



JUDICIAL DECLARATION OF GENDER IDENTITY: HOW DO I GET A COURT ORDER?

What is a judicial declaration of gender identity?

It is a court order officially stating (affirming) someone's gender (gender identity, gender marker, sex/gender designation).

Do I need a court order?

An order is not needed to update or correct your gender marker on records with the [Social Security Administration](#), [Maryland Motor Vehicle Administration](#), [Maryland Division of Vital Records](#) (for your Maryland birth certificate), or the [U.S. Department of State](#) (for your passport). Those agencies will accept an order, but also have administrative processes that do not require you to come to court. You may need a court order for other legal or administrative reasons (accessing services or resources, updating records in other states or countries, etc.).

Can I get a judicial declaration of gender identity of a minor child?

Yes, if you are that child's parent, guardian, or custodian. This process is easier when you have consent from each parent, guardian, and custodian. A judicial declaration of gender identity does not affect child support, paternity, or other rights and obligations.

What if I also need a name change?

A request for a judicial declaration for change of name can, but does not have to, include a request for change of name.

There is a separate process if you *only* need to change a name. Learn more at mdcourts.gov/namechange.

Where do I apply for a judicial declaration of gender identity?

If you are an adult seeking a judicial declaration for yourself, go to the [circuit court](#) in the county (or Baltimore City) where you live, carry on a regular business, work, habitually engage in a vocation, or where you were born. To ask for a judicial declaration for your minor child, go to the circuit court in the county where the minor lives; where any parent, guardian, or custodian lives; or where the minor was born. Do NOT go to a district court.

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Is there a fee?

There is a \$165 filing fee. [Learn more about filing fee waivers.](#)

Do I need documents or forms?

To ask the court for a judicial declaration for gender identity, you need to file a petition. You can use the [Petition for Judicial Declaration of Gender Identity of an Adult With/Without a Name Change \(CC-DR-120\)](#) or [Petition for Judicial Declaration of Gender Identity of a Minor With/Without a Name Change \(CC-DR-121\)](#). Attach any documentation that supports your request.

If your petition includes a request for name change, attach documents with your or the minor's current name (birth certificate, driver's license, passport, etc.).

If you are asking for a judicial declaration for a minor, attach any consent. Parent, guardians, and custodians can use [Parent's/Guardian's/Custodian's Consent/Objection to Judicial Declaration of Gender Identity of a Minor With/Without a Name Change \(CC-DR-123\)](#). Minors who are at least 10 years old, can use [Minor's Consent/Objection to Judicial Declaration of Gender Identity With/Without a Name Change \(CC-DR-124\)](#).

What if I don't have consent from a minor's parent, guardian, or custodian?

The clerk will issue a notice. You must serve the notice and copies of your case documents on any parent, guardian, or custodian who has not consented to the judicial declaration of gender identity of the minor. [Watch a video on service of process.](#)

What is an objection?

An objection is a statement from a parent, guardian, or custodian who opposes a judicial declaration of gender identity of a minor child.

File your objection with the circuit court in writing. You must file your objection within 30 days of being served the notice and case documents. To object to a minor's name change, you can use [Parent's/Guardian's/Custodian's Consent/Objection to Judicial Declaration of Gender Identity of a Minor With/Without a Name Change \(CC-DR-123\)](#). Failure to file a timely objection will be deemed as consent.

If you are served with an objection to your name change request, you may file a written response within 15 days.

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The court granted a declaration of gender identity. Now what?

If the court does not mail you a certified copy of the order, ask the clerk's office for copies. You can use the order to change your or your minor child's gender (and name, if applicable) in multiple places: on a driver's license, a birth certificate, with the Social Security Administration, banks, creditors, and other institutions. If you were married in Maryland, you can request a new marriage record that reflects your updated information by filing a [Request for New Marriage Record \(CC-FM-072\)](#) in the circuit court of the county that issued the record.

Is there is a way to prevent the public from seeing records in my case?

Judicial declarations of gender identity cases are confidential. You do not need to do anything to prevent the public from seeing records in your case.

Where can I get legal help?

Most circuit courts have walk-in family court help centers where you can get free legal help from lawyers, paralegals, or court staff. Center staff CAN explain the judicial declaration of gender identity court process, answer questions, help with court forms, and help you open, answer, or move forward your name change case. They CAN NOT represent you in court, file paperwork for you, or help you if you have a lawyer. Each center operates independently, and most have a first come/first served sign-up process. Learn more at mdcourts.gov/familyselfhelp. You can also call the Maryland Courts Help Center at 410-260-1392. Lawyers can answer questions most weekdays from 8:30 a.m. to 8 p.m.

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