## **Legal Disclaimer**

The information contained herein is meant to give general information to the public, it is not meant to provide specific legal advice. This is for educational purposes only. This handout and the hyperlinked packet is provided as-is with no warranty, express or implied, regarding the accuracy. It was accurate at the time of writing (2 Mar 2017), but statutes and regulations change and it is your responsibility to comply with them in order to properly change your name. If you have specific questions or concerns, please speak with a licensed attorney.

Use of this handout **does not**, in itself, constitute an attorney-client relationship with the Name Change Project or any of its participating attorneys.

## **Name Change Packet**

You can download most of the forms, pre-filled out except for your personal information, as part of the Name Change Packet available at www.namechangeproject.org

## **Initial Requirements**

* **Residency:** You can only file a petition in the county court where you are a resident.
* **Age:** For the purposes of this petition, you must be 18 years of age or older. There is a separate process for minors located [here](http://www.courts.state.co.us/Forms/Forms_List.cfm?Form_Type_ID=26) (link to CO Courts forms for minors).
* **Criminal Record:** A felony conviction in any state can make legal name change much more complicated. You may want to consult a licensed attorney.

## **Fingerprinting & Background Checks**

You must submit a criminal history check from the Federal Bureau (FBI) **and** Colorado Bureau of Investigation (CBI) at the time the petition is filed and **must be dated within 90 days** of the petition being filed. Here’s how to get those done:

* + Contact your local law enforcement office\* or FBI channeler to be fingerprinted. Be sure to inquire about the cost of finger printing and fingerprint cards. For a much faster process, go to [Denver Fingerprinting](http://www.denverfingerprinting.com/) or another FBI channeler near you. The cost is more, but you’ll get the results from the FBI in 24-48 hours rather than 12-15 weeks for the FBI’s internal process. Currently, CBI does not provide for electronic access so you’ll need to physically provide them with a fingerprint card, as explained below.
  + You will see a box labeled “Reason Fingerprinted” on the card in the upper left hand corner. Make sure to complete that box with the following: **“§13-15-101 Legal Name Change”**
  + If necessary, please write your name, home address, and date of birth clearly on the fingerprint card. If the agency completing the fingerprints uses an electronic print system, please do not write on the cards as the agency will automatically input the information.

If using the FBI and **not** a channeler, the FBI requires:

* + - Criminal History Application Form I-783
    - Completed finger print card
    - Payment (money order, certified check, or credit card). If paying by credit card, use Form I-786
    - Instructions and information are located [here](http://www.fbi.gov/about-us/chttps://www.fbi.gov/services/cjis/identity-history-summary-checks). You can also contact FBI customer service at 304-625-5590.
    - Mail the above items to the FBI at:
    - CJIS Division, Attn: SCU, Mod. D-2  
      1000 Custer Hollow Road Clarksburg, WV 26306

The CBI requires:

* Completed fingerprint card
* Payment (money order, certified check, or credit card). If paying by credit card use, form found from the link below. You may also hand deliver and pay by cash.

Instructions, forms, and information are located [here](https://www.colorado.gov/pacific/cbi/employment-background-checks). (look for the section named “Legal name change”) You can also contact CBI customer service at 303-239-4208.

* + Mail or hand-deliver the above items to the CBI at:
    - Colorado Bureau of Investigation  
      690 Kipling Street, Suite 3000  
      Lakewood, CO 80215

## **The Petition and Forms Required by Colorado for Name Change**

* + Packet instructions and blank forms are available in both PDF and MS Word formats on the Judicial Branch website [here](http://www.courts.state.co.us/Forms/SubCategory.cfm?Category=Name). However, we’ve taken the opportunity to complete them for you, but without your personal information. You can download them all, the along with a Motion for Exemption from the Publication Requirement, at [www.namechangeproject.org/](http://www.namechangeproject.org/)
  + You may complete the forms on your computer or fill them in by hand, printing legibly in black ink. I recommend using your computer.
  + **Do not sign the petition yet**. You must sign the petition in front of the court clerk or a notary public.
  + **Original Petition (JDF-433)**
    - Complete all sections on this form
    - You will attach the fingerprint based FBI and CBI criminal history reports to the original petition and identify them as “Exhibit A.”
    - Attach any other criminal disposition documentation and identify it as “Exhibit B.”
  + **Motion for Exemption of Publication for Name Change**
    - This motion is optional; however, it has worked well in the past – with the exception of Jefferson County. It is ultimately up to the judge’s discretion to grant or deny this motion. If you need assistance with this motion, please contact a licensed attorney.
    - By filing this motion, you have the potential of the judge waiving the requirement to publish your name change details in the newspaper. Not only will this increase your privacy but it will reduce the cost of changing your name (at writing, it cost $118 to post a legal notice for name change in the Denver Post and can range from $60-120 in other publications).
    - If you choose not to file this motion, you must include the following forms: JDF 427 – Public Notice and JDF-426 – Order for Publication for Change of Name. Instructions for these forms are at the end of this packet.
  + **Order for Publication for Change of Name (JDF 426)**
    - This is the order that the judge will sign if he/she denies the motion for exemption. Complete only the section at the top.
  + **Public Notice for a Change of Name (JDF 427)**
    - This is the document you will submit to the newspaper IF the motion for exemption is denied.
  + **Proposed Final Decree (JDF-448)**
    - Complete the section at the top ONLY. The judge/magistrate will check the boxes and sign the order.
  + **Proposed Final Decree for Change of Name to Obtain Identity Related Documents (JDF-387)**
    - Complete the section at the top ONLY. The judge/magistrate will check the boxes and sign the order.

## **Filing the Petition**

* + Each court may have different procedures. Contact the county court in the county you reside in for specific days or times when name change hearings are scheduled.
  + You may have your hearing on the same day that you file your case or a future hearing will be set. Additionally, some courts may not require a hearing and will issue an Order for the Motion and/or Order for Publication following a review of the petition and supporting documentation.
  + The filing fee for the petition is $100.
    - If you are unable to pay the filing fee, you may complete the Motion to File without Payment and Supporting Financial Affidavit ([JDF 205](https://www.courts.state.co.us/Forms/PDF/JDF%20205%20Motion%20to%20file%20without%20payment%20and%20supporting%20financial%20affidavit.pdf)) and submit it to the court. After you submit the completed form and a blank order, the court will decide whether you need to pay the filing fee.
    - Some jurisdictions include the cost of certifying copies so the total may be $100-$130 or so.
  + There may be additional fees/costs that apply.
  + You will receive the Final Decree via mail once all the steps are completed and the judge approves your petition.

## **Additional/Possible Costs**

* + Cost of Fingerprints: Amount varies and is payable to local law enforcement or the FBI channeler at the time fingerprints are taken. If you use an FBI channeler like Denver Fingerprinting, the cost of the FBI Criminal History Check is included in this fee. Denver Fingerprinting charged $99 for both sets of fingerprints and complete processing at the time of this writing.
  + FBI Fingerprint-based Criminal History Check: about $40 (included in the Denver Fingerprinting fee, if you use them)
  + CBI Fingerprint-based Criminal History Check: about $30 (included in the Denver Fingerprinting fee, if you use them)
  + Publication Fee: Amount varies and will be payable to the newspaper directly. Colorado Community Media charges $60 for a notice of name change to be published in one of Arapahoe, Adams, Douglas, Elbert, or Jefferson counties. The Aurora Sentinel is the paper of record for Arapahoe County and charges $40. They run notices once a week on their print publication days. The Denver Post charges per line and per day with most notices running three consecutive days and costs approximately $118. Most papers are familiar with the process and have been helpful.
  + Copies of Documents (Documents on File): $0.75 per page or $1.50 if double-sided
  + Copies of Documents (Documents not on File): $0.25 per page or $0.50 if double-sided
  + Certification Fee: $20

## **Alternate Instructions if you do not file the Motion for Exemption**

**Order for Publication for Change of Name (JDF 426)**

* Complete all sections of this form.
* The judge or magistrate will sign the Order for Publication, if your petition is approved.

**Public Notice for a Change of Name (JDF 427)**

* Complete all sections of this form.
* This is the form that you will submit to a local newspaper to publish notice of the requested name change.

**Include both of these forms when you submit your original petition with the county court.**

## **Ok, so your new name is now legal… now what?!? Time to update all your records!**

I recommend getting at least four (4) certified copies of the signed name change order. You will need to submit a certified copy to the organizations marked with an asterisk below. You will want to keep at least one copy in a fire safe or safety deposit box where you can easily gain access to it.

I’ve compiled a list of agencies, companies, and categories that you will need to notify of your new name. It’s a really long list, be warned. I’ve tried to put these in roughly the order that you should complete them, but some of that is personal preference.

* Social Security Administration\* (*definitely update this one first. The CO DMV will need the SSA letter you get after updating your name with the SSA*)
* DMV\* (*this should be second, as some places may want to see an ID with your new name on it*)
* Workplace\* (*third… payroll, email, internal directories, name tags, uniforms, business cards, 401k, etc*)
* Passport\* (*If you want a passport, do this ASAP as procedures for changing gender on passports may change with little-to-no warning.*)
* Bank(s)
* Credit Card(s)
* Utilities (gas/electric, phone, cell, internet, cable, etc)
* Voting registration\*
* IRS
* Insurance companies (medical, life, property, etc)
* County Clerk for deeds, car title, registration, tax records, etc
* Landlord/mortgage company
* Licensing agencies (Bar Association, nursing board, etc)
* High school for new diploma
* College(s) for new diploma(s)
* Library
* Magazines/newspapers
* Government assistance programs, if applicable
* Veterans Affairs Administration, if applicable
* DD-214 military discharge documents, if applicable
* Wills, powers-of-attorney, health care directive, living trusts
* Memberships (frequent flier programs, hotel rewards, shopping loyalty cards, etc)
* Online (Paypal, Facebook, eBay, Linkedin, etc)
* Post Office
* Miscellaneous (Voicemail, toll road accounts, subscriptions, charities, church)

**Social Security Administration**\* (*definitely update this one first*)

WHAT YOU NEED: Name change order, your old Social Security card and current form of I.D.

I recommend going to the local SSA office ([find the closest one to you](https://secure.ssa.gov/ICON/main.jsp)), rather than mailing off the forms. The form you must use is SS-5, also available in this packet. Detailed instructions are included as part of this form.

If possible, update your gender marker at the same time. In general, the SSA will accept any of the following forms of evidence for a gender marker change:

* A court order recognizing the correct gender;
* A signed letter from a licensed treating physician confirming that you have had appropriate clinical treatment for gender transition;
* A birth certificate showing the correct gender; or
* A U.S. passport showing the correct gender;

In Colorado, most people use a letter from their doctor. The letter must come from a licensed physician with whom you have a patient relationship and who is familiar with your transition-related treatment. It can be a primary care physician or a specialist. All certifications must be on the physician’s letterhead and include all of the information seen in the sample letter included in the packet. Your physician does not need to give additional personal health information that is not included in the sample letter.

**DMV\*** (*this should be second, as some places may want to see an ID with your new name on it*)

WHAT YOU NEED: Name change order

To change your name on a Colorado Driver’s License, bring your court ordered name change documentation to your local DMV office and they will change your name and retake your photo and a new license will be issued.

To change your gender marker on your driver’s license in Colorado, use form DR-2083 to update your DMV records. A copy is provided in the packet.

If you are also updating your address, you’ll need a second form of identification with your address on it (utility bill, insurance card, etc)

**Workplace\*** (*third… include payroll, email, internal directories, name tags, uniforms, business cards, 401k, etc*)

Individual workplaces will differ. Contact your Human Resources department, if one exists. If not, speak to your supervisor or employment records manager.

**Passport\***

***Updating Your Legal Name and Gender Marker on an Existing Valid Passport or Getting a Passport for the First Time***

If you are applying to change your gender marker, submitting a passport application for the first time, or applying for a passport when your old passport has expired, *you must apply in person so that your signature is witnessed*.

You will need to complete and submit:

* Application for U.S. Passport ([Form DS-11](http://www.state.gov/documents/organization/212239.pdf), also available in this packet);
* Proof of U.S. Citizenship (such as a previous U.S. Passport, certified Birth Certificate, Certificate of Naturalization, or Report of Birth Abroad);
* Proof of Identity that contains your signature and photograph that is “a good likeness to you” (such as a previous U.S. Passport, a Driver’s License, a Certificate of Naturalization, Military Identification, or a Government Employee Identification Card);
* Two recent color photographs, 2x2 inches in size (these can be obtained at Walgreens, CVS, etc);
* If you are changing your name on your passport, an Order for Name Change (certified copy showing a seal and officiate/judge signature);
* A letter from your physician confirming your gender transition (t*he requirements for this letter are listed below*); and
* Fee (*See the Department of State fee schedule for costs:*[*http://travel.state.gov/content/passports/english/passports/information/fees.html)*](http://travel.state.gov/content/passports/english/passports/information/fees.html)*.*

Take these documents and fees in person to any Passport Acceptance Facility. To find the acceptance facility closest to you, visit the State Department’s website, Passport Acceptance Facility Search Page, at [http://iafdb.travel.state.gov](http://iafdb.travel.state.gov/) or call the National Passport Information Center at 1-877-487-2778.

The State Department has provided the following model letter for physician certifications. All certifications must be on the physician’s office letterhead and include all of the information seen here, including the physician’s license or certificate number. You should ask your physician to use this letter and not give additional personal health information that is not included here.

*PHYSICIAN LETTERHEAD*

*I, Physician’s Full Name, Physician’s medical license or certificate number, Issuing U.S. State/Foreign Country of medical license/certificate, am the physician of Full Name of Patient, with whom I have a doctor/patient relationship and whom I have treated (or with whom I have a doctor/patient relationship and whose medical history I have reviewed and evaluated).*

*Name of Patient has had appropriate clinical treatment for gender transition to the new gender of (specify new gender male or female).*

*I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.*

*Signature of Physician*

*Typed Name*

*Date*

You can download a [sample physician letter here](http://www.transequality.org/sites/default/files/docs/kyr/Physician%27s%20letter.docx)**.**

***Updating Your Legal Name Only (no gender marker update) on an Existing Valid Passport***

When you already have a valid Passport, you may submit a *Passport Renewal Application* to change your legal name on the passport by mail. You will need to complete and submit:

* A Passport Renewal Application ([Form DS-82](http://www.state.gov/documents/organization/212241.pdf));
* Your most recent Passport (book or card);
* A recent color photograph 2x2 inches in size;
* Order for Name Change (certified copy showing a seal and officiate/judge signature);
* Fee (*See the Department of State fee schedule for costs:*[*http://travel.state.gov/content/passports/english/passports/information/fees.html)*](http://travel.state.gov/content/passports/english/passports/information/fees.html)*.*

See <http://www.transequality.org/know-your-rights/passports> for a detailed discussion of this topic.

**Bank(s)**

Banks will differ. Call ahead of time to ask what documentation your particular bank needs. Expect to provide a copy of your name change and/or an updated ID.

**Credit Card(s)**

Credit card companies will also differ. Call ahead of time to ask what documentation your particular institution needs.

**Utilities** (gas/electric, phone, cell, internet, cable, etc)

Utility companies will differ. Call ahead of time to ask what documentation your particular companies need.

**Internal Revenue Service**

Complete Form 8822, available in this packet or online. If you checked the box on line 2, send Form 8822 to:

Department of the Treasury,

Internal Revenue Service Center,

Cincinnati, OH 45999-0023

**Voting registration\***

You will need to fill out the Colorado Voter Registration Form, Form 100. Once completed, sign the form. Then mail, deliver, or scan the signed form and email it to your county clerk and recorder. You may find a list with contact information at [www.govotecolorado.com](http://www.govotecolorado.com). You may also mail it to:

Colorado Department of State

Elections Division

1700 Broadway, Suite 200

Denver, CO 80290

**Insurance companies** (medical, life, property, etc)

These companies will differ. Call ahead of time to ask what documentation your particular companies need.

**County Clerk** (deeds, car title, registration, tax records, etc)

Counties may differ. Call ahead of time to ask what documentation your particular county needs.

**Landlord/mortgage company**

These companies will differ. Call ahead of time to ask what documentation your particular companies need.

**Licensing agencies** (Bar Association, nursing board, etc)

These agencies will differ. Call ahead of time to ask what documentation your particular agency/agencies need.

**Selective Service**

People who are assigned male at birth and who are required to register are also required to inform the Selective Service of any legal name change or change in other record information such as address up until your twenty-sixth birthday. This does not include change of gender as the Selective Service policy is entirely based on birth-assigned sex. For transwomen and others who were assigned male at birth and have registered with the Selective Service, notification of a name change is legally required within ten days.

To update your records, fill out the Change Of Information Form attached to the Registration Acknowledgement Card with your new name. Alternatively, you can fill out a Change of Information Form called SSS Form 2, which you can obtain at any United States Post Office or U.S. Embassy or Consulate abroad. You may also change your information with the Selective Service by letter. In the letter, include your full name, Social Security Number, Selective Service Number, date of birth, current mailing address and new name. With any of these three methods, you must attach official documentation of your name change and mail it to the Selective Service. Updates take four to six weeks, after which you will be mailed a new acknowledgement card.

***People who are required to register:***

* All U.S. citizens assigned male at birth (including transwomen) and born after December 31, 1959, who are 18 but not yet 26 years old
* National Guardsmen and Reservists not on active duty
* Cadets at the Merchant Marine Academy
* Delayed Entry Program enlistees
* ROTC Students
* People who have left Active Military Service for any reason before age 26
* Men rejected for enlistment for any reason before age 26
* Civil Air Patrol members
* Immigrants with permanent resident status
* Immigrants with I-688 special (seasonal) agricultural worker status
* Refugee and parolee immigrants and immigrants seeking asylum
* Undocumented immigrants
* Dual national U.S. citizens
* People with disabilities who spend time in public with or without assistance
* Residents of Puerto Rico, Guam, the U.S. Virgin Islands, and Northern Mariana Islands Citizens of American Samoa, Republic of the Marshall Islands and the Federated States of Micronesia only if they are habitual residents of the United States (habitual residency is presumed when one resides in the United States for more than one year in any status, except as a student or employee of the government of his homeland)

***People who are NOT required to register:***

* People who were assigned female at birth (including transmen)
* People born between March 29, 1957, and December 31, 1959
* Students in Officer Procurement Programs at The Citadel, North Georgia College and State University, Norwich University, Virginia Military Institute, Texas A&M University, Virginia Polytechnic Institute and State University
* Members of the Armed Forces on active duty (active duty for training does not constitute “active duty” for registration purposes and those leaving active duty are required to register within 30 days of release unless already age 26, or already registered when released, or unless exempt during entire period age 18 through 25)
* Cadets and Midshipmen at Service Academies or Coast Guard Academy
* Lawful non-immigrants on visas (e.g., diplomatic and consular personnel and families, foreign students, tourists with unexpired Form I-94, or Border Crossing Document DSP-150)
* Incarcerated, or hospitalized or institutionalized for medical reasons
* People with disabilities who are continually confined to a residence, hospital, or institution
* Immigrants with I-688A special agricultural worker status

For more information, consult the United States Selective Service System [website](http://www.sss.gov/) and the [Status Information Letter request form](https://www.sss.gov/RegVer/wfRegistration.aspx).

**High school for new diploma**

Schools will differ. Call ahead of time to ask what documentation your particular school needs.

**College(s) for new diploma(s)**

Schools will differ. Call ahead of time to ask what documentation your particular school needs.

**Library**

Libraries will differ. Call ahead of time to ask what documentation your particular library needs.

**Magazines/newspapers**

Usually, it is simple as filling out a change of name/address form with the publisher. Look on their website or call.

**Government assistance programs, if applicable**

Government agencies will differ. Call ahead of time to ask what documentation your particular agency needs.

**Veterans Affairs Administration/DEERS, if applicable**

In order to change your name and gender in DEERS, the DEERS/RAPIDS Service Project Office for your military department must submit a request to Defense Human Resources Activity (DHRA) for review and implementation. A gender (or name) change in DEERS will not affect the eligibility of any of your existing dependents for military benefits.

*What Documents Should a Name and Gender Change Request Include?*

The Service Project Office of your military department should submit scans of the below documentation for DHRA review, with the subject line “DEERS Record Change Request ICO First Name Last Name”.

Two forms of identification that are listed as acceptable on the federal Form I-9, one of which is a government-issued picture ID. Passports, driver’s licenses and Social Security cards are recommended, but the Department of Defense will accept all documents on page 9 of the I-9 list, available at <http://www.uscis.gov/sites/default/files/files/form/i-9.pdf>.

* If name change is requested, a court order legally changing your name.
* If gender marker change is requested, a signed statement, on office letterhead, from a licensed physician. The statement must include the following information:
  + Physician’s full name;
  + Medical license or certificate number;
  + Issuing state or other jurisdiction of medical license/certificate;
  + DEA registration number assigned to the physician;
  + Address and telephone number of the physician;
  + Language stating that the physician is your physician and has a doctor/patient relationship with you;
  + Language stating you have had the appropriate clinical treatment for gender transition to male/female; and,
  + Language stating “I declare under penalty of perjury under the laws of the United States that the forgoing is true and correct.”

*How will I know that my DEERS record has been updated?*

DHRA will confirm with the Service Project Office when the record has been updated. The Project Office must then follow existing Service procedures to send an update to Defense Finance and Accounting Service (DFAS), or the Service equivalent pay office, to allow DFAS, or the Service equivalent pay office, to update its system with the corrected gender.

If you have life insurance through the VA, you will also need to fill out VA Form 29-586.

**DD-214 military discharge documents, if applicable**

Complete DD Form 149, available in this packet or online. Attach a copy of your name change order to the form. Mail completed applications to the correct service-appropriate address listed page 2 of the form. If you have multiple DD-214s, you may need to submit a separate form for each DD-214.

**Legal Documents** (Wills, powers-of-attorney, health care directive, living trusts, etc)

If you have an attorney, let him/her know and they will update the relevant documents. If not, update your name on each document and have it re-executed (signed in front of a notary). Destroy the old version(s).

**Birth Certificate\***

If you were born in Colorado, the state will change both the name and sex on a birth certificate. The state will also issue a new birth certificate rather than amend the old one. A certified copy of a legal name change order is required to change your name.

A court order indicating that gender reassignment surgery has been completed is required to change your gender marker. Once surgery has been completed and you have the official court order, a certified copy of the court ordered gender change must be submitted to CPDHE Vital Statistics. More information is available [here](https://www.colorado.gov/pacific/cdphe/correct-or-change-birth-certificate). There will be another packet on this topic.

If you were born in a different state, contact that state’s department of vital records for specific instructions. [TransEquality](http://www.transequality.org/documents) has a good website detailing each state’s requirements.

**Memberships** (frequent flier programs, hotel rewards, shopping loyalty cards, etc)

Companies will differ. Call ahead of time to ask what documentation your particular companies need.

**Online**

PayPal: <https://www.paypal.com/selfhelp/article/FAQ586/?country.x=HK&locale.x=en_GB>

Facebook: <https://www.facebook.com/help/173909489329079>

LinkedIn: <https://www.linkedin.com/help/linkedin/answer/79/changing-how-your-name-appears-on-your-profile>

Twitter: <https://testedblog.com/change-twitter-name-username-easily-2015/>

For other sites, I recommend a simple Google search of “how to change my name on {insert website here}

**Post Office**

Not really necessary, but not a bad idea. Use the Change of Address form, available at your post office or online at https://moversguide.usps.com

**Miscellaneous** (Voicemail, toll road accounts, subscriptions, charities, church)

These will vary. Google is your friend if you get confused.