

Client: Instructions for Name and Gender Marker Change

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American Civil Liberties Union of Mississippi

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“Your name is a gift you can return if it
doesn’t fit.”

Andrea Gibson, genderqueer artist



**Mississippi
Name Change
Guidelines**



Required Documents:

- A government-issued photo ID
 - MS ID, or
 - Non-MS ID + in-state residency documentation
- Certified copy of birth certificate (\$17)
- Gender marker: letter from medical provider

APPLICATION FOR CERTIFIED MISSISSIPPI BIRTH CERTIFICATE
Mississippi State Department of Health
Vital Records
Post Office Box 1700, Jackson, Mississippi 39215-1700

Requirement for ordering: If applicant is self, spouse, grandparent, sibling, child, grandchild, or legal representative, then this application must be completed and a copy of a valid photo identification must be provided. Acceptable forms of identification are the following: Driver's License, State Identification Card, Passport, and/or Military Identification Card. (See back for other acceptable forms). Guardian or legal representative must submit proof of guardianship/legal representative with this application.

FULL NAME ON BIRTH RECORD	FIRST	MIDDLE	LAST
HAS NAME CHANGED SINCE BIRTH?	If so, what was original name?		
<input type="checkbox"/> Yes <input type="checkbox"/> No			
DATE OF BIRTH	MONTH	DAY	YEAR
PLACE OF BIRTH	COUNTY	CITY	STATE
SEX	RACE		
<input type="checkbox"/> MALE <input type="checkbox"/> FEMALE			

Filing

Print	We print 3 copies of cover sheet, petition, and (if applicable) IFP affidavit
Verify	Verify judicial district (if relevant), location and hours of courthouse, and amount of filing fee with Chancery Court clerk in resident county
Sign	Sign petition and affidavit in front of notary (at clinic or clerk at courthouse)
Submit	Submit 1 copy of all documents, birth certificate (original/certified copy and a photocopy), and filing fee or IFP affidavit to Clerk
Ask	Ask for 2 file-stamped copies of petition: keep 1, serve 1



Scheduling



Ask

Ask Chancery Court Clerk or Court Administrator how to schedule a hearing date

Assign

Clerk will assign your petition to a chancellor (judge)

Schedule

Schedule "date certain" (60+ days) based on where chancellor is "sitting" (or you can wait until chancellor is in your county)

Complete

Complete the summons once you have a hearing date

Serving (for surname or gender marker)

Note: petitioner is not allowed serve the summons.

A process server or the Hinds County Sheriff's Office may serve process on the Mississippi Attorney General on behalf of the Mississippi State Board of Health. Both will charge a fee.

Send (mail or email) your documents to the process server.

Receive Process Server Return to confirm they have completed the job.



Preparing for Court

Court Tips and Self Representation Resources:

<http://www.msatjc.org/preparing-for-court>

Tip: clients can ask a friend to go along for moral support



Court Hearing

Bring the Order we've drafted (but do not sign or date it)

- If the chancellor finds your name should be changed, they will sign it on the date of your hearing

If you are asked why you want to change your name, keep it simple

- "This is the name I have gone by for X amount of time and it is how I am known to my family and friends"

If the chancellor denies your Petition because of your transgender status

- Contact the ACLU of Mississippi

Court Order



Present your signed order to the clerk of your resident county.

Ask the clerk to file the order – it will get stamped showing it has been recorded.



Get copies of the stamped order (recommended 5+ copies, but there may be a fee, often \$0.50-\$1.00 per page).

Make a digital copy (photo or scan) ASAP.



Mail court order, letter, and \$28 fee to Department of Vital Records, asking for them to issue an amended birth certificate.



Mississippi Name Change Guidelines

Last updated July 1, 2022

If you have any questions or need legal help, please contact the ACLU of Mississippi LGBTQ Justice Project.

1

File for a Name Change

Fee: \$148*

**Contact your local Chancery Court for exact filing fee*

Items Needed:

- ☐ Application for Certified Copy of Birth Certificate: <https://bit.ly/3OZdCbX>

To Do:

- ☐ Draft petition with help from ACLU or for low-income support at <https://bit.ly/3HJuReK>
- ☐ File petition and pay fee
- ☐ See judge at appointed date and time
- ☐ Receive certified court order

2

Apply for a new Social Security Card

Fee: Free

Items Needed:

- ☐ SS-5, Application for Social Security Card: <https://bit.ly/3HGLgka>
- ☐ Original Certified Court order
- ☐ Proof of Citizenship
- ☐ Proof of Identity

To Do:

- ☐ Take the signed application and documents to any Social Security office. Go to <https://bit.ly/3Nf7vi4> to find the nearest office.

3

Apply for a new Driver's License

Fee: \$24-\$47

\$24 for a four-year license, \$47 for an eight-year license.

Items Needed:

- ☐ Application for MS Driver License or ID: <https://bit.ly/3HMLzKm>
- ☐ Court order
- ☐ Certified birth certificate
- ☐ Social security card
- ☐ 2 proofs of residency

To Do:

- ☐ Submit your application and documents to the nearest Department of Motor Vehicles, found here: <https://bit.ly/3QG2WQZ>

4

Register to Vote

Fee: Free

Note: you can apply to register to vote or update your existing voter registration on your MS Driver License Application

To Do:

- ☐ Register to vote at the local circuit clerk's office in your county of residence, or update your voter registration at <https://bit.ly/3b8WWQk>

The Final Step:

You may want to send out a form email alerting everyone of your name change. The general tone will certainly be different depending on who you are notifying. For example, a professional email may be sent to your colleagues, while a funny GIF can be shared on social media.

Notification Checklist:

- | | |
|---|--|
| <input type="checkbox"/> Employer Name Change | <input type="checkbox"/> Utility Companies |
| <input type="checkbox"/> Banks | <input type="checkbox"/> Retirement Plans |
| <input type="checkbox"/> Credit Cards | <input type="checkbox"/> Doctors |
| <input type="checkbox"/> Professional Organizations | <input type="checkbox"/> Insurance Companies |
| <input type="checkbox"/> Loans | <input type="checkbox"/> Memberships |
| <input type="checkbox"/> Investments | <input type="checkbox"/> Clubs |



Access forms and other resources mentioned on our checklist

FREE! LGBTQ LEGAL CLINIC

Next Clinic

JOIN US!

ACLU of Mississippi and partners are offering a series of **free legal clinics** to service LGBTQ identifying people on issues related to family law, civil rights, consumer law, housing, name and gender marker changes, and employment discrimination.

The clinics are held on a regular basis throughout the year; for more information on clinic dates, the LGBTQ justice project, and our work, visit our website. —————→



SCAN FOR MORE!

