

# Illinois Legal Transition

This handout provides information on legal transition in the state of Illinois. This is not the same as getting legal advice. If you need additional assistance please contact our physicians at **314-362-3500 option 2**.

## The types of documents:

- **Name Change-** this is a state managed document. Has a cost to change. Minors require parents to agree to the change.
- **Gender Marker-** this is a state managed document. No longer requires physician documentation for adults and a gender neutral option is coming.
- **Birth Certificate-** this is a state managed document. Has a newer system in place to allow this to be changed.
- **Passport-** this is a federally managed document, taken care of by the state department.

## Helpful Websites:

Legal transition is not a fast process. It is also a process that costs money to complete.

- <https://transequality.org/documents/state/illinois>: excellent website for legal transition.
- <https://www.dph.illinois.gov/topics-services/birth-death-other-records/birth-records/gender-reassignment>: state site for birth certificates.
- <http://tjlp.org/services/name-change-mobilization/>: Chicago based legal assistance clinics.
- <https://www.stlmetrotrans.com/>: St Louis based, has some legal clinics. 18+ age limit.
- [www.lambdalegal.org](http://www.lambdalegal.org): legal assistance

### *A note on legal transition:*

This is an ever changing system. Some states, like Illinois, recently made it easier to change ones birth certificate. Many states still have difficult laws in place that means that many people can never change their birth certificate.

Some states are changing their laws to have more than two gender options, some are considering taking gender off of documents entirely.

Some people find that this is an issue that they want to help change for the future. There are advocacy groups that are working on this.

# Birth Certificates and Gender Markers:

To apply for an updated birth certificate, you should submit an Affidavit and Certificate of Correction Request (found online see front page) and the Declaration of Gender Transition which your Doctor here can sign.

There is a \$15 fee for one certificated copy. It is \$2 for each additional copy.

If you have additional questions, you can contact the state at 217-782-6554 or via email at [dph.vital@illinois.gov](mailto:dph.vital@illinois.gov).

You can change your gender marker in a few ways. Most people if they are going to change their name, do that first. Then change the gender marker.

One of the ways to change the gender marker is to ask the judge when they are changing the name.

Another way is to complete a form for the DMV. [https://www.cyberdriveillinois.com/publications/pdf\\_publications/dsd\\_a329.pdf](https://www.cyberdriveillinois.com/publications/pdf_publications/dsd_a329.pdf)

## How to complete a name change in Illinois:

Please be aware that each local court handles this process a little differently, these are the basics:

- If you have a felony conviction within the last ten years you are not able to change your name.
- Registered sex offenders are not able to change their name at all.
- If you are a minor, your legal guardians have to agree to let you change your name.
  
- Publish your name change in your local paper for three consecutive weeks, starting at least six weeks before your court hearing. Any local paper can handle this. Cut out a copy of your ad and save it.
  
- File a petition with your local court. If you are a minor your legal guardians have to sign this as well. You have to sign your petition with a notary, you can find a notary at your bank.
- It costs between \$175 and \$300 to file this petition.
- Some people use an attorney, you do not have to.
  
- Show up for your court hearing and tell the judge you want your name changed. You can ask for your gender marker to be changed at the same time. Bring some cash (like \$20) to court.
- The judge might ask you why you want your name changed. It does not have to be a long answer.
- Once the judge approves your name change, you have to pay to get the official copy of it. This usually costs around \$10.
- Make a lot of copies of the judgement and give it to your school, your work, your doctor's office, your bank, insurance, social security office and driver's license or state ID.
- You have to change it with the driver's license office within 10 days.