

MASSACHUSETTS BIRTH CERTIFICATE TOOL KIT

The Massachusetts Department of Public Health has recently clarified the process for changing gender on a Massachusetts birth certificate.

The process does not require any particular kind of surgery, and any physician can attest to the fact that you are no longer the gender designated on your birth certificate. Affidavits are required from both you and a physician.

The following steps are from a Registry of Vital Records and Statistics Fact Sheet that can be found at: <http://1.usa.gov/1vxdtQQ>

QUESTIONS?

If you need assistance or more information contact GLAD Answers

800-455-GLAD (4523)
or
www.GLADAnswers.org



APPLICANT AFFIDAVIT

1

SUBMIT AN APPLICANT AFFIDAVIT THAT CONTAINS THE FOLLOWING:

a. Your full name, date of birth, place of birth and parents' names on the existing birth certificate;

b. A statement that you have completed sex reassignment surgery and are not of the sex designated on the current birth certificate.

NOTE: NO PARTICULAR TYPE OF SURGERY IS REQUIRED, AND YOU SHOULD NOT LIST WHAT SURGERY WAS COMPLETED.

c. Your request for a permanent amendment to your birth certificate to reflect a different sex and, if you want your name changed, submit a certified copy of your court name change decree with your application.

d. Contact information including your current name and address.

YOU CAN ALSO MEET THIS REQUIREMENT BY COMPLETING THE FOLLOWING FORM: <http://1.usa.gov/11gDBDe>

MEDICAL PROVIDER AFFIDAVIT

2

SUBMIT AN AFFIDAVIT FROM A PHYSICIAN ON OFFICE LETTERHEAD THAT CONTAINS THE FOLLOWING. THIS CAN BE FROM ANY PHYSICIAN AND DOES NOT NEED TO BE FROM THE DOCTOR WHO DID YOUR SURGERY:

A. The physician's name, license number, state of jurisdiction, physician-patient relationship and a statement that either the physician is treating you or has reviewed your medical history and evaluated you concerning a change of sex.

B. The physician needs to certify that you have completed surgical treatment for the purpose of sex reassignment that is appropriate for you and that you are not the sex recorded on the birth certificate.

The doctor should not indicate the nature or type of surgical treatment and should use generally accepted terms such as "sex reassignment surgery," "gender confirmation surgery," or "sex change surgery." Using alternative terms or specifying the nature and type of surgery or adding any other information may delay your application.

THE PHYSICIAN CAN ALSO MEET THIS REQUIREMENT BY COMPLETING THE FOLLOWING FORM:

<http://1.usa.gov/1wkNFnA>

NAME CHANGE

3

EVERYONE HAS THE RIGHT TO USE A NAME OF THEIR CHOICE AS LONG AS IT IS NOT DONE FOR FRAUDULENT OR ILLEGAL PURPOSES. HOWEVER, IF YOU WANT TO CHANGE YOUR NAME ON YOUR BIRTH CERTIFICATE, YOU MUST SUBMIT A COURT NAME CHANGE DECREE AT THE SAME TIME THAT YOU ARE APPLYING FOR A GENDER CHANGE. YOU CAN FILE FOR A COURT NAME CHANGE IN MASSACHUSETTS IF YOU ARE 18 YEARS OR OLDER. PARENTS CAN FILE TO CHANGE THEIR MINOR CHILD'S NAME.

The following link contains information about how you obtain a name change, and what it costs:
www.mass.gov/courts/selfhelp/name-changes/

When you submit your change of name form, GLAD suggests that you consider requesting the court to:

1. Waive the requirement that you publish a notice in a newspaper about your change in order to protect your privacy. You can do so by submitting an affidavit with your petition as to why you do not wish to have the notice published. You may have to go before a judge to present your reasons.
2. Seal your file to protect your privacy. You can include this request in the same affidavit asking to waive the publication requirement.

It will be up to the court to decide whether to honor these requests.

REMEMBER, YOU CAN ONLY CHANGE THE NAME ON YOUR BIRTH CERTIFICATE WHEN YOU ARE ALSO CHANGING THE GENDER, SO IF YOU DO NOT SUBMIT A NAME CHANGE DECREE TOGETHER WITH YOUR REQUEST FOR A GENDER CHANGE, YOU WILL NOT HAVE ANOTHER OPPORTUNITY TO CHANGE THE NAME ON YOUR BIRTH CERTIFICATE.