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outrightvt.org • 802-865-9677
PO Box 5235, Burlington, VT 05402

Legal Name & Gender Changes 101

A guide to updating VT state and US federal identity documents

Introduction

The purpose of this document is to give an overview of the process of changing your name and gender marker on legal documents in Vermont, and to compile the forms, explanations, and resources necessary to do this in a single document. It is not meant to be comprehensive or to function as your only resource, and it only includes details for the most common forms of identification. Immigration documents, for instance, are not covered, though there are some links in the “Other Resources” section that may be of further use.

At the bottom of each section you can find links to PDFs of forms and applications, and other sites that have more detailed information and directions. See the very end of the document for some resources to get additional help with this process.

This document was originally written in June of 2017. At the time of the most recent update, all the links work and the information is accurate and up-to-date to the best of our knowledge! We are not lawyers and can't offer legal advice. This guide is not meant to take the place of legal advice, nor is there any guarantee that the information is 100% correct. Feel free to contact Outright if you find a mistake, broken link, outdated information, or need clarification.

In Order:

1. Name change with probate court
2. Name and gender marker change with Social Security Administration
3. Name and gender marker change with DMV (within 30 days of Step 2)
4. In any order: Name and/or gender marker change on passport, birth certificate, and with health insurance, banks, employers, schools, etc.

Step 1: Court Order

Following legislative changes in July of 2019, a court order recognizing a change in gender is no longer required to update any Vermont state or federal documents.

Heck yeah!

Name changes do fall under the purview of the probate court in Vermont. Bring the required documents to your local court and tell a clerk that you would like to file a petition of name change. You may or may not be required to see a judge in person at another time for a quick hearing.

You will need

- Petition to Change Name
- Filing fee, or application to waive the fee
- Certified copy of your birth certificate, any marriage certificates, and any birth certificates of your minor children

Forms

- [Petition of Adult to Change Name](#)
- [Petition to Change Name of Minor](#)
- [Application to Waive Filing Fees and Service Costs \(Form 228\)](#)

Links

- [Probate Division Fees](#)
- [Vermont Judiciary: Name Changes](#)
- [Vermont Judiciary: Forms Library](#)
- [Probate Court locations and contact info](#)

Step 2: Social Security

After the court you will need to change your name with Social Security before you can change it elsewhere.

Correcting your Social Security Card is free and can be done through the mail or in person. You must use original documents or certified copies rather than photocopies; Social Security will return the originals to you.

The gender marker listed with social security is self-attested, meaning no medical or legal documentation is required. Heck yeah!

You will need

- Proof of legal name change (certified copy of court order)
- Proof of identity
- Proof of US citizenship (if not already established)
- Application for a Social Security Card

Forms

- [Application for a Social Security Card](#)

Links

- [List of necessary identity documents](#)
- [Changing your gender with the Social Security Administration](#)
- [Changing your name with the Social Security Administration](#)
- [Know Your Rights: Social Security](#)

Next Step: The DMV

You must update your name with the Social Security Administration BEFORE you can change it with the DMV. You are required by law to notify the DMV within 30 days of changing your name or address. You must apply in person to change your name on your license or non-driver ID.

Vermont DMV allows the choice of M, F, or X as a gender marker, which you can self-select; you no longer need to present a letter from a physician or any other documentation to change your gender with the DMV.

You will need

- A court order showing your legal name change
- [Replacement License form VL-040](#) for an updated Driver's License OR [License/Permit Application VL-021](#) for a new license or learner's permit, OR [Non-Driver ID Application VL-017](#) for an ID Card
- A check for the appropriate fee
- Identity documents
 - Proof of [identity and age](#)
 - Proof of [lawful status in the United States](#)
 - Proof of [Social Security Number](#)
 - Proof of [Vermont residency and current address](#)

Forms

- [Replacement License VL-040](#)
- [Non-Driver ID Application VL-017](#)
- [License/Permit Application VL-021](#)

Links

- [DMV information for name changes](#)

Your voter registration record should automatically update when you change your name with the DMV, but it doesn't hurt to double check with your town clerk to make sure. You can also check your voter registration status and information online at [My Voter Page](#).

Passports

The State Department no longer requires any medical or legal documentation to change your gender marker. The current options for passport books are F, M, and X.

[Use this tool to figure out which form you need to fill out.](#) If you are applying for a new passport, you will need to use form DS-11. If your passport was issued less than one year ago, you can use DS-5504, apply by mail, and you DO NOT have to pay a renewal fee. If your passport was issued more than one year ago, you might be eligible to use DS-82 and apply by mail, in which case you DO need to include a renewal fee. If you are not eligible to use DS-82, you must submit DS-11 and include a first-time applicant fee.

You will need

- Application for U.S. Passport (Form DS-11, or another form as specified)
- Proof of U.S. Citizenship (such as a previous U.S. Passport, certified Birth Certificate, Certificate of Naturalization, or Report of Birth Abroad).
- Proof of Identity that contains your signature and photograph that is “a good likeness to you” (such as a previous U.S. Passport, a Driver’s License, a Certificate of Naturalization, Military Identification, or a Government Employee Identification Card).
- A photograph of you meeting the requirements for a passport photo
- The appropriate fee (see link below)

Forms

- [U.S. Passport Application DS-11](#)
- [U.S. Passport Renewal Application DS-82](#)
- [Application for a U.S. Passport DS-5504](#)
- [What Form Should I Use?](#)
- [Full State Department List of Passport Forms](#)

Links

- [Change or Correct a Passport \(State Department\)](#)
- [Directions for Applying for a Passport in Person](#)
- [List of accepted forms of identification](#)
- [Passport Fees](#)

Birth Certificates

If you WERE born in Vermont

To change your name and gender on a Vermont birth certificate you must go through the [Office of Vital Records](#) (as of July 1, 2019). [As of July 2022, you can self-attest to change your gender marker](#) using the [Affidavit of Gender Identity](#) - there is no other legal or medical documentation required!

You will need:

- [Application to Correct or Amend a Vermont Birth Certificate](#)
- Completed [Affidavit of Gender Identity form](#).
- A court order certifying a name change
- \$10 per certified copy (check or money order only)

If you were NOT born in Vermont

The requirements for changing the gender on your birth certificate vary state-by-state. Some states require that you have had surgery, other states do not. In some states you need a court order, in others you may be able to just use a letter from a physician. [The National Center for Transgender Equality has state-specific information in their Identity Documents Center](#). Vermont will not (as of June 23, 2017) issue an order to amend an out-of-state birth certificate, even if your birth state will accept a Vermont court order. If you were born outside of Vermont and your birth state requires a court order, you will need to get your court order from your birth state. This can likely be done through the mail, but contact the office of vital records in your birth state for the most accurate, up-to-date instructions and to find out which court in your birth state you should go through, as it may not be the probate court of your birth county.

If you were born outside of the United States

If you are an American citizen born abroad you will need to go through the State Department to [Replace or Amend your Consular Report of Birth Abroad \(CRBA\)](#).

Forms

- [Affidavit of Gender Identity](#)
- [Application to Correct or Amend a Vermont Birth Certificate](#)

Other places you might need to change your name or gender

Financial

As a general rule, any place or agency that you owe money, that you regularly pay, or that pays you, needs to have your current legal name. This could include banks, your employer, your college, utility companies, and financial aid organizations such as VSAC. Make sure to get new credit cards and checks with your new name on them.

Health

Once you've changed your name with Social Security, you should be able to change it with your health insurance company. Different health insurance companies will have different ways of doing this. You can start with searching their website or calling the customer service line to ask how you can update your legal name. You may not be able to change your name with your doctor's office, other health care providers, or pharmacy until it is changed with your insurance.

According to [VT Law Help](#), "If you have insurance through Vermont Health Connect, including Vermont Medicaid, you can report a change by calling 1-855-899-9600 or via your online account. No documentation is needed for gender marker changes. Vermont Health Connect may ask for documentation of your name. You have many [documentation options](#), including driver's license, passport, Social Security card and birth certificate, and more."

Education

You do not need to have changed your name with the court in order to use a new name at school. Schools must, under Title IX and VT state law, use the preferred name and pronouns of all students, including in student records. Let the school know if/when you have legally changed your name.

For college students, contact the office of the registrar for specific directions on how to update your legal name. You can also ask your college or high school if there is a way to retroactively change your name on past records, and if you have already graduated, how to receive a corrected diploma.

If you plan on taking standardized tests or applying to college in the future and already have an account with VSAC, the College Board, LSAC, ETS, or other organization, you should update your name with these organizations as well.

Government

People assigned male at birth between the ages of 18 and 25 should update their information with the Selective Service. See instructions [here](#). People assigned female at birth, even if they change their gender marker to male, are not required to register for the draft, as per [this guidance](#).

Other Resources

- [Resources for Transgender, Gender Non-Conforming, and Intersex Vermonters](#)
- [The National Center for Transgender Equality's ID Documents Center](#)
- [The Transgender Law Center's Identity Documents Resources](#)
- [Know Your Rights: Immigration Documents](#) (National Center for Transgender Equality)
- [Know Your Rights: Passports](#) (National Center for Transgender Equality)

Where to go for legal help

[Request legal information from the Transgender Law Center](#)

The Transgender Law Center cannot provide personalized legal advice, but can provide legal information for a variety of topics, including identity documents.

[GLAD's Pop-Up ID Project](#)

Transgender people living in New England (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island or Vermont) seeking to update their legal name and gender on federal and state documents can receive free legal representation through this program. Fill out the contact form to be paired with a lawyer who can assist you. This is a free service open to all transgender individuals in New England.

[Vermont Legal Aid and Legal Services Vermont](#)

Fill out the above form to request free help with a legal problem, or see [this page](#) for more information on how to contact VLA and LSV. You can also contact the [Office of the Health Care Advocate](#) for assistance in changing your name and gender marker with your health insurance.

[Pride Center of Vermont's Transgender Program](#)

Contact the Pride Center for additional help navigating this process.