

Guide to Changing Your Name and Gender Markers in Illinois

This is a do-it-yourself guide for changing your legal name and gender on your Illinois and Federal ID documents. Changing your documents is not difficult, but there is some expense and it can be time consuming. This guide will focus on Illinois, but guides for all U.S. states and territories can be found at <https://transequality.org/>

Legal Name Change in Illinois

The easiest way to change your name is to utilize the Transformative Justice Law Project of Illinois. (<http://chartreuse-roadrunner-rpsl.squarespace.com/>) TJLP offers pro bono legal assistance with legally changing your name in the state of Illinois. There are fees associated with changing your name in Illinois, that in total end up costing around \$500, but TJLP does not charge additional fees for the assistance they provide when changing your name. Additionally, there are fee waivers for anyone who is making less than 200% of the federal poverty (\$25,000 a year for an individual), but be prepared to provide prove of income when filling out a waiver form.

Other requirements for legally changing your name in the state of Illinois include:

- **Providing proof that you have lived in Illinois for at least six months prior to your name change.** Name changes are available to anyone regardless of immigration status, so long as you meet the six-month residency requirement.
- **Publishing your name change in the newspaper.** In the state of Illinois, you must publish your name change in a newspaper published in the municipality in which you reside. This must be published for three consecutive weeks after filing with the court and must be published at least six weeks before your court date. If publishing your name change in a newspaper could put you at risk of physical harm or discrimination, you may file a waiver. You will have to go to court to file this waiver. More information on this waiver can be found through TJLP or ask when filling documents with the circuit clerk.
- **Felony conviction.** Any person convicted of a felony in the United States cannot file for a name change until 10 years have passed since completion of their sentence. A person who has been convicted of identity theft, felony or misdemeanor criminal sexual abuse, or any other offense for which a person is required to register under the Sex Offender Registration Act in the United States cannot file for a name change. ***Please note: As of 1/1/24 this will no longer apply.***

****A note on legally changing the name for minors: In order to legally change a minor's name in the state of Illinois, consent must be given by anyone who has legal custody of the minor.***

Changing the Gender Marker on your Illinois Driver's License or State ID

Changing your gender marker on an Illinois driver's license or state ID is a relatively simple process. Illinois uses a self-attestation system, meaning you don't need to provide any medical proof or documentation that you are undergoing hormone replacement therapy or gender affirming surgery to change your gender marker. You simply need to go to your local Secretary of State office and request that they change your gender marker. You will have to fill out the Illinois "Gender Designation Change Form." You can ask for the form at a Secretary of State office or visit the link below to find the form and fill it out ahead of time. https://www.ilsos.gov/publications/pdf_publications/dsd_a329.pdf

You will have to provide acceptable proof of identity, but these are the same documents you would use to get a driver's license or state ID to begin with. You will also have to pay any fees associated with getting a driver's license or state ID (\$5 to correct a license, \$10 to correct a state ID).

Currently only M and F gender markers are available on Illinois Driver's Licenses and State IDs. An "X" designation is expected to be available in 2024.

Changing the Gender Marker on your Illinois Birth Certificate

As of this writing, it costs \$15 to update a birth certificate. You will have to send a check or money order for \$15 made out to the Illinois Department of Public Health, a photocopy of your ID, a "Name Change Order" (if applicable), "Declaration of Gender Transition or Intersex Condition" signed by a health care or licensed mental health provider, as well as the notarized "Affidavit and Correction of Certificate Request". All need to be mailed to:

Illinois Department of Public Health
Division of Vital Records
925 E. Ridgely Ave
Springfield, IL 62702-2737

Please note: A Declaration from a medical or mental health provider will no longer be required after 7/1/2023. However, the specifics are not clear at the time of this writing We will update this document as soon as the information is available.

Changing the Gender Marker on your Passport

As of 2021, you do not need to provide any documentation (medical or otherwise) to change the gender marker on your passport, even if the gender you select on the application does not match the gender on your previous passport or other documents. An "X" gender marker is available alongside "M" and "F".

You will need to fill out the correct application or correction form, but these vary quite a bit depending on your situation. The US State Department has an excellent breakdown of the steps to change your gender marker and if can be found at:

<https://travel.state.gov/content/travel/en/passports/need-passport/selecting-your-gender-marker.html>

Changing the Gender Marker on your Social Security Record

You no longer need to provide medical or legal evidence of your sex designation to change your gender marker with the Social Security Administration. You will need to provide proof of your identity, but the gender marker on these documents is not required to match your desired gender marker. Additionally, you need proof of your citizenship status. To file for a gender marker change you must fill out form "SS-5", this form can be found at <https://www.ssa.gov/forms/ss-5.pdf> or by doing a quick google search.

You can take or mail your application and documents to any social security office. Any original documents you send as proof of identity will be mailed back to you. There is no cost for a replacement social security card.

Currently, only "F" and "M" markers are available on your social security record, but they will accept identity documentation that displays an "X" marker.

***A Note on the Selective Service System (AKA: the Draft)**

All U.S. citizens and legal residents aged 18 through 25 who were assigned male at birth are required to register with the Selective Service System within 30 days of their 18th birthday. Individuals assigned female at birth are not required to do so. Current gender or transition status makes no difference and you must follow the law as it applies to your assigned sex at birth.