOTICE IS GIVEN:  A Petition was filed asking to change the name of the	person listed above:
name.	From: [First]	
	To: [First]	

2. Notice and Order: gets you a hearing date. \*This form signed by the court is needed for publication.



Enter the name of the county in which this case was filed.	STATE OF WISCONSIN, CIRCUIT COURT,	COUNTY
Enter the current name of	IN THE MATTER OF THE NAME CHANGE OF	☐ Amended
the person whose name is proposed to be changed.		Order for Name Change
Enter the case number.	First Name Middle Name Last Name	Case No
Enter the county and the	The Petition for Name Change was heard by the Circuit	t Court of
date of the hearing.	County, Wisconsin on the day of	, 20
	THE COURT FINDS:	
In 1, enter the county name.	<ol> <li>The person whose name is to be changed lives in County, Wisconsin.</li> </ol>	
In 2, enter the name as it	<ol> <li>The name that appears on the birth certificate is [First]</li> </ol>	
appears on the birth	[Middle]	
certificate.	[] act]	

### 3: Order for Name Change - fill out for judge to sign



#### **Form Notes**

Wisconsin state law prohibits those with a sex offense from changing their names. Petitioners will be asked on forms and in court if they are a registered sex offender.

Those who have employment that requires state licensure will need to go through additional processes.

Petitioners are asked to provide a reason for the name change. Safety plan with the survivor to ensure they are comfortable with what they put on the form and how they will answer this at the hearing.



## Name Change Steps (1)

- Complete forms (including notarized waiver of fees if using).
- Go to your county's courthouse.
- · Go to the Clerk of Courts to file the forms.
- Pay \$164.50 if not using waiver.
- (Check courthouse website ahead of time to see what forms of payment they take.)



## Name Change Steps (2)

- Publish in the newspaper for 3 consecutive weeks.
- The clerk of courts should give instructions on what newspaper to publish in.
- Court dates are scheduled with enough time to complete the publication requirement.
- Don't delay to ensure proof of publication arrives in time for the hearing.
- Many newspapers have online forms for creating and paying for a public notice.



## Name Change Steps (3)

- Receive proof of publication.
- (Call for an emailed copy if time is an issue.)
- Bring proof of publication; certified copy of birth certificate; current, unexpired ID and proof of address if different than ID; and funds for post-hearing fees.
  - Please note, some courts/judges may not ask to see each of these documents. Bring just in case.
- Arrive 30 minutes early and attend the hearing.



## **Hearing Considerations (1)**

- Dress comfortably and appropriately!
- Bring a support person!
- Non-confidential name changes have been very straightforward in our observations.
- Bring proof of publication; certified copy of birth certificate; current, unexpired ID and proof of address if different than ID; and funds for post-hearing fees.
- Please note, some courts/judges may not ask to see each of these documents. Bring just in case.



## **Hearing Considerations (2)**

Judges may ask petitioner what name and pronouns they should use on the record during the course of the hearing, others will insist on using current legal name until the hearing has concluded.

Be prepared to safety plan with the survivor around this!



# Confidential Name Change

Considerations
Fill out and file forms
Receive court determination on confidentiality
Prepare for and attend hearing



### Considerations (1)

We cannot predict whether or not a judge will approve a confidential process. Some judges have approved and some have denied, regardless of political affiliation.



### Considerations (2)

Petitioners cannot choose which judge will hear their case, and we cannot predict what a judge will do in a particular case based on previous similar cases.



### Considerations (3)

A petitioner without an attorney can submit any documentation along with the forms that they think might help their confidentiality request, including letters from mental health providers or police reports.



# In the Matter of the Name Change of R.I.B. v. Brown County Circuit Court (1)

In January of 2023 the Wisconsin Court of Appeals ruled that a transgender teen was required to show that publication of his name change petition could expose him to *physical* danger in order for the petition to remain confidential.

Link: WisBar Court Review: Transgender Teen Not Entitled to Confidential Name Change Petition, Court of Appeals Rules



# In the Matter of the Name Change of R.I.B. v. Brown County Circuit Court (2)

The Court also held that the teenager failed to show that publishing the petition could expose him to harm because the people who had physically bullied him because of his gender identity in the past were already aware of his name change.

Link: WisBar Court Review: Transgender Teen Not Entitled to Confidential Name Change Petition, Court of Appeals Rules



# In the Matter of the Name Change of R.I.B. v. Brown County Circuit Court (3)

Impact of this ruling is unclear.

Some judges continue to determine that existing publicly as Trans is enough to prove the potential for physical harm.

Others will demand evidence such as police reports in order to "prove" the potential for physical harm.

Link: WisBar Court Review: Transgender Teen Not Entitled to Confidential Name Change Petition, Court of Appeals Rules



### **Forms**

- Petition for Confidential Name Change: CV-451
- Notice and Order for Confidential Name Change Hearing: CV-461
- Order for Confidential Name Change: CV-471



state board or commission for my profession and they do not object to my
proposed name change.
<ol> <li>I am am not a convicted sex offender required to register under §§301.45, 938.34(15m), and 938.345(3), Wisconsin Statutes or a similar law of any other state.</li> </ol>
I request that this petition remain <b>confidential</b> because publication could <b>endanger</b> me for the following reason(s):
I have not petitioned for a name change to avoid a debt or conceal a criminal record.  I wish to change my name to [First Name]  [Middle Name(s)]
[Last Name]
For the following reason(s):

CV-451: Petition for Confidential Name Change - petitione can attach a personal statement and/or other documentation for #9.



Enter the name of the county in which this case was filed.	STATE OF WISCONSIN, CIRCUIT COURT,	COUNTY
Enter the current legal name of the person whose name is proposed to be changed.	First Name Middle Name Last Name Notice ar	Amended and Order for
Enter Petitioner's and Co-Petitioner's (if any) name(s).	Dy. (Feutioner)	Name Change earing
Enter the case number on the far right.	By: (Co-Petitioner) Case No  First Name Middle Name(s) Last Name	
Enter the current legal name. Enter the proposed new name. Enter the name as it currently appears on the birth certificate.	NOTICE IS GIVEN:  A Petition was filed asking to change the name of the person listed above:  From: [First]	

CV-461 Notice and Order of Confidential Name Change Hearing



Enter the name of the county in which this case was filed.	STATE OF WISCONSIN, CIRCUIT COURT,	COUNTY
Enter the current name of the person whose name is proposed to be changed.	IN THE MATTER OF THE CONFIDENTIAL NAME CHANGE OF	☐ Amended  Order for Confidential
Enter the case number.	First Name Middle Name Last Name	Name Change Case No
Enter the county and the date of the hearing.	The Petition for Confidential Name Change was heard by the County, Wisconsin on the day of	
	THE COURT FINDS.	
In 1, enter the county name.	The person whose name is to be changed lives in Wisconsin.	County,
	The person whose name is to be changed lives in	

### CV-471: Order for Confidential Name Change



## Confidential Name Change Steps (1)

- Complete forms (including notarized waiver of fees if using).
- Go to the courthouse in the county in which the petitioner resides.
- Go to the Clerk of Courts to file the forms and any supporting documentation.
- Pay \$164.50 if not using waiver.
- (Check courthouse website ahead of time to see what forms of payment they take.)



## Confidential Name Change Steps (2)

- The court may make a determination on confidentiality when you file.
- The court may follow up via phone or mail.
- The court may wait until the hearing to make a confidentiality determination.



## Confidential Name Change Steps (3)

- Attend hearing
- Bring proof of publication; certified copy of birth certificate; current, unexpired ID and proof of address if different than ID; copies of any supplemental documentation; and funds for post-hearing fees.
  - Please note, some courts/judges may not ask to see each of these documents. Bring just in case.
- Petitioner should be prepared to answer in court as to why they asked for this to be confidential.
- If confidentiality is granted, hearing will proceed.
- If confidentiality is denied, petitioner may be asked to complete publication requirement and reschedule hearing.
- OR petitioner may be asked if the hearing can proceed as a public hearing with transcription.



# Interactivity Time

(safety planning for court)

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



## Legal Gender Marker Change on WI Birth Certificate

Considerations

Notarized letter from a doctor

File forms

Attend hearing



If the survivor lives in Wisconsin but their birth certificate is from another state, they need to consult that state's vital records office for their gender marker change process.



We cannot predict how a judge will decide on a gender marker case. We have seen judges approve with no additional documentation required and we have seen judges deny when specific medical procedures have not been completed.



Text of Wisconsin state law says petitioner must have had a "surgical sex-change procedure" and we have seen judges of all kinds vary widely on their interpretation of this.



Those seeking legal gender marker change may want to consult an attorney if possible. Remember, any supplemental documentation can be submitted with the filing.



There are still ways to change gender marker on other documents including state ID without going through the court process. The court process is to change a Wisconsin birth certificate.



#### Notarized letter from a doctor

- Must submit a notarized letter from a doctor attesting that petitioner had a "surgical sex-change procedure."
- Many providers of gender-affirming care are already familiar with this process.
- Make sure to request a notarized letter.
- Get letter ready to file with the forms.



### **Forms**

- Petition for Gender Change on Wisconsin Birth Certificate CV-452
- Order for Gender Change: CV-474



Enter the name of the county in which this case was filed.	STATE OF WISCONSIN, CIRCUIT COURT, COUNTY	la.
Enter your current name. You are the Petitioner.	IN THE MATTER OF	
	First Name Middle Name Last Name	
		□Amended
The clerk will enter the case number.		Petition for Gender Change or Wisconsin Birth Certificate
		Case No
	☐ I require the services of an interpreter. Which language Complete and file the Interpreter Request (GF-149) for	
	I am the Petitioner and state:	
In 1, enter your	My address is [Street Address, City, State and Zip]	

### **Petition for Gender Change**



Enter the name of the county in which this case was filed.	STATE OF WISCONSIN	, CIRCUIT COURT,	COUNTY
Enter the current name of the person whose gender is	IN THE MATTER OF		☐ Amended
proposed to be changed on Wisconsin Birth Certificate.			Order on Petition for
Enter the case number.	First Name Middle Na	ame Last Name	<ul> <li>Gender Change on Wisconsin Birth Certificate</li> </ul>
	Case No		
Check the box if a hearing was held; enter the county and date of the hearing.	The Petition for Gender Change on Wisconsin Birth Certificate was heard by the Circuit Court of County, Wisconsin on [Date].		
	THE COURT FINDS:		
In 1, check the appropriate box.	<ol> <li>The gender that appears on the petitioner's Wisconsin birth certificate is</li></ol>		
In 2, check the appropriate box.	<ol> <li>The petitioner requests the gender on the Wisconsin birth certificate be changed to         male  female.     </li> </ol>		
In 3, enter the date.	The petitioner underwent a surgical sex-change procedure on[Date].		
In 4, enter the date of birth.	4. The petitioner's date of birth is		
	5. It has jurisdiction.		
	6. The facts of the E	Petition are true and correct.	

Order for Gender Change: note there is currently no option for X



## Links to forms:

Petition: CV-452.pdf

Order: CV-474.pdf



## Legal Gender Change Steps

- Get notarized letter from a doctor
- Complete forms
- · Go to county courthouse
- · Go to the clerk's office
- Submit all forms including letter and waiver if using.
- Pay filing fees\*



\*Please note: If also filing for a name change the petitioner can file all forms at the same time for one case number.



\*Please note: If petitioner has previously filed and received a legal name change, they may be able to use the same case number and forgo a hearing.



# Depending on all factors, a judge may schedule a hearing or may make a determination and communicate that another way.

\*Call clerk of courts for more info on their specific processes.



# Post-Hearing Steps



# Interactivity Time

(providing emotional support)



How can you affirm a survivor and celebrate a successful hearing?

How can you affirm and validate a survivor after a decision doesn't go their way?



## After the hearing:

**Vital Records** 

**Register of Deeds** 



## Changing name and/or gender on other ID documents

- Social Security
- DMV



## **Social Security**

Name: Bring certified copy of name change order.

Gender: Cannot change gender marker on social security account, but it is OK if sex associated with SS account does not match other documents.

Bring required documents, fill out online forms.



#### **DMV**

Name: Bring certified order of name change to DMV

Gender M or F: Bring certified judge's order of gender marker change, OR bring a letter from a therapist or medical provider that states they are providing gender-affirming care

Gender X: DMV can change to gender marker X ONLY if X is on a passport or birth certificate. (Verified 8/13/25)

\*Inconsistent knowledge and constantly changing processes can make this especially confusing.



### **Passport**

Folks can still change gender marker on US Passports including to X (verified 8/11/25).

Submit certified order of name change with passport application to change name.

Guidance from ACLU on the ongoing Passport developments: Q&A: Orr v. Trump | American Civil Liberties Union



# Interactivity Time

(quick check-out)



#### How are you feeling now that we're at the end?



### Helpful Resources

- Trans Law Help Wisconsin: Wisconsin Name and Gender Marker Change Guide
- <u>Identity Document Guidance for Transgender, Nonbinary, Gender-Nonconforming, and Intersex People Lambda Legal</u>
- Guidance from ACLU on the ongoing Passport developments: <u>Q&A</u>: <u>Orr v. Trump | American Civil Liberties</u>
   <u>Union</u>



# Questions?



# Thank you & Contact us!

For survivors
Warmline: 414.856.5428 (call/text)

Name/Gender Marker Change TA for advocates: nross@diverseandresilient.org