

Adult Name and Gender Marker Change

Form Instructions

Use this form:

- 1) If you are an adult 18 years of age or older;
- 2) If you would like to change your current legal name;
- 3) If you would like to change your gender as it is currently written on your birth certificate; and
- 4) If you are not a sex or violent offender.

Who Should be Completing What?

STATE OF INDIANA	IN THE _____ COUNTY _____ COURT
	<small>(County you live in) (Court staff will write court type here)</small>
COUNTY OF _____	CASE NUMBER: _____
<small>(County you live in)</small>	<small>(Court staff will write your case number here)</small>
IN RE THE MATTER OF:	
_____ <small>(Your current legal name)</small>	
PETITIONER	

The picture above is a “Caption” and is at the top of each form. You will fill in the county information and your name. The court staff will complete court information and your case number.



The icon to the left is the “**Petitioner**” icon. Wherever you see the Petitioner icon, you will begin filling in the blanks with the correct information. Once you see the Court Staff icon, stop filling in the blanks until you see the Petitioner icon again. The Court Staff icon is explained below.



The icon to the left is the “**Court Staff**” icon. Wherever you see the Court Staff icon, the court staff will fill in the blanks with the required information. **Do not complete** anything in areas where you see the court staff icon.

There are entire pages in this form packet that only the court staff will complete. These pages will only have the Court Staff icon, and no Petitioner icons.

STATE OF INDIANA

IN THE _____ COUNTY _____ COURT
(County you live in) (Court staff will write court type here)

COUNTY OF _____
(County you live in)

CASE NUMBER: _____
(Court staff will write your case number here)

IN RE THE MATTER OF:

(Your current legal name)

PETITIONER

APPEARANCE BY SELF-REPRESENTED PERSON IN CIVIL CASE



1. My current legal name is: _____.
2. I am representing myself in this case and I do not have a lawyer.
3. My address is (***Include your street name, city, state, and zip code***):

_____.

and I would like to receive my court documents and case information at this address.

My email address, phone number, and fax number are (***An email address and a 10-digit phone number are required below; a fax number is not required if you do not have one***):

Email Address: _____

Phone Number: _____

Fax Number: _____

4. This is a MI case type as defined in Administrative Rule 8(B)(3).

Date: _____

Your Signature: _____

Your Printed Current Legal Name: _____

STATE OF INDIANA

IN THE _____ COUNTY _____ COURT
(County you live in) (Court staff will write court type here)

COUNTY OF _____
(County you live in)

CASE NUMBER: _____
(Court staff will write your case number here)

IN RE THE MATTER OF:

(Your current legal name)

PETITIONER

Verified Petition for Change of Name and Gender



- 1) My current legal name is: _____.
- 2) I am asking the Court to change my name according to Indiana Code §34-28-2-1.
- 3) I am asking the Court to change my gender according to the inherent equity jurisdiction of the court.
- 4) The current sex written on my birth certificate is: _____.
- 5) My date of birth is: _____.
- 6) My current address where I live is (***Include street name, city, state, and zip code above***):

_____.

7) (***Select One Below***):

- ☐ My Indiana identification card/driver's license number is: _____.
- ☐ I do not have an Indiana Identification card or driver's license.

8) (***Select One Below***):

- ☐ I have not been known by any other legal names.
- ☐ Previously my legal name was _____

and was changed to my current legal name by way of (***select one of the following options***):

- ☐ marriage, ☐ adoption, ☐ other (explain in the space below):

_____.

- 9) I was born in (***Include your city and state***): _____
and I am a United States citizen.

10) **(Select One Below):**

☐ I do not hold a valid U.S. passport.

☐ My passport number is _____.

11) I have never been convicted of a felony.

12) I am not registered as a sex or violent offender who is disqualified by I.C. § 11-8-8-16(a) from changing my name.

13) My request is made in good faith and not for illegal purposes. I want to change my name to:

(Select One Below):

☐ so that my name matches my gender identity and presentation

☐ because *(please say why below)*:

_____.

14) According to the inherent equity jurisdiction of the court and *In Re Petition for Change of Birth Certificate*, 22 N.E.3d707 (Ind. Ct. App. 2014), I want to change my gender marker from **(Write the sex on your birth certificate)**:

to **(Write the sex that will be on your birth certificate after it is changed)**:

_____.

My request is made in good faith and not for illegal purposes. I want to make this change because:

(Select One Below):

☐ I want my legal gender to reflect my gender identity and presentation.

☐ because *(please say why below)*:

_____.

For these reasons, I respectfully ask the court to grant my Verified Petition for Change of Name and Gender, and for all other just and proper relief.

I affirm under the penalties for perjury that the statements made above are true to the best of my knowledge and belief.

Date:

Your Signature:

Your Printed Current Legal Name:

STATE OF INDIANA

IN THE _____ COUNTY _____ COURT
(County you live in) (Court staff will write court type here)

COUNTY OF _____
(County you live in)

CASE NUMBER: _____
(Court staff will write your case number here)

IN RE THE MATTER OF:

(Your current legal name)

PETITIONER

Order Setting Hearing



The Court, considering the Petitioner's Verified Petition for Change of Name and Gender filed in this matter, sets this matter for hearing on _____ for _____ of the Court's time.

ORDERED _____

JUDICIAL OFFICER

Distribution:



Your legal name: _____

Your mailing address: _____

STATE OF INDIANA

IN THE _____ COUNTY _____ COURT
(County you live in) (Court staff will write court type here)

COUNTY OF _____
(County you live in)

CASE NUMBER: _____
(Court staff will write your case number here)

IN RE THE MATTER OF:

(Your current legal name)

PETITIONER

Order on Verified Petition for Change of Name and Gender

The court, having reviewed the Verified Petition for Change of Name and Gender and the evidence presented at the hearing finds:



- 1) Petitioner has followed all requirements of Indiana Code § 34-28-2 *et seq.* for change of name and is not barred from a legal name change.
- 2) Petitioner is seeking to change their gender in good faith and not for fraudulent purposes or illegal purposes. *In Re Petition for Change of Birth Certificate*, 22 N.E.3d 707 (Ind. Ct. App. 2014).
- 3) Petitioner's date of birth is: _____.
- 4) Petitioner's current legal name is: _____.
Petitioner's former legal name was: _____.
- 5) The sex on Petitioner's birth certificate is: _____.



IT IS THEREFORE ORDERED that Petitioner's Petition for Change of Name and Gender is **GRANTED**.

Petitioner's legal name is hereby changed to: _____.

Petitioner's legal gender is hereby changed to: _____.

IT IS FURTHER ORDERED that all agencies and institutions issuing the Petitioner identity documents are directed to amend such documents consistent with this order, including but not limited to the Indiana Department of Health and its subdivisions.

ORDERED _____

JUDICIAL OFFICER

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Your mailing address: _____

STATE OF INDIANA

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IN RE THE MATTER OF:

(Your current legal name)

PETITIONER

Verified Request to Prohibit Public Access Pursuant to Rules on Access to Court Records



My current legal name is _____, and I respectfully petition this Court under Rule 6 of the Indiana Access to Court Record Rules ("A.C.R."). I state:

- 1) I am seeking to change my name because I am transgender and I want my identity documents to match my gender identity and expression.
- 2) Along with that petition, I am submitting this request, in accordance with Rule 6 of the Indiana Access to Court Records Rules ("A.C.R."), asking that the Court exclude this case from public access and waive the publication requirements of Ind. Code § 34-28-2-3.
- 3) I am making this request so I can avoid harm from the widespread publication of my request to change my name and to protect my confidential health information, privacy, and safety.
- 4) Based on my awareness of the high rates of violence and discrimination against transgender and gender non-conforming people in Indiana and nationwide, I believe that having to publish notice and having my case publicly available puts me at substantial risk of harm and presents a significant risk that I could be targeted by acts of discrimination or violence based on my gender identity and/or by being outed as transgender.
- 5) 2021 was the deadliest year for transgender and gender non-conforming people in the U.S. on record. Madeline Carlisle, Anti-Trans Violence and Rhetoric Reached Record Highs Across America in 2021, available at <https://time.com/6131444/2021-anti-trans-violence/>.

- 6) 2022 saw at least thirty-eight transgender people murdered. HRC, *Fatal Violence Against the Transgender and Gender Non-Conforming Community in 2022*, available at <https://www.hrc.org/resources/fatal-violence-against-the-transgender-and-gender-non-conforming-community-in-2022>.
- 7) In 2020, hate crimes against transgender people rose 20%. FBI Report Finds Increase in Hate Crimes Against Transgender People, available at <https://www.advocate.com/crime/2021/9/01/fbi-report-finds-increase-hate-crimes-against-transgender-people>.
- 8) This is no less true in the state of Indiana. A survey of transgender people in Indiana conducted in conjunction with the National Transgender Discrimination Survey found that 73% of respondents reported harassment in their K-12 school; and 27% reported physical assault. National Center for Transgender Equality and the National Gay and Lesbian Task Force, Findings of the National Transgender Discrimination Survey: Indiana Results (2015), available at <http://www.transequality.org/sites/default/files/docs/usts/USTSINStateReport%281017%29.pdf>.
- 9) In another study of Transgender Hoosiers, 74% of respondents reported experiencing harassment or mistreatment on the job. Christy Mallory and Brad Sears, Employment Discrimination Based on Sexual Orientation and Gender Identity in Indiana, August 2017, available at https://williamsinstitute.law.ucla.edu/research/in_discrimination_aug_2017. Though the data on violence is staggering, the actual violence against transgender people is likely much worse, due to the underreporting of crimes.
- 10) The Court of Appeals is clear that these sobering statistics regarding the risks of harassment, violence, and homicide to the transgender population, both nationwide and in Indiana demonstrates significant risk of harm to warrant prohibiting public access. In re Name Change of A.L., 81 N.E.3d 283 (Ind. Ct. App. 2017); In re M.E.B., 126 N.E.3d 932 at 934 (Ind. Ct. App. 2019); In re K.H., 127 N.E.3d 257 (Ind. Ct. App. 2019); In re Name & Gender Change of R.E., 142 N.E.3d 1045 (Ind. Ct. App. 2020).
- 11) Transgender people’s fear of harm “is common knowledge” and “easily sufficient to meet” the requirements to waive publication and seal court records. In re Name & Gender Change of R.E., 142

N.E.3d 1045, 1054 (Ind. Ct. App. 2020) (admonishing a court for disregarding “unambiguous precedent” and “unmistakable opinions” and holding a petitioner to a burden not supported by case law).

12) A.C.R. Rule 6 requires judges to evaluate if a substantial risk of harm exists under the totality of the circumstances and to proactively protect applicants’ safety. Rule 6 does not require that Plaintiff endure targeted threats, violence, or abuse before granting temporary and permanent sealing and a publication waiver. E.g. In Re M.E.B., 126 N.E.3d 932 at 934 (Ind. Ct. App. 2019).



13) I also fear for my safety because of my personal experience with violence and discrimination because (***write your personal experience with violence and discrimination below***):

14) There are no other parties or interested persons to this action.

WHEREFORE, Petitioner respectfully requests that, under Access to Court Records Rule 6 and 5, this case be excluded from public access by sealing the record of this proceeding and by waiving the publication requirements of Indiana Code § 34-28-2-3(a).

I affirm under penalties for perjury that the foregoing representations are true to the best of my knowledge and belief.



Date: _____
Your Signature: _____
Your Printed Current Legal Name: _____

STATE OF INDIANA

IN THE _____ COUNTY _____ COURT
(County you live in) (Court staff will write court type here)

COUNTY OF _____
(County you live in)

CASE NUMBER: _____
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IN RE THE MATTER OF:

(Your current legal name)

PETITIONER

Order Setting Hearing on Petitioner's Verified Request to

Exclude Case from Public Access



Please take notice: Petitioner filed a Verified Written Request for Sealing the Record pursuant to the Rules on Access to Court Records and requested that the Court enter an Order excluding the entire case from public access. The Court, having duly examined said motion, hereby sets the matter for hearing on _____ for _____ of the Court's time.

ORDERED _____

Judicial Officer _____

Distribution:



Your legal name: _____

Your mailing address: _____

STATE OF INDIANA

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COUNTY OF _____
(County you live in)

CASE NUMBER: _____
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IN RE THE MATTER OF:

(Your current legal name)

PETITIONER

Order on Request to Prohibit Public Access Pursuant to Rules on Access to Court Records



Following a hearing on the matter, held on _____, the Court now issues the following Findings and Order:

- 1) Petitioner has demonstrated by clear and convincing evidence that the requirement of Indiana Rules on Access to Court Records 6(A) are met.
- 2) Petitioner demonstrated that the personal safety interests served by prohibiting public access to the entire court record of this case outweigh the Public Access interests served by the Rules on Access to Court Records.
- 3) Permanently prohibiting Public Access to the entire court record is the least restrictive means and duration to protect Petitioner's personal safety.

WHEREFORE IT IS ORDERED that Public Access to all the documents that comprise the entire court record under this case number is permanently prohibited and all Public Access to all further proceedings under this case number is prohibited.

IT IS FURTHER ORDERED that the publication requirements of Indiana Code § 34-28-2-3(a) are waived.

ORDERED: _____

JUDICIAL OFFICER: _____

Distribution:

Your legal name: _____

Your mailing address: _____

