

# What are the steps to change my gender marker? (Travis County)

These instructions are to change your gender and sex identifier on Texas state records only. If you want to change your identifier and your name, there are separate instructions and forms for that. Note: These forms are intended for use in **Travis County, Texas**.

The *Final Order to Change the Gender and Sex Identifier of an Adult* is a court order that tells agencies and departments within the court's jurisdiction to change the gender and sex identifier on official documents and licenses. It does not take away any legal rights or responsibilities or debts you had under your original sex identifier. It does not grant any new rights. Changing your identifier will NOT allow you to escape civil or criminal responsibility or your creditors. You will still be held responsible for any debts you have under your original identifier.

## Step 1. Fill out two forms.

*Petition to Change the Sex and Gender Identifier of an Adult*. This form asks the judge to order agencies to change your identifier on official documents. - **and-**

*Final Order to Change the Sex and Gender Identifier of an Adult*. The judge signs this form to order the agencies to change your identifier on official documents.

**Note:** When filling out both the *Petition* and the *Order*, use your current name as it appears now on your birth certificate or your social security card.

### Where do I get the forms?

You can print fill-in-the-blank forms on [www.TravisCountyLawLibrary.org](http://www.TravisCountyLawLibrary.org).

If you have a low income, you may ask the court to waive the court filing fees by filing a *Statement of Inability to Afford Payment of Court Costs* form. This form is also on the Law Library's website.

## Step 2. Gather the additional paperwork.

You will need a letter from a mental health professional and/or medical doctor. The letter should state:

- 1, that the writer has examined you,
2. your diagnosis, and
3. that granting a change of gender/sex marker is in your best interest.

You may also need this paperwork:

- A *Statement of Inability to Afford Payment of Court Costs* form (if you want to ask that filing fees be waived)
- A copy of your certificate of discharge (if you were convicted of a felony and served time in prison)
- A copy of your discharge from felony probation (if you successfully completed probation)
- A copy of your Sex Offender Update Form (if you are required to register as a sex offender)

## Step 3. Get your fingerprints taken.

Have your **fingerprints** taken. You will need the fingerprint card to file with your *Petition* (or with the *Order* if you filed your *Petition* online).

### Where do I get my fingerprints taken?

Check with local law enforcement to learn where you can have your fingerprints taken. There is a fee, usually \$10 to \$20.

In Travis County, you can have your fingerprints taken at Passport Express at 1107 Rio Grande, Austin, Texas 78701.

## Step 4. File your *Petition*.

In Travis County, file the petition in the District Clerk's Office, in room 302 of the civil courthouse (at 1000 Guadalupe, Austin, TX, 78701)

You may also file these attachments to your *Petition*:

- The letter from your mental health professional and/or medical doctor.
- A *Statement of Inability to Afford Payment of Court Costs* form (if you want to ask that filing fees be waived)
- A copy of your certificate of discharge (if you were convicted of a felony)
- A copy of your discharge from felony probation (if you successfully completed probation)
- A copy of your Sex Offender Update Form (if you are required to register as a sex offender)
- The fingerprint card.

## Step 5. Pay the Filing Fee.

You will **pay a filing fee** of about \$285 at the District Clerk's Office. If you have a low income, or are on government benefits because you have a low income, or you cannot pay court fees, you may file a *Statement of Inability to Afford Payment of Court Costs* form to ask the Court to waive court and filing fees.

### Do you want your forms reviewed by an attorney?

If you want your forms reviewed by an attorney:

- You can hire a private attorney. There are attorneys in Austin who specialize in LGBT+ legal matters.
- A Law Library Reference Attorney can review your forms at the morning case review clinic (10 a.m. to noon, weekdays, at 314 West 11<sup>th</sup>, #140).
- The University of Texas Law School holds a legal clinic each semester. The clinic volunteers will help you fill out the paperwork.  
<https://law.utexas.edu/probono/projects/special-projects/trans-legal-name-gender-marker-project/>.

### Step 6. Go to court so the judge can sign the Order.

In Travis County, the duty judge hears your case. Determine who the duty judge is by looking at the signs posted in the courthouse or here: [www.traviscountytexas.gov/courts/files/uploads/Duty\\_Judge.PDF](http://www.traviscountytexas.gov/courts/files/uploads/Duty_Judge.PDF)

You have two options for going before the duty judge:

**Uncontested Docket.** The duty judge is available every weekday from 8:30 to 9:20 a.m. and from 1:30 to 2:20 p.m. on a walk-in basis. This is called the “uncontested docket.” There will be other people presenting orders to the judge at this docket.

**Private Appointment.** You can set a private appointment with the Uncontested Docket judge (also called the “duty judge”). The contact information for each judge’s staff is here: [www.traviscountytexas.gov/courts/civil/district](http://www.traviscountytexas.gov/courts/civil/district). Ask where you need to go (the courtroom or the judge’s office).

### Step 7. Bring these documents.

**When you go to court, make sure you have:**

- A copy of your *Petition* and fingerprint card.
- A copy of your letter from the mental health professional and/or medical doctor.
- The *Final Order to Change the Gender and sex Identifier* which you filled out (except for the judge’s signature).

- A copy of your order discharging probation (if you were on felony probation)
- A copy of your TDCJ discharge certificate (if you were convicted of a felony and served time in prison)
- A copy of your Sex Offender notification form (if you are required to register as a sex offender)
- Any other supporting documentation you might think helpful. Examples include birth certificates and passports.

### Step 8. Present your case to the judge.

**Uncontested Docket.** When you enter the Uncontested Docket courtroom, check in with the Court Clerk (usually seated next to the judge’s bench). When called, approach the judge’s bench.

**Private Appointment.** Go to the appointment you made with the duty judge’s staff.

- If you are sworn in, the judge may ask you questions. Be prepared to answer the judge’s questions truthfully and briefly.
- Address the judge as “Your Honor.”

If the judge signs the order, move on to the next step. If the judge does *not* sign the Order, your gender identifier will not change at that time. You may be able to return to court with additional evidence at a later date to continue your request.

### Step 9. Get certified copies of the Order.

Go to the District Clerk’s Office in room 103. The Clerk’s Office stamps the Order signed by the judge. Ask for a certified copy of the signed and stamped Order. Pay the fee for the certified copy. You will need certified copies to prove that the Court ordered the identifier change. You may want to get at least 3 certified copies.

### Step 10. Notify.

Notify the various agencies of your identifier change. You may be required to show them a certified copy of your court order. Agencies to notify include the:

- Social Security Administration
- Vital Statistics (birth certificates)
- Department of Public Safety (driver’s license)
- Tax Office (vehicle and voter registration) and
- County Clerk’s Office (property titles)
- Passport Office

**In Re:**

Cause No:

\_\_\_\_\_  
Petitioner *(Print first, middle, and last names)*

In the \_\_\_\_\_ District Court of

Travis County, Texas

## Petition to Change the Sex and Gender Identifier of an Adult

*(Print your answers.)*

### I. Petitioner

1. My current legal name is: \_\_\_\_\_  
*First* *Middle* *Last*

2. I ask the Court to change my gender and my sex identifier

from Male to Female **OR**  from Female to Male.

3. The reason I want to make that change is:

My birth certificate lists me as  male  female. My true sex and gender, as reflected in my physician's/therapist's letters attached, is  male  female.

In all aspects of my life, I present as  male  female. My birth certificate and other identifying information should conform with my true gender/sex. If this conformation does not occur, I will suffer significant damage including problems with voting, problems with travel, problems obtaining insurance, employment, housing, credit and problems with producing correct and consistent identification.

**And/OR** *(if other reason, print below)*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### II. Discovery Level

The discovery level in this case, if needed, is Level 1.

### III. Personal Information

My personal information is as follows:

4. Home address is: \_\_\_\_\_  
*street address*

\_\_\_\_\_  
*city* *county* *state* *zip code*



11. Have you ever been **convicted** of a felony that has not been pardoned?  Yes  No

*If yes -- The court **may grant** your request **if** at least 2 years have passed since you received a certificate of discharge from the Texas Department of Criminal Justice or completed court ordered community supervision or juvenile probation. You **must attach proof from the Texas Department of Criminal Justice.***

*List **all** of your **felony convictions** here. If you need more space, attach an additional page.*

Felony Conviction 1

\_\_\_\_\_  District Court  County Court  
County \_\_\_\_\_ Court number: \_\_\_\_\_ Case number: \_\_\_\_\_

Felony Conviction 2

\_\_\_\_\_  District Court  County Court  
County \_\_\_\_\_ Court number: \_\_\_\_\_ Case number: \_\_\_\_\_

Felony Conviction 3

\_\_\_\_\_  District Court  County Court  
County \_\_\_\_\_ Court number: \_\_\_\_\_ Case number: \_\_\_\_\_

Felony Conviction 4

\_\_\_\_\_  District Court  County Court  
County \_\_\_\_\_ Court number: \_\_\_\_\_ Case number: \_\_\_\_\_

12. Are you required to register as a sex offender?  No  Yes

*If yes – attach a copy of your notification to local law enforcement. See below.*

## V. Request for Judgment

I ask that my gender and my sex identifier be changed: *(select one)*

from Male to Female  from Female to Male.

I ask the Court to enter an order for agencies and departments within this court's jurisdiction to correct and amend the gender and sex identifiers in all licenses, databases, certificates, or other official documents under the agencies control and issuance, whether electronic or paper. This includes, but is not limited to, the Texas Department of Public Safety.

I ask that upon application to the Vital Statistics Unit the Petitioner's Texas birth certificate shall be amended pursuant to Texas Health and Safety Code 192.011 to reflect my sex/gender as:

Male  Female.

*[Optional] **Sealing Court Records** (Check only if you want to seal the court record. Sealing records restricts future access the court order. This has privacy benefits but makes it difficult to get additional certified copies if you need them later.)*

I ask that the records in this cause number be sealed. This action is not subject to the standards for sealing records set forth in rule 76a of the Texas Rules of Civil Procedure. Sealing the records will not adversely affect the public health or safety. The records do not involve matters that should be available to the general public.

**VI. Declaration Made Under Penalty of Perjury**

*(Unsworn declaration made pursuant to Texas Civil Practice and Remedies Code, Section 132.001.)*

My current legal name is: \_\_\_\_\_  
*First Middle Last*

My date of birth is: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_.  
*Month Day Year*

My address is: \_\_\_\_\_  
*Street Address*  
\_\_\_\_\_  
*City State Zip Code Country*

**I declare under penalty of perjury that all information in this Petition to Change the Gender and Sex Identifier of an Adult is true and correct. I understand I could be prosecuted for lying on this form.**

Formally signed in \_\_\_\_\_ County, \_\_\_\_\_, on \_\_\_\_/\_\_\_\_/\_\_\_\_ by:  
*County State Month Day Year*

→ \_\_\_\_\_  
*Petitioner's Signature Phone*

\_\_\_\_\_  
*Email Address Fax # (if any)*

\_\_\_\_\_  
*Mailing Address City State Zip*

**VII. You MUST attach these documents to your Petition:**

- A letter from your doctor and/or counselor/therapist stating that you have received or are receiving treatment to transition permanently to a new sex and gender. Write **"Exhibit A"** at the top.
- A legible and complete set of your fingerprints on a fingerprint card in a form acceptable to the Texas Department of Public Safety and Federal Bureau of Investigations. Write **"Exhibit B"** at the top.
- If you were convicted of a felony and it has been at least 2 years since you discharged or completed probation or parole, attached proof of each conviction. Write **"Exhibit C"** at the top.
- If you were convicted of a felony and pardoned, attached proof. Write **"Exhibit D"** at the top.
- If you are required to register as a sex offender, attach proof that you notified the appropriate local law enforcement authority of your proposed name change. Write **"Exhibit E"** at the top.

*Print court information exactly as it appears on Petition.*

**In Re:**

Cause No:

\_\_\_\_\_  
Petitioner *(Print first, middle, and last names)*

In the \_\_\_\_\_ District Court of

Travis County, Texas

## Final Order to Change the Gender and Sex Identifier of an Adult

Today the Court heard the *Petition to Change the Gender Identifier of an Adult*.

### I. Appearances & Jurisdiction

The Petitioner appeared in person without an attorney and announced ready.

The Court finds that it has jurisdiction over this case and the Petitioner.

### II. Record

*(The court will select one of the following.)*

- Testimony was not recorded, and the Court agreed that it did not need to be recorded.
- Testimony was recorded by the court reporter.

### III. Findings

The Court finds the following information about the Petitioner.

1. Petitioner's full name is: \_\_\_\_\_  
*First Middle Last*

2. Home address is: \_\_\_\_\_  
*street address*  
\_\_\_\_\_  
*city county state zip code*

3. Petitioner's date of birth is: \_\_\_\_\_  
*month day year*

4. Petitioner's race is: \_\_\_\_\_.

5. Petitioner's place of birth is: \_\_\_\_\_  
*city county state country*

6. Petitioner's social security number is: \_\_\_\_\_.  
**Or**  Petitioner does not have a Social Security Number.

7. All driver's license numbers issued to Petitioner during the last 10 years are listed below:

Driver's License Number	State that Issued License
_____	_____
_____	_____
_____	_____
_____	_____

Or  Petitioner has not had a driver's license during the last 10 years.

8. Petitioner's current sex/gender as listed on birth certificate is  Male  Female

9. Petitioner: (Check one.)

does **not** have FBI number or SID number.

Petitioner's FBI (Federal Bureau of Investigations) number is: \_\_\_\_\_.

Petitioner's SID (State Identification) number is: \_\_\_\_\_.

10. Petitioner: (Check one.)

has **not** been charged with a crime above the grade of Class C misdemeanor.

**has** been charged with a crime above the grade of Class C misdemeanor. Listed below is the cause number and the court for each crime for which a warrant was issued for Petitioner's arrest or in which charges were filed or presented against the Petitioner. (If you need more space, attach an additional page.)

Offense 1:

\_\_\_\_\_  District Court  County Court

County \_\_\_\_\_ Court number: \_\_\_\_\_ Case number: \_\_\_\_\_

Offense 2:

\_\_\_\_\_  District Court  County Court

County \_\_\_\_\_ Court number: \_\_\_\_\_ Case number: \_\_\_\_\_

Offense 3:

\_\_\_\_\_  District Court  County Court

County \_\_\_\_\_ Court number: \_\_\_\_\_ Case number: \_\_\_\_\_

Offense 4:

\_\_\_\_\_  District Court  County Court

County \_\_\_\_\_ Court number: \_\_\_\_\_ Case number: \_\_\_\_\_



11. Petitioner: *(Check one.)*

- has **not** been convicted of a felony.
- has** been convicted of a felony and has been pardoned.
- has** been convicted of a felony and at least two years have passed since Petitioner received a certificate of discharge or completed court ordered community supervision or probation.

12. Petitioner: *(Check one.)*

- is **not** required to register as a sex offender under chapter 62 of the Code of Criminal Procedure.
- is** required to register as a sex offender under chapter 62 of the Code of Criminal Procedure. Petitioner provided proof to the Court that Petitioner notified the appropriate local law enforcement authority of this proposed change of gender identity marker.

#### IV. Orders

The Court **orders** Petitioner's gender and sex identifier be changed:

*(Select one)*  from Male to Female **OR**  from Female to Male.

This order shall act as the official order for agencies and departments within this court's jurisdiction to correct and amend the gender and sex identifiers on any and all licenses, certificates, or other official documents under the agency's control and issuance. This includes, but is not limited to, the Texas Department of Public Safety.

The Court **orders** that upon application to the Vital Statistics Unit the Petitioner's Texas birth certificate shall be amended pursuant to Texas Health and Safety Code 192.011 to reflect Petitioner's sex/gender as:

Male  Female.

The Court **further orders** that the Petitioner not use this change of gender identification to:

- Avoid any and all past or future financial or credit obligations or liabilities, or
- For the purposes of fraud; or
- To circumvent any laws or ordinances; or

The Court  **orders**  does **NOT order** that all documents in this cause are sealed, except for the documents that are required by law to be recorded in the minutes of the Court. The documents and file shall not be opened except on court order. Documents within the file shall not be released except upon court order or upon request of the attorneys of record or the party to the case.

The Court has the right to make other orders, if needed, to clarify or enforce this order. Any orders requested that do not appear above are denied.

SIGNED ON:

\_\_\_\_\_ *Date Signed*



\_\_\_\_\_ *Judge's Signature*