

# HOW TO UPDATE YOUR LEGAL NAME IN ILLINOIS

To obtain a legal name change in Illinois, you must first obtain a court order which can then be used to update your legal name on personal documents and accounts.

In order to obtain the court ordered name change, an applicant must first submit a petition to the court and the petition must be verified by an official Illinois notary public. You may often find a notary public at your local bank, county courthouse, or town/city hall. If the applicant is 18 years or older, they must publish a notice of the petition in a newspaper for three consecutive weeks, starting at least six weeks before the hearing. If the applicant is a minor, both all legal guardians must agree to the name change. You can ask the judge to change the minor's name without notifying the non-agreeing guardian or publishing the request in a newspaper. In some cases, a judge may grant an exception to these requirements.

## CHANGING YOUR LEGAL NAME IN ILLINOIS

There are a few ways to change your legal name in Illinois. If you are interested in getting started on your own, you can find approved statewide name change forms here: [http://www.illinoiscourts.gov/Forms/approved/name\\_change/name\\_change.asp](http://www.illinoiscourts.gov/Forms/approved/name_change/name_change.asp). Follow the instructions based on whether the name change is for a child or adult.

For instructions on legal name changes for minors under 18 in Illinois, see the National Center for Transgender Equality (NCTE) resource here: [Name Changes for Minors in Illinois](#)

- o <https://www.transequality.org/sites/default/files/docs/id/NameChangesforMinors/NCTE%20Minor%20Name%20Change%20Illinois.pdf>

While it is possible for families to go through this process on their own, many find that they require additional support. Below you can find free programs and resources that we recommend for assistance with the name change process.

## THE TRANSFORMATIVE JUSTICE LAW PROJECT OF ILLINOIS

### ABOUT:

The Transformative Justice Law Project of Illinois (TJLP) is a collective of radical lawyers, activists, and community organizers founded in June of 2008 in response to the urgent need for holistic legal services for transgender and gender non-conforming people in Illinois who are targeted by the criminal legal system. TJLP's primary projects currently focus on identity documents and supporting transgender prisoners.

**Program:** Trans/gender Affirming Name Change Mobilization Unit

**Location:** 12<sup>th</sup> floor of the Daley Center (50w. Washington St. Chicago, IL 60602), room 1202

**Availability:** The last Friday of every month from 9:00AM—3:00PM

**Contact information:** Phone number: 312-558-1472 Email: [namechange@tjlp.org](mailto:namechange@tjlp.org)

**General website:** <http://tjlp.org/services/name-change-mobilization/>

Example forms: <http://staging.tjlp.org/services/name-change-mobilization/>

## THE JOHN MARHSALL LAW SCHOOL PRO BONO PROGRAM & CLINIC

### About:

The Pro Bono Clinic can help draft your petitions for a name change or assist with a gender marker change on official documents. They can help you waive any fees associated with court-ordered name change, if you qualify. If you have a hearing on your petition for a name change, they will appear in court with you.

### Program: Name & Gender Marker Change Project

Location: 315 S. Plymouth Court, Chicago, IL 60604)

Contact information: Phone number: 312-427-2737 ext. 477 Email: [probono@jmls.edu](mailto:probono@jmls.edu)

Website: <https://jmls.uic.edu/experiential-education/clinics/pro-bono/projects/>

## NAME CHANGE ELIGIBILITY REQUIREMENTS

- You must live in Illinois for at least 6 months before applying.
- You must be a resident of the county in which you are filing.
- If you have a felony conviction, you must wait 10 years from the date you finished your sentence to change your name
- You cannot apply for a name change if you have been convicted of any felonies or misdemeanors that require registration as a sex offender, or if you have a conviction for identity theft or aggravated identity theft

## IMPORTANT DOCUMENTS AND COSTS

- Valid photo ID
- A document showing you have lived in Illinois for 6 months or more
- \$359.00 filing fee
  - If you intend to apply for fee waivers, bring proof of finances such as: paystubs, bank statements, public benefits letter, LINK card, etc.
- **Please be advised that costs and fees are subject to change at any time. It is recommended to contact your local circuit court office to confirm costs and fees.**

## CHANGING YOUR LEGAL NAME OUTSIDE ILLINOIS

For more information on how to change your legal name outside of Illinois:

### Contact information:

National Center for Transgender Equality

Phone number: 202-642-4542

Email: [ncte@transequality.org](mailto:ncte@transequality.org)

Website: <https://transequality.org/documents/state/illinois>

# HOW TO UPDATE YOUR GENDER MARKER IN ILLINOIS

## CHANGE YOUR GENDER ON YOUR DRIVER'S LICENSE/STATE ID

In August 2019 the governor signed [HB 3534](#) mandating gender neutral "X" designations be added to all state forms. The Secretary of State has indicated that this option may not be available on driver's licenses until the year 2024. Currently, M or F is available on an Illinois ID. To update the gender marker on an Illinois ID the applicant must sign a form attesting to their gender identity. No medical signature or documentation is required.

- Visit your local DMV with the following items:
  - If you have never obtained an IL driver's license or ID **ONLY**
    - **Acceptable identification** for proof of identity.
      - Birth certificate
      - Social security card
      - Written Signature document
      - Two documents providing Illinois residency
  - If you already have a current and valid IL driver's license or ID
    - Bring your current and valid IL driver's license or ID.
  - A **Gender Designation Change Form** signed by the applicant.
    - [https://www.cyberdriveillinois.com/publications/pdf\\_publications/dsd\\_a329.pdf](https://www.cyberdriveillinois.com/publications/pdf_publications/dsd_a329.pdf)
  - The applicable fee
    - Replacement driver's license: \$5
    - First-time state ID: \$20
    - Replacement state ID: \$10

## CHANGE YOUR GENDER MARKER ON YOUR BIRTH CERTIFICATE

An individual born in Illinois, with an existing Illinois birth certificate, may submit an **Affidavit and Certificate of Correction Request form** along with a **Declaration of Gender Transition/Intersex Condition form** to the Illinois Department of Public Health requesting to have the gender changed on their own birth certificate.

The application and the following supporting documents along with a copy of a non-expired government issued photo ID, and a \$15 check or money order payable to IDPH, should be mailed to:

ILLINOIS DEPARTMENT OF PUBLIC HEALTH Division of Vital Records  
925 E. Ridgely Ave.  
Springfield, IL 62702-2737

Include the following documents together in packet you mail:

- Declaration of Gender Transition/Intersex Condition Form
  - <http://www.dph.illinois.gov/sites/default/files/forms/gender-reassignment-2017.pdf>
  - Affidavit needs to be completed in its entirety by the individual seeking a change in the sex designation on the birth certificate
  - The form must be signed and **notarized**.

- The applicant must be 18 or older to complete the form. If the applicant is a minor, a parent or other legal guardian must complete and sign the form.
- [Affidavit and Certificate of Correction Request](#)
  - [http://www.dph.illinois.gov/sites/default/files/forms/affidavitcertcorrection\\_1.pdf](http://www.dph.illinois.gov/sites/default/files/forms/affidavitcertcorrection_1.pdf)
  - Affidavit must be completed by either a licensed health care professional or a licensed mental health professional.
  - This provider must stipulate, under penalty of perjury, that the person seeking a new certificate of birth has either undergone clinically appropriate treatment for gender transition or has an intersex condition.
- **Previous birth certificate**
- **The fee** of \$15, which includes one certified copy of the new birth certificate.
  - Additional copies are \$2 each if ordered at the same time.