

The Archives of the Episcopal Church
Proposed Guidelines for Policy on Amending Church Records for Name and Gender Changes
Appendix: Bibliography of Sources Consulted, October 2021

Federal Standards

Department of Health and Human Services, Center for Disease Control. National Center for Health Statistics. “Model State Vital Statistics Act and Model State Vital Statistics Regulations, 2011 revision.” Accessed January 14, 2016, <<http://www.naphsis.org/Documents/FinalMODELLAWSeptember72011.pdf>>

This model is a widely cited standard for vital record keeping. Endorsed by the National Association for Public Health Statistics and Information Systems.

Social Security Administration. “Program Operations Manual System RM 10212.095, Evidence of Name Change based on US Issued Amended or Corrected Birth Certificate. Last modified December 28, 2018. Accessed June 19, 2020. <https://secure.ssa.gov/poms.nsf/lnx/0110212090>.

Social Security Administration document requirements for name changes.

Social Security Administration. “Program Operations Manual System RM 10212.200, Changing Numident Data for Reasons Other than Name Change.” Last modified June 13, 2013. Accessed June 19, 2020. <https://secure.ssa.gov/poms.nsf/lnx/0110212200>.

Social Security Administration document requirements for other changes. This section specifically notes that surgery is not required for a change in gender identity.

U.S. Citizenship and Immigration Service. “Instructions for Petition to Remove Conditions on Residence, USIS.” Last modified December 2, 2019. Accessed June 19, 2020. <https://www.uscis.gov/sites/default/files/files/form/i-751instr.pdf>.

This is the USCIS form for petition for change of residence status because of marriage. Pages 5-6 contain proof of relationship examples for thinking about what happens when one needs proof of identity but does not have a government issued ID (see number 5, the affidavits).

U.S. Department of State - Bureau of Consular Affairs, Travel. State.Gov: U.S. Passports/Already Have a Passport: Change or Correct a Passport. <https://travel.state.gov/content/travel/en/passports/have-passport/change-correct.html>

This is an example where an affidavit can substitute as evidence of name change when a government issued document is not available.

U.S. Department of State - Bureau of Consular Affairs. “Manual 8 FAM 403.3.” Last modified June 27, 2018. Accessed June 19, 2020. <https://fam.state.gov/FAM/08FAM/08FAM040303.html>.

This manual includes a thoughtful guide for considering how changes of appearance affect the process of accepting gender identity changes, with advice for treating applicants with respect.

New York City Regulations

Rules of the City of New York. “Amendment of the General Vital Statistics Provisions (Sec. 207.05 of Article 207 of the NYC Health Code).” Accessed June 19, 2020.

<https://www1.nyc.gov/assets/doh/downloads/pdf/about/healthcode/health-code-article207.pdf>.

This rule is an example of a municipality that permits applicants to self-attest for changes in gender markers for birth certificates, and allows the use of the marker “X” when neither an exclusively male or female identity is desired. It also states that the original record is not destroyed but sealed.

NYCourts.gov, New York City Civil Court. “Name Changes.” Accessed June 19, 2020. <https://www.nycourts.gov/courts/nyc/civil/namechanges.shtml>.

Where gender identity requirements have loosened, name changes often require a court order.

NYC Human Rights: Law: Legal Library, Text of the NYC Human Rights Law. “New York City Gender Identity/Gender Expression: Legal Enforcement Guidance.” Accessed June 19, 2020. <https://www1.nyc.gov/site/cchr/law/legal-guidances-gender-identity-expression.page>.

Includes an excellent glossary of gender terms and discusses the issue of gender identity from a inclusive perspective that aids in understanding the importance of the issue for those affected.

State Regulations and Resources

NYCourts.gov, Court Help, Name Change. “Name Change Basics.” Accessed June 19, 2020. <https://www.nycourts.gov/courthelp/NameChange/basics.shtml>.

New York State agencies, including the Department of Motor Vehicles, generally require a court order in their name change rules. License changes for gender still require a written statement by a licensed professional as proof of gender change.

NYCourts.gov, Court Help, Name Change. “Proof of Birth.” Accessed June 19, 2020. <http://www.nycourts.gov/CourtHelp/NameChange/proof.shtml>

The New York State Court system requires a birth certificate, but will accept other documents, including baptismal certificates under special circumstances.

New York State Senate. “Senate Bill S56B: Gender Recognition Act.” Accessed June 19, 2020. <https://www.nysenate.gov/legislation/bills/2019/s56>.

Current New York State rules does not allow for non-binary gender markers, but legislation is in committee for the current (2020) legislative session to permit “X” as a gender designation.

Oregon Health Authority, Public Health Division, Center for Health Statistics. “Application to Change the Name and/or Sex on a Record of Live Birth to Support Gender Identity Information Sheet.” Last modified January, 2018. Accessed June 19, 2020. <https://www.oregon.gov/oha/PH/BIRTHDEATHCERTIFICATES/CHANGEVITALRECORDS/Documents/OHA-2673.pdf>.

Oregon was the first to allow non-binary gender markers and self-attestation for gender changes.

Washington State Legislature. “WAC 246-490-075, Changing sex designation on a birth certificate.” Effective 01/27/2018. Accessed June 19, 2020. <https://app.leg.wa.gov/WAC/default.aspx?cite=246-490-075>.

This is an easy to understand example of the use of X as a gender designation.

Religious Sources

Anglican Church of Canada, Diocese of Toronto Archives. “Information for Parishes, Parish Registers.” Accessed June 19, 2020. <https://www.toronto.anglican.ca/parish-administration/archives/information-for-parishes/parish-registers/>

Episcopal Diocese of Olympia, Archives. “Confidential Records Policies and Procedures.” Accessed June 19, 2020. <https://ecww.org/about-the-diocese-of-olympia/departments/archives/archives-resources/%20archives-confidential-records-policies-and-procedures/>.

Episcopal Diocese of Utah. "Policy on the Diocesan Archives." Approved September 13, 2014. Accessed June 19, 2020. <https://www.episcopal-ut.org/wp-content/uploads/2018/12/Policy-on-the-Diocesan-Archives-Current-1.pdf>.

Recommended Aggregation Sites: Sources of laws and procedures

Movement Advancement Project. "Equality Maps Snapshot: LGBTQ Equality By State." Accessed June 19, 2020. <https://www.lgbtmap.org/equality-maps/>.

USLegal. "Name Change Laws By State." Accessed June 19, 2020. <http://namechange.uslegal.com/name-changes-laws-by-state/>

Trans Legal Mapping Report: Recognition before the law, November, 2017. ILGA World (International lesbian, Gay, Bisexual, Trans and Intersex Association).

https://ilga.org/downloads/ILGA_Trans_Legal_Mapping_Report_2017_ENG.pdf

This document surveys name change and gender marker laws throughout the world with some gaps. Although somewhat dated, no site we found has been more up to date.

Transrespect versus Transphobia Worldwide by Trans Gender Europe. <https://transrespect.org/en/map/legal-gender-recognition-change-of-name/>

This is a detailed map about international name change requirements for trans people. It fills some gaps but leaves others. It should be consulted with world survey sites, eg. the *Trans Legal Mapping Report* above.