

# Missouri Legal Transition

This handout provides information on options for legal transition in the state of Missouri. If you have questions about the information provided here, need other legal transition related information or education, or would like referral to another service please call **314-362-3500, option 2**.

**The information presented should not be considered legal advice.**

## Name Change

To obtain a legal name change in the state of Missouri, the applicant must:

- submit a petition to the court
- publish notice of name change at least once a week for three weeks in newspaper within 20 days of court order
  - Publication may be waived in issues of domestic violence or child abuse\*

If you are under the age of 18, the parent or “next friend” may file a *Petition for Change of Name by Parent* with the circuit court in the county the minor lives. The petition must include:

- Written consent of each known parent or provide a non-consenting parent with name change hearing
  - The petitioner must publish notice of the change in a newspaper once a week for three weeks unless publication is waived.

## Gender Marker

To update the gender on a Missouri ID, the applicant must provide ONE of the following:

- A completed Gender Designation Change Request Form signed by a health professional (<https://dor.mo.gov/forms/5532.pdf>);
- Medical documentation showing completion of gender reassignment surgery;
- A US Passport which reflects the gender designation requested by the applicant; or
- A court order declaring the gender designation requested by the applicant (may be part of court order name change)

In order to update the name on a Missouri ID, the applicant must present a document demonstrating the current name, such as a Certified Court Order, a U.S. Passport, a Social

## Helpful Tips:

- After court has granted your legal name change and you have had newspaper publication, it is highly recommended that you make several certified copies for future use. This will be helpful when updating additional legal identifying documents in the future.
- When giving a reason for name change, you do not have to disclose your gender identity, sexual orientation, etc.
- To file a petition to change your name it will likely cost between \$150.00 and \$200.00.
  - **A waiver or partial waver form is available to cover costs.**
- You may choose to use an attorney when petitioning the courts for any legal name and gender marker change, however you are not required to do so.
- If you have been convicted of a felony within the last ten years or are a registered sex offender, the courts will not grant a legal name change.

## Birth Certificate

According to the Missouri statute, the Department of Health will issue an amended birth certificate *“upon receipt of a certified copy of an order of a court of competent jurisdiction indicating the sex of an individual born in this state has been changed by surgical procedure and that such individuals name has been changed.”* (Mo.Rev.Stat 193.215-9)

To apply for an amended birth certificate the applicant should submit the certified copy of the court order, a written request for the birth certificate (stating where the new certificate is to be sent), and the applicable fees to Missouri Department of Health and Senior Services, P.O. Box 570, Jefferson City, MO 65102.

Note that some individuals have been able to get a court order for gender change on a Missouri birth certificate without proof of surgery.

## Passport

In June 2010, the State Department announced a policy that allows for a transgender person to obtain a passport reflecting their current gender by submitting certification from a physician confirming that they have had appropriate treatment for gender transition. No specific medical treatment is required.

**Important note:** many physician letters get rejected because they do not follow the exact language outlined in the model template (see form), so please ask your physician to use the model language **word for word**.

If you receive a letter from the State Department that they need additional information, do not be alarmed. Follow the instructions of the letter from the State Department and send in additional documentation within 90 days.

Keep copies of everything you submit and ask your physician for extra signed originals.

## Helpful Tips:

- You will need a letter signed by a licensed physician with whom you have a doctor-patient relationship and who is familiar with your treatment, including a primary care physician or specialist.
- If you receive your primary care from someone who is not a physician (not an MD or DO), the supervising licensed physician must sign the letter. Signatures from other types of medical providers, such as **psychologists, physician assistants, or nurse practitioners**, are **not** acceptable.
- Physician certification should be on the physician’s office letterhead, including the physician’s license or certificate number.
- Since there is no specific requirement as to what is considered “appropriate treatment for gender transition,” details of your transition need to be provided. Details about surgery, hormone treatment, or other treatments should not be included in physician letter.