

Get a court order that confirms your gender change

Author

Northwest Justice Project

Last Review Date

July 18, 2025

Forms and instructions to ask for a court order that confirms your sex or gender change (sometimes called a “legal gender change” court order). Whether to get this kind of court order is **entirely** personal and dependent on your situation and needs. Many trans+ and gender diverse people **never** get this kind of court order. Others will want to get one for personal, safety, or identity record reasons.

This type of order won’t work to change your birth certificate if your birthplace requires a court order (<https://en/can-i-change-sex-my-birth-certificate>).

1. Common questions

Important information

Important Notice: ()During the current federal administration, the information related to federal ID rights and sex/gender on federal records is changing rapidly. An executive order issued in 2025 temporarily banned sex or gender changes on federal identity records and documents. This included passports, Social Security records, tribal and BIA related records, immigration records and other federal records. These bans are being challenged by lawsuits.

As of January 2026 you can’t change the sex or gender designation that is listed on your passport or other federal IDs. If you ask to change

your passport, no matter what proof you provide, you could be issued a passport with the sex that was assigned on your original birth certificate.

What is my legal gender?

The concept of “legal gender” is complicated. If you’re transgender, nonbinary, intersex, gender diverse, or have experienced a sex or gender change, you might need to make decisions related to changing the sex or gender that’s listed on your various IDs and records. If you do, it can help to know what defines your legal gender. Legal gender usually is the sex or gender that’s listed on various government IDs and records.

In Washington state, discrimination protections include both sex and gender (<https://app.leg.wa.gov/rcw/default.aspx?cite=49.60.040>) and treat them interchangeably. Gender expression and gender identity are included in the state law and are defined in the state law as (<https://app.leg.wa.gov/rcw/default.aspx?cite=49.60.040>): "having or being perceived as having a gender identity, self-image, appearance, behavior, or expression, whether or not that gender identity, self-image, appearance, behavior, or expression is different from that traditionally associated with the sex assigned to that person at birth".

Your gender identity and lived experience might not match your legal gender that is listed on your records or various IDs. Your legal gender on various IDs might not define your gender identity and lived experience of your gender and sex. A sex or gender assignment or designation on your records can affect many parts of your daily life. In Washington state, protections include gender identity and gender expression (<https://app.leg.wa.gov/rcw/default.aspx?cite=49.60.040>), **not just sex or gender assignment**.

What defines my legal gender at the federal level?

If you were born in the U.S. **and** were registered for a Social Security card at your birth by your parents or guardians, the sex that was **first** listed on your birth

certificate was reported to the Social Security Administration (SSA). **That** sex designation became the sex that was first listed on your Social Security record. The sex that was **first listed on your Social Security Record can be used as** your federal “legal gender”. This is called your “Sex Identification on the Social Security Record”. That sex is the sex that Homeland Security and the Department of State can find out even if you changed it later.

- If you applied for a Social Security card later on in your life or applied for a Social Security during your citizenship process, the sex you were assigned on that application will be your Sex Identification on the Social Security Record.
- If you don’t have a Social Security card and live in Washington state, your legal gender would most likely be the gender that is listed on your state photo ID.
- If the only ID that you have ever had is a birth certificate, then the sex on your birth certificate would be your legal gender.

Some kind of record of your sex or gender exists in many places that don’t necessarily include a **visible** gender marker or sex designation like your photo ID has on it.

Do I need a court order to change my legal gender?

No. In Washington, you don’t need a court order to change the gender that is on your state ID. If you were born in Washington, you don’t need a court order to change the sex on your birth certificate. If your birth place requires you to get a court order to change the sex on your birth certificate, that will require a different kind of court order than the forms in this guide. If you need a court order to change your birth certificate, use the forms in our other guide to get that kind of court order.

You can’t currently change the sex or gender on certain federal IDs **even if you get a court order** that confirms you have had a sex change. The ban currently impacts Social Security changes. As of June 2025, you **can change the sex on your passport** while the lawsuit about the passport ban continues.

Why should I get a court order that confirms my sex or gender change?

Whether to get this kind of court order is **entirely** personal and dependent on your situation and needs. Many trans+ and gender diverse people **never** get this kind of court order. Others will want to get one for personal, safety, or identity record reasons. You might need or want this kind court order if any of these are true:

- Your birth state won't allow birth certificate changes. This kind of order is the most "official" kind of legal gender change record you can get.
- Federal law changes made it hard for you to get other IDs that reflect your actual lived gender experience and identity.
- You need this kind of court order to meet a requirement for an identity or personal record, for example to change a school transcript.
- It causes you distress to not have a legal confirmation of your sex or gender change. Getting this kind of court order will help ease that distress.
- You want the security of having a court order that confirms your gender change. If you have this kind of court order, you can't be accused of fraud or lying for outwardly living as a different gender from what you were assigned at birth.

What if I need a court order to change my birth certificate?

That requires a **different** kind of order with **very special language**. Use our other guide to learn how to ask for a birth certificate amendment court order for a non-Washington birth certificate.

Can I combine this with a name change case and just use the same court order?

Most courts won't allow it, except in rare circumstances. It's hard to combine them into the same case unless the judge has special jurisdiction, such as in juvenile or family law cases.

Typically, a court order confirming a gender change must come from the **Superior Court where you live**. But a **name change** court order can come from **any District Court** in the state. While a sealed name change order can also come from any Superior Court, you must follow special rules, deal with special issues and use the court's own form. Combining a sealed name change request with a request for a gender change court is **hard** and may not be allowed **because they use different laws and different forms**.

Some judges might let you combine a gender change confirmation with a sealed name change case but you should **let the judge decide that** and let the judge draft a special combined order or 2 separate orders.

Combining cases, even where allowed, **may also be less safe**. You must show your name change order **frequently throughout life**. If it also has your gender change listed on it, it will also expose your gender change to anyone who sees the order. It may be safer to keep your name change order separate from your gender change confirmation order.

Should I get this court order before or after I legally change my name?

It depends on your goals.

- You might want to do your **gender** change confirmation court order first if you want **that** court record to be listed **under your old name** so that your new name isn't associated with a gender change court record.
- If you plan to get a name change, you can choose to get your legal **name** change first. If you do it that way, the court order confirming your gender change does so using the name you want to live with **currently**. If you do it this way, you must show the judge your name change order if you must prove who you are using mismatched IDs.

If you do your **gender** change court order using your **old name**, you must show copies of your name change order **and** the gender change court order any time you must use your gender confirmation court order to correct a record.

2. Changing gender on other IDs

What if I need to change the gender on other IDs?

Each type of ID has its own requirements and rules.

Your birthplace will determine if you're allowed to change the sex that's on your birth certificate. If you were born in Washington, you can change the sex that's on your birth certificate.

Can I change my name on my IDs but not change my gender on those IDs?

Yes absolutely. Many people who are transgender, nonbinary, intersex, or gender diverse only change their name legally and may never change their sex on any IDs. All identity records and IDs should have a process for changing your name on them. You will probably need to provide a copy of a name change court order to do so. This includes Passports and Social Security records. Gender diverse people can still change their names on their Passports (<https://travel.state.gov/content/travel/en/passports/have-passport/change-correct.html>) and Social Security records (<https://www.ssa.gov/personal-record/change-name>) if they meet the proof requirements. A name change court order is enough to change your name on those records.

Where can I get legal help and information related to the federal ID bans?

The information related to the federal bans is changing rapidly. We'll update our guides as information changes.

Organizations around the country are suing to challenge most of the federal bans related to transgender, nonbinary, intersex, and other gender diverse people. You may be able to learn more about how the bans and lawsuits impact you from the non-emergency Legal Help Desk at Lambda Legal (<https://lambdalegal.org/helpdesk/>).

If you're affected by the active-duty military ban:

- Contact the non-emergency Legal Help Desk at Lambda Legal (<https://lambdalegal.org/helpdesk/>). Lambda sued to challenge the military service ban. You can also try to contact the National Center for Lesbian

Rights (<https://www.nclrights.org/get-help/>) and the GLBTQ Legal Advocates and Defenders (<https://www.glad.org/know-your-rights/glad-answers/>) (GLAD). They also filed suits against the military service ban.

If you're affected by the federal passport ban:

- Try to get help using the ACLU-WA (<https://www.aclu-wa.org/>) online intake form (<https://intake.aclu-wa.org/>). The ACLU sued to challenge the federal passport ban. If you are otherwise affected by the executive orders related to your passport or international travel, try to contact the ACLU.

If you're affected by the federal Social Security ban:

- Try to get information from the non-emergency Legal Help Desk at Lambda Legal (<https://lambdalegal.org/helpdesk/>). The SSA said it will update its emergency directive in the summer of 2025.

If you're affected by the gender affirming care for youth ban:

- The January 2025 federal ban related to gender affirming care for youth generally shouldn't affect your care in Washington state. Washington law still protects certain gender affirming care for people under 18 in this state. Certain providers might not provide services to you. If you're under 18 and have experienced issues related to your gender affirming care since the federal ban, try to get legal help (<https://www.nwjustice.org/get-legal-help/>).
- P-FLAG (<https://pflag.org/>) is challenging the January 2025 federal order with a lawsuit filed by the ACLU and Lambda Legal. You may be able learn more from the non-emergency Legal Help Desk at Lambda Legal (<https://lambdalegal.org/helpdesk/>). If the trans-related care ban for minor youth has impacted your life, try to get legal help using the ACLU-WA (<https://www.aclu-wa.org/>) online intake form (<https://intake.aclu-wa.org/>).

If you're impacted by the federal trans youth in sports ban:

Try to get help using the ACLU-WA (<https://www.aclu-wa.org/>) online intake form (<https://intake.aclu-wa.org/>). The ACLU sued about the sports ban. You can also try to contact the GLBTQ Legal Advocates and Defenders (<https://www.glad.org/know-your-rights/glad-answers/>) (GLAD). They also filed suit against the sports ban.

3. Privacy issues

Can I ask for my gender change court order case to be sealed?

Yes, if you file it in Superior Court. Use our [guide about sealing cases](#) to learn how to do it. Read the sealing guide **before** you prepare your court forms and file your case. You must use extra forms and file your case in a special way.

Will the case be public record?

Yes, unless you file the case with a [request to seal the case](#). If you have privacy concerns, it might be good to file it as a sealed case. Or you might be able to seal just parts of the record, like your medical information or other sensitive information in your evidence or declaration.

It doesn't cost anything extra to file the case under seal if you do it when you file the petition to start your case. If the case is sealed, you must show ID and go through a special process anytime you need to buy extra copies of the court order.

Is there any other way to have privacy for this kind of case?

Yes. You can file the case using your name initials instead of your full name as the case party. Then your name won't show next to the case type in the public court case listings. Someone must read the actual court record or search for the court order itself to see your full name next to the case type.

For example: Your name is Jean Smith. You would list your initials "J.S." as the Petitioner in the headings instead of your full name. This lets you remain private in the case listings, even though the petition form and proposed order **will include your full legal name** in the bodies of the forms.

The privacy risk is due to the case type. The case name type usually must make some reference to a gender change court order. Filing using your name means it will be in the public record next to a gender change case type, which can expose your gender change wherever that information is shown, such as the docket notice for your hearing that's posted in court.

It can be easier to use your initials instead of filing the extra papers to seal the case. **But** sealing the case gives you the **most** privacy available for court cases in Washington.

If your local Superior Court won't let you file the case using your initials, [get legal help](#).

If you do use initials for the case name headings, **make sure** your proposed order **has** your actual full legal name in the body of the order itself.

4. Language

Is it sex change or gender change?

We use both words interchangeably. Our court forms use the word gender, but you can change them to say sex if that's your preference.

Is it a court ordered gender change or a legal confirmation of gender change?

The forms here ask the court for legal **confirmation** of your sex or gender change. You must provide some evidence for the judge so they can confirm the sex or gender change itself. The evidence can be a declaration from you, ID copies, a medical letter, other proof, or any combination of these.

Our forms **don't** have the proposed order say that the court itself grants you a "legal sex change." This **is** intentional. There's a subtle but important difference to courts between a "legal sex change" and "a legal confirmation of a sex change attested to in the record."

Judges may not feel capable of deciding on something as personal and sometimes medical as **whether a court can grant** a sex or gender change. But the judge **should** feel capable of reviewing the proof you provided and issue an order with findings and conclusions that **confirm legally** that you've already had a sex or gender change.

Can I change the wording in the petition and proposed order?

Yes. You might need your court forms to say something slightly different than an order “confirming” your “gender change.” You can change your forms to match your needs. You can ask for one of these proposed orders instead:

- An order confirming your sex change
- An order confirming your gender or sex marker
- An order confirming your gender or sex identifier
- An order confirming your gender or sex designation
- An order confirming your legal gender or sex

Which sex or gender identifiers are included?

Our forms have spaces for you to put **both** the gender identifier you were assigned previously and your current gender identifier. Some people will use Female or Male. Others will use X, which is a legally recognized gender identifier on Washington IDs and birth certificates.

Examples:

- You were previously assigned “Female” on your ID and birth certificate. You now use a Washington state ID that says your gender identifier is “X.” You want to ask for a court order that confirms your gender change from the gender of Female to that of X.
- You were born in a state that bans gender changes on birth certificates. You were assigned “Male” at birth. You now live in Washington and use a state ID that says “Female.” It causes you distress to be unable to change your birth certificate. You want to ask for a court order that confirms your gender is Female to help ease that distress.

If you ask a judge to confirm that you have a current gender identifier which the judge is unfamiliar with other than F, M or X, be prepared to give evidence showing **that** identifier on it to support the confirmation of your gender change.

5. If the petitioner is under 18

Can I get this kind of order for a minor?

Maybe. If you're the only legal parent (or court-appointed guardian), or if both parents agree and sign the petition, the court could approve the child's confirmation of gender change. The minor themselves might also have to sign the petition if they're aged 13 or older.

In Washington state, a minor can choose among 3 gender designations when they get their first state photo ID. Washington state DOL issues photo IDs to minors as young as 14. The rules allow the minor to self-select a gender designation without having to provide any additional proof of gender. You could ask the court to apply that same standard to your child.

If there's an active custody case or parenting plan, follow the parenting plan rules about big decisions or talk to your lawyer before filing this kind of case for your child. You can ask for sole decision-making authority over the child's identity decisions as part of your parenting plan case.

If both parents don't sign the petition, you could be required to give some kind of notice to any other parents or guardians. Once you file the case, you must send a copy of the court forms and notice of the hearing to any other parents or guardians.

- If you can't notify the other parent because it wouldn't be safe for you or the child, you can ask the court for permission **not** to notify. You must prove why notice shouldn't be required. The judge might require you to use notice by publication instead.
- If you can't notify the other parent because you don't know where they are and truly can't find them, you can ask the judge for permission to notify them by mail at a last known address or by publication. This means you might be able to publish the notice in a local newspaper instead of sending the notice directly to the other parent. You must prove you made a good effort to find them before you can use notice by publication.

What if the other parent doesn't agree with our child's gender change?

When one parent doesn't agree, it's called a "contested" petition. You can still ask for confirmation of your child's gender change even if the other parent contests.

Usually, you **must notify** the other parent and schedule a hearing where a judge will decide. Both parents can attend the hearing and state their position.

The other parent **can** challenge the proposed order request. **This can get complicated.** Try to get legal help.

What does the judge consider when parents disagree about the child's gender change?

- The child's wishes (depending on the child's age and maturity, the child may be able to speak to the judge)
- The effect of the change of the child's gender change on the child's relationship with each parent
- How long has the child been living as this gender
- Any difficulties, harassment, or embarrassment the child may experience from having the present gender
- If local rules require it, a judge will decide issues about a minor's interests based on the child's best interests
- It can be helpful to get a declaration from a supportive health care provider
- If a parenting plan grants either parent sole authority over this kind of decision
- Washington state standards for changing the gender of a minor on state IDs and birth certificates

Can I ask for this kind of order if I'm under 18?

Yes, if one of these is true:

- You're emancipated.
- You have at least one supportive parent or guardian who will file the case on your behalf.

If you're emancipated, you can follow the instructions for adults. You must provide proof of your emancipation.

If a supportive parent or guardian will file on your behalf, they must follow the notice and service requirements for serving your other parents or guardians. If you expect the other parent to object, your supportive parent might want to get ready for a hearing and provide extra proof to the court because you're a minor.

6. Requirements

Is surgery or some other medical treatment required to ask for this kind of order?

No. The only proof of your gender change that the judge should require is self-attestation: You declare this to be the truth about yourself and so it is. **Self-attestation is the legal standard** for changing gender on IDs in Washington.

The declaration form here **is a self-attestation** that should be sufficient evidence for the judge. It helps to also provide other kinds of proof.

If you've had surgery or some other kind of gender affirming medical treatment, you can include proof of those treatments as evidence if you want. **But you aren't required to provide any medical proof to the court.**

What law allows me to ask for this?

Washington state law (RCW 2.08.010)

(<https://app.leg.wa.gov/RCW/default.aspx?cite=2.08.010>) lets a Superior Court judge in the county you live in have jurisdiction over “special cases and issues otherwise not provided for.” This is one of the special case types that your **local** judge has authority to issue orders for. It applies to the Superior Court judges **in the county you live in**, so you may have to provide proof of residency of some kind when you file.

Where do I file the case?

You should file it in your **local** county **Superior** Court. You'll file it as a general civil case.

You might be able to file it in District Court, but it's better not to. You must change the form headings to say “District Court,” and you might not be able to seal the case. You can only ask to seal the case if you file in Superior Court.

The District Court judge also might tell you that you **must** file it in Superior Court because District Courts have limited jurisdiction. This means the court only has authority over certain issues.

How much will it cost?

Costs vary by county. Call the **Superior Court** clerk to ask what the filing fee is for a general civil case in your county. It can vary from \$100 to over \$300 depending on your county.

If you can't afford the fees, you can ask the court for a fee waiver. If you qualify for a filing fee waiver, the court must waive your filing fee.

You'll also need money to get certified copies of your final order on the day of your hearing. Get many copies. Certified copies are usually around \$5 per copy. Try to plan for an extra \$25 or more for certified copies on the day of your hearing.

Will I need other forms?

You might. It depends on what your local court requires for general civil cases. The Court Clerk will tell you if you need additional forms on the day that you file your case.

You might need:

- a case cover sheet
- a case information sheet
- exhibit cover sheets
- a Notice of Hearing form
- other forms if you need to give notice to another parent or guardian

If you plan to use a filing fee waiver, you should include those forms. If you plan to ask for the case to be filed under seal, you should include those forms.

What proof will I need?

You might need proof that you live in the county, if the clerk or judge requires it.

If you've had a legal name change, you should give the court a copy of the name change order if your IDs are mismatched in name or if you need to prove continuity of who you are.

For example: Your birth certificate still has your old name. You're going to use it as proof of your **previously** assigned gender, Male. You've **already changed** your state ID to say Female. You've already had a legal name change, too, so your new ID that says Female has a different name from your birth certificate that says Male.

You'll give the court proof of your current gender with a copy of your ID that says Female and your current name. You must give them a name change order copy to prove that your current ID and the birth certificate names are both your names.

You must give some kind of evidence that confirms your gender change. The evidence can be **any one or any combination** of these:

- A birth certificate showing your previously assigned gender identifier and your current state ID showing the gender you live as now.
- Other IDs and records supporting your gender change.
- The self-attestation statement in the declaration you filed with your petition.
- A letter from a doctor, therapist or medical provider that confirms your gender change.
- A letter from a surgeon attesting to your gender reassignment or gender affirming surgery.
- The self attestation of gender form (<https://dol.wa.gov/forms/view/520043/download?inline>) from the Washington Department of Licensing.

If you're filing on behalf of a minor, you'll need extra proof, including evidence showing:

- Your relationship to the minor, such as a birth certificate, adoption documents, or guardianship order.
- That all other parents or guardians have received notice of the case and hearing. If they consent to the case, you should give proof of their consent.
- That the minor themselves consents to the order if they're 13 or older.
- If a parenting plan grants either parent sole authority over this kind of decision.

It can also **be helpful** (but isn't required) to include this information if you're filing on behalf of a minor:

- Washington state standards for changing the gender of a minor on state IDs and birth certificates.
- A declaration from a supportive health care, therapist, counselor, or social services provider.

If you're a minor filing for yourself because you're emancipated, you'll need proof of your emancipation such as your legal emancipation order.

7. A hearing is required

Will there be a hearing?

Yes, there will be a hearing where you'll talk with the judge about your petition and order request. You'll also show the judge any proof you're providing.

When will the hearing happen?

It will depend on the schedule of your local court. It could be within a few days of when you file. Or it could be a few weeks from when you file. Ask the clerk when you file. They should tell you how you will find out that the hearing was scheduled.

Where will the hearing happen?

The hearing will be in the same Civil Court of the Superior Court that you filed in. Courthouses can be confusing. Try to look up where your hearing courtroom is ahead of time. It should be on your hearing notice. You can't be late for your hearing, so it is best to know where you are going before the day of your hearing.

What will happen at the hearing?

The judge will ask you questions related to your petition and declaration. You will have a chance to explain why you are asking for this and why you need this kind of order.

You can use the example hearing statement in Chapter 10 to make an outline and practice what you will say in court.

The judge will consider your request and will rule on your case. The judge will either deny your request or issue you signed order like you asked for.

If the judge grants you an order, you should immediately ask the clerk how to buy additional certified copies of the order. You will need certified copies of the order and it can be harder to get them after the hearing is done. Certified copies usually cost about \$5 each. Bring extra money with you to the hearing so you can buy at least a few extra certified copies. You might need at least 4 copies.

Can I bring anyone with me to the hearing?

Yes. You can bring a support person or other important people to the hearing with you. But only **you** can talk during your hearing. You will have to stand up in front of the judge and talk directly to them. Your companions should not approach the judge. They must stay seated in the public seating area of the courtroom.

You should treat this like other court processes. It is somewhat formal. There are rules about dress code and being quiet. It can be hard to have small children in court with you. So, try to not bring children with you to the hearing if you can.

8. Before you file

- **Get your proof ready.** It can take time to get medical letters, so plan ahead if you want to use those. Find a copy of your name change order if you need to provide one.
- **Get the fee waiver packet ready** if you're going to use it.
- **If you want to request to seal the case**, get your sealing forms ready.
- **Then fill out your court forms** using the step-by-step instructions and the Tips for the forms in this guide. There are things you can do to make going

to court easier. Make sure your documents and evidence are in a format that the court will accept.

9. Step-by-step for the case

Step-by-step

- 1. Prepare your additional forms.** If you're using extra forms like a fee waiver or sealed case request, prepare those forms first.
- 2. Prepare your evidence.** Put your evidence into a format the court will accept. Make photocopies of IDs you plan to submit. Make copies of any letters you plan to give as evidence. Give the court the original of any letter from a medical provider or other letter of support.
- 3. Fill out the Petition, Declaration and proposed Order.** Complete your forms using the instructions and tips in this guide. Add any evidence you plan to submit as exhibits to the end of your forms.
- 4. Make 3 copies of your completed forms.** Be sure to also include 3 copies of your filing fee waiver or sealing request forms if you are using those.
- 5. File the originals with the court clerk.**

To file in person:

- Bring your originals and copies to the county Superior Court Clerk's Office.
- If you are asking for the case to be sealed, make sure your sealing paperwork are the on the **top** of your paperwork.
- Give the clerk your set of originals to file and pay your filing fee or use your filing fee waiver.

- Ask the clerk to stamp your copies to show the date you filed the originals, **or** stamp the copies yourself.
- Take the stamped copies back from the clerk. The clerk keeps the original copy. You keep the second stamped copy for your proof of filing.

To file by mail: mail the court clerk your originals plus 2 sets of copies with a postage-paid return envelope addressed to you. If you're going to mail in your forms, call the court ahead to ask about how to deliver working copies and if they're required. (Skip this step if local rules don't require working copies and only mail in 1 set of copies instead.)

6. **Before you leave the clerk's window**, ask the clerk how to schedule a hearing on your petition. You may need additional forms like a Cover Sheet, Confidential Information Sheet or Notice of Hearing form. Ask the Clerk if these forms are required in your county and how to get them, if needed. The clerk might assign you a hearing date right away or will tell you when you will be notified of your hearing date. Procedures vary by county. If you filed by mail, you'll have to call the clerk to find out or wait to hear from the court about the filing and the hearing.

If you plan to ask for the case to be sealed, there will be a special hearing first to decide about sealing the case. That hearing will happen **before** your petition hearing. You must attend **both** hearings.

7. **Before you leave the clerk's window**, ask the clerk if this court requires working copies and where to deliver them if so. If so, before you leave the court that day, deliver working copies to the judge if local rules require it. That is the 3rd set of copies you made. Ask the working copies clerk to stamp your copy set like the court clerk did. If there is no clerk at the working copies window, there will be a stamp you can use yourself once you drop the working copies in the receptacle. (Skip this step if local rules don't require working copies.)

8. **If you need an interpreter for court**, tell the clerk that before you leave the window. Ask the clerk how to get an interpreter assigned for your court hearing.
9. **If you need a disability accommodation for court**, tell the clerk that before you leave the window. Ask the clerk how to ask for an accommodation for your court hearing.
10. **Keep the 2nd stamped copy of your paperwork.** That is your copy to keep as proof of your filing.
11. **If you are filing on behalf of a minor**, once you start the case, you must send a copy of the court forms and notice of the hearing to any other parents or guardians.
12. **Get ready for and go to your court hearing.** Read the next chapters to learn what to say and do at the hearing.
13. **After the hearing, get certified copies of the signed order from the clerk.** You might be able to get them from the judge's clerk **right** after the hearing. Otherwise, when the order is available, go to the clerk's office and ask for at least 4 **certified copies** of the signed orders. The clerk will charge you about \$5 a copy for the copies.
14. **Use the final signed order to correct your records.** Keep one original certified copy of your court order indefinitely. You may not get back the other copies you have to use for updating records.

10. What to say in court

Before the hearing, make a short outline of what to say to the court. It should look like this:

Introduction:

- My name is _____. Thank you for letting me be heard. I'm asking for an order that confirms my gender change (or gender designation) as attested to in my Declaration and supported by the evidence I've provided.

Tell the judge you've met all the statutory requirements from RCW 2.08.010:

- I live in this county.
- This is the kind of special case type and issue that my local county Superior Court has authority to issue orders for under RCW 2.08.010.
- I'm asking for a court order that confirms my gender change from:
_____ to _____.
- I've provided this evidence which confirms my gender change:
_____.

- If I can't get an order which confirms my gender change, I feel I will suffer harm as described in my declaration.

The judge may ask you questions. If so, answer them to the best of your ability.

Practice what you'll say from your outline **before** you go to court. It's okay to read from your notes when you speak to the judge.

If another parent or guardian is going to contest the petition, you should prepare for this and change the statement to reflect your child's situation. Practice what you will say to the judge about why this is in the best interests of your child. Plan for the judge to allow both you and the other parent or guardian to get to speak in court.

Is there anything else I should know about the hearing?

It might not be an empty court room. This kind of hearing could be combined with the general civil docket so other people could be in the court room. The other cases might not have anything to do with gender or sex changes.

It could be a whole morning or afternoon docket so plan accordingly. If your hearing notice says 9am, get to your courtroom at least 15 minutes before your

hearing time. Your case could be called first at 9am. Or it could be called later on the docket. You should be in the hearing room until your case is called and heard by the judge.

Once your case matter is done, you don't have to stay in the courtroom for any other hearings that are happening after yours. You can leave quietly. Don't forget to get extra certified copies of the court order before you go.

If you have privacy concerns about this kind of case **being discussed in open court**, you should ask to seal the case. If the case is sealed, the court hearing will be private.

11. At the hearing

Bring your copies of the documents that the clerk's office stamped. Also bring **extra** copies of your evidence and proposed orders.

If you have children, try to find someone to watch them while you go to court. The judge probably won't let them sit in the courtroom.

Don't bring a weapon, or something that could be mistaken for a weapon (like a pocketknife), to the courthouse.

Try to be in the courtroom at least 15 minutes before you were told to be there. Give yourself time to find parking, or the right transit stop, or to wait in line to get into the courthouse.

If your hearing is online, follow these tips for phone and video hearings

When you get to the courtroom:

- Check in with the courtroom clerk. Usually, they are sitting at a desk close to the judge. **Tell the courtroom clerk your name because they need to know that you are there.**
- When the judge calls your case, walk up to the table or podium for lawyers in front of the judge. Wait for them to tell you that it is your turn to speak.
Follow your outline.
- During the hearing, speak only to the judge. Speak only when it is your turn. **Don't interrupt** the judge or speak to them unless asked to, even if they interrupt or speak to you.
- Be polite, reasonable, and calm. If you're confused or don't understand something, politely tell the judge so and ask for clarification. If the judge asks you any questions. Answer the best you can. If you don't know the answer to the judge's question, don't guess. Tell the judge you don't know the answer. If you need time to think, just tell the court you need a moment. Take your time.
- If the judge agrees with you and signs your orders, ask the judge or courtroom clerk when the orders will be available at the clerk's office.
- When the orders are ready, get at least 4 certified copies of each order. You might be able to get them before you leave the court on the day of the hearing. Some courts will make you pick them up from the clerk at some point after the day of the hearing. If you got the case sealed, you will have to show ID to get your order copies and might have to go to a special clerk's window.

12. After the hearing

Store a certified copy of the final signed order. Keep that copy to have for your permanent reference. Use your other certified copies of the signed order to prove your gender change anytime you need to.

What if I was denied this kind of court order?

If you live in Washington state, you have a right to ask for this kind of court order under [RCW 2.08.010](https://app.leg.wa.gov/RCW/default.aspx?cite=2.08.010) (<https://app.leg.wa.gov/RCW/default.aspx?cite=2.08.010>) as a case that falls under “special cases and proceedings as are not otherwise provided for.”

If you are denied an order by your local county Superior Court judge, you should appeal the decision right away if you think you should have been granted the order. Don't wait to appeal. Tell the judge immediately that you want to appeal as soon as you know you were denied. Ask the judge's clerk at the hearing what you need to do next to start the appeal once you are denied. The timeline to ask for an appeal is short, usually 30 days or less. Get legal help if you need to appeal a denial.

Washington state law requires equity for trans+ and gender diverse persons when they try to access court services.

(<https://app.leg.wa.gov/RCW/default.aspx?cite=49.60.030>) If you think the court treated you unfairly because of your sex, gender or gender identity, you can try to file a complaint about the treatment. If you need to file a complaint, **do it as soon as you can after the denial or incident in court**. There are strict timelines for these complaints. You can file a complaint with the Washington State Human Rights Commission

(https://wahum.my.site.com/FileaComplaintOnline/s/?language=en_US).

You can also try to legal help from an LGBTQ+ lawyer or clinic (<https://www qlawfoundation.org/referrals/>). A lawyer experienced in LGBTQ+ cases might be able to help you determine if discrimination occurred or if there was some kind of procedural issue.

What if the court had problems with the forms in this guide?

If a court has problems with or found errors with our forms, please let us know. You can submit feedback at the bottom of the page at the end of this guide. We can't give legal advice. Please **only** submit form feedback. If you need legal help, contact Northwest Justice Project.

13. Forms

Form attached:

Petition for Confirmation of Gender Change (NJP LGBTQ+ 880)

Form attached:

Findings and Conclusions for Confirmation of Gender Change (NJP LGBTQ+ 881)

Form attached:

Order for Confirmation of Gender Change (NJP LGBTQ+ 882)

Tips for all forms:

- Put the name of the county you live in and are filing in at the top of the headings.
- Don't put anything where it says "No: __". The court clerk will put a number in that space when you file the case. That number is your case number.
- Don't change any of the legal authority, the legal arguments or the conclusion.
- Don't remove or change the perjury statement.
- Sign and date after the perjury statement. If you're filing for your minor child, **both** parents or guardians must sign. If you only have the signature of 1 parent, you must explain why and give notice to the other parents or guardians. A child age 13 or older must sign the petition if you're filing for them.

Tips for filling out Petition for Confirmation of Gender Change (NJP LGBTQ+ 880)

Fill out the **petition** form to explain what you want the judge to do and why they should do it.

- If you're petitioning **for yourself**, put your legal name in the space where it says "Petitioner." You can delete the parts for filing on behalf of a minor child if you want. Otherwise, just leave them blank.
- If you're petitioning on behalf of **your minor child**, put your child's legal name in the space where it says "Petitioner" and check the box that says "by parents or legal guardians on behalf of a minor." Put your name(s) in the space where it says "Name/s of parent or legal guardian."
- If you're also filing papers asking to seal the case, check the box next to "Clerk's action required: 9" in the top right heading. If you're **not** asking to seal the case, don't check the box.
- Complete the form **sections 1 to 9** based on your situation.
- **Form section 1: Who has changed their gender?** If you're petitioning on behalf of your child and **don't** plan to notify the other parent or legal guardian, you must explain the legal or safety reasons why not. The judge will probably require you to notify the other parent or guardian if that's

possible.

- **Form section 5: Declaration.** Check the boxes that apply for your situation. You should check at least 1. You can check all of them if all are true for your life. If none of the statements are true, don't check any boxes but instead add a statement **that is true** for you and your life or your child.
- **Form section 9: Request to seal.** The case will be public record unless you also file papers asking the court to seal it and a judge approves that request.

Tips for filling out Findings and Conclusions for Confirmation of Gender Change (NJP LGBTQ+ 881)

Fill out the **findings** form the way you want the judge to sign it. These are **proposed findings** you'll ask the judge to sign at the hearing. If you're not sure about something in the findings, leave it blank for the judge to complete.

- Fill out the form headings the same way you did for the petition.
- If you're also asking to seal the case, check the box next to "Clerk's action required: 6" in the top right heading. Don't check the box if you're **not** asking to seal the case.
- Complete the form **sections 1 – 6** based on your situation.

Tips for filling out Order of Confirmation of Gender Change (NJP LGBTQ+ 882)

Fill out the **order** form the way you want the judge to sign it. This is a **proposed order** you'll ask the judge to sign at the hearing. If you're not sure about something in the order, leave it blank for the judge to complete.

- Fill out the form headings the same way you did for the petition.
- If you're also asking to seal the case, check the box next to "Clerk's action required: 3" in the top right heading. Don't check the box if you're **not** asking to seal the case.
- The judge will fill in the hearing date in the blank in section 1.
- Complete the form **sections 2 and 3** based on your situation.

WashingtonLawHelp.org gives general information. It is not legal advice. Find organizations that provide free legal help on our Get legal help page.

Superior Court of Washington, County of _____

In re:

(Petitioner)

by parents or legal guardians on behalf of
a minor:

(Name/s of parents or legal guardians)

No. _____

Petition for Confirmation of Gender Change

(RCW 2.08.010)

(No mandatory form)

Clerk's action required: 9

Petition for Confirmation of Gender Change

Instructions

Step 1: Gather any evidence you plan to use. If you want to ask to seal the case, prepare those forms first.

Step 2: Fill out this form and proposed *Findings and Conclusions for Confirmation of Gender Change* (NJP LGBTQ+ 881) and *Order of Confirmation of Gender Change* (NJP LGBTQ+ 882). You may need additional forms like a Cover Sheet, Confidential Information Sheet or Notice of Hearing form. Ask the Clerk if these extra forms are required in your county and how to get them, if needed.

Step 3: File your petition with the court clerk. Pay the filing fee or apply for a fee waiver. Ask the court clerk how to schedule a hearing on your petition.

Step 4: If you're filing on behalf of a minor, serve the other parents or guardians with copies of the court forms and notice of the hearing.

Step 5: Go to your court hearing. Bring ID and your proposed *Findings and Order for Confirmation of Gender Change* (forms NJP LGBTQ+ 881 and NJP LGBTQ+ 882). Ask the judge to sign your Findings and Order. After the Order is signed, you can purchase copies from the court clerk. Purchase at least 5.

1. Who has changed their gender?

Me. I am (check one):

- age 18 or older. My date of birth is: _____.
 an emancipated minor.

- A minor child, age _____.** I/we have the legal authority to file this petition for the child because (*check one*):
- We are the child's parents or legal guardians. Both parents or guardians agree to the confirmation of gender change and are signing this petition.
 - I am a parent or legal guardian of the child and (*check one*):
 - The child has no other parent or legal guardian.
 - The child's only other parent or legal guardian has died.
 - I will have a copy of this petition and the notice of hearing served on the child's other parent or legal guardian.
 - I ask the court to confirm my child's gender change without requiring notice to the other parent or legal guardian because (*explain legal or safety reasons*):

The requested confirmation of gender change is in the child's best interest because:

2. Request

I ask for a court order which confirms a gender change for the person identified in section 1 above as follows:

from (*check one*):

- Female (F)
- Male (M)
- Non-Binary (X)

to (*check one*):

- Female (F)
- Male (M)
- Non-Binary (X)

3. Washington court's authority (jurisdiction)

RCW 2.08.010 empowers the Washington Superior Courts to have jurisdiction to hear "such special cases and proceedings as are not otherwise provided for...for the residents of the county in which they preside." (*Check one*):

- I am a resident of the county in which this case is filed.
- The minor child is a resident of the county in which this case is filed.

Additionally, there is no prohibition in Washington on issuing these types of orders. Washington Superior courts have been issuing these exact kinds of orders for years in multiple jurisdictions.

4. Self-attestation of gender change

Washington state addresses gender marker and sex classification changes through administrative processes with the Department of Licensing and Vital Statistics. To update gender information on a state issued ID or birth certificate, a person must provide an update form on which they **self-attest** to the gender of F, M or X. See WAC § 308-104-0150 and WAC § 246-490-075. No other proof of gender or sex is required other than a self-attestation of gender.

The person identified in section 1 above has met the standards for gender change for Washington state.

5. Declaration

- Petition is for an **adult or emancipated minor**. I declare (*check all that apply*):
 - I don't identify with the gender I was previously assigned on my identity records.
 - My gender and gender marker should be changed to better reflect my current lived gender experience.
 - I believe I will suffer distress or harm if I'm not able to have a legal confirmation of my gender change.
 - It will help me to have a legal order that confirms my gender change
 - I believe this petition won't be detrimental to the interests of anyone else.
- Petition is for a **minor child**. I am the parent or guardian of the minor child. I declare (*check all that apply*):
 - My minor child doesn't identify with the gender they were previously assigned on their identity records.
 - My minor child's gender and gender marker should be changed to better reflect their current lived gender experience.
 - I believe my minor child will suffer distress or harm if they aren't able to have a legal confirmation of their gender change.
 - It will help my minor child to have a legal order that confirms their gender change
 - My minor child consents to their gender change.
 - My minor child consents to this petition and to the request for an order confirming their gender change.

6. Are you filing this petition for any illegal or fraudulent purpose?

- No
- Yes

7. Is there anything else the court should know about this request?

- No.
- Yes. *Explain:* _____

8. Conclusion

As established above by the evidence and authorities cited, this court can issue an order which confirms the gender change for the person identified in section 1. This request is respectfully submitted along with a proposed order.

9. Request to seal (check one):

- Does not apply. This case will be public record.
- I am filing a **Motion to Redact or Seal** (form All Civil 050) for this case. (*If you check this box, also check the "Clerk's action required: 9" box in the heading on page 1.*)

Clerk's action: Don't file in a public access file if a judge approves my proposed Order on Motion to Redact or Seal (form All Civil 052).

I declare under penalty of perjury under the laws of the state of Washington that the facts I have provided on this form are true.

Signed at (city and state): _____ Date: _____

► _____
Petitioner's or Parent/Guardian's Signature _____ *Print name* _____

► _____
Second Parent/Guardian's Signature (if any) _____ *Print name* _____

► _____
Minor child age 13 or older (if any) _____ *Print name* _____

Superior Court of Washington, County of _____

In re:

(Petitioner)

by parents or legal guardians on behalf of
a minor:

(Name/s of parents or legal guardians)

No. _____

Findings and Conclusions for Confirmation of
Gender Change
(RCW 2.08.010)
(No mandatory form)

Clerk's action required: 6

Findings and Conclusions for Confirmation of Gender Change

Use this form with the Petition for Confirmation of Gender Change (NJP LGBTQ+ 880) and Order for Confirmation of Gender Change (NJP LGBTQ+ 882).

1. A petition was filed to confirm a gender change for:

- an adult, age 18 or older.
- an emancipated minor.
- A minor child, age _____.

A hearing was held on (date): _____

These people attended (name/s): _____

2. Washington court's authority (jurisdiction)

This court has jurisdiction over this issue under RCW 2.08.010 because:

- The Petitioner is a resident of the county in which this case was filed.
- The minor child is a resident of the county in which this case was filed.
- Other reason (explain): _____

3. Minor child findings

- Does not apply.
- Petitioner/s have the legal authority to petition for the minor child because:
 - They are the child's parents or court-appointed guardians. Both parents or guardians agreed to the confirmation of gender change and signed the petition.
 - Petitioner is a parent or court-appointed guardian of the child and (check one):
 - The child has no other parent or court-appointed guardian.
 - The child's only other parent or court-appointed guardian has died.
 - The child's other parent or court-appointed guardian was served notice of this hearing and had an opportunity to respond.
 - The court should grant the order without notice to the other parent or court-appointed guardian because (*explain legal or safety reasons*):

- The requested confirmation of gender change is in the child's best interest because:

4. Findings on evidence sufficient to confirm change of gender

The petition for a confirmation of gender change should be granted in Superior Court according to the Washington state administrative standard of self-attestation of gender because (*check all that apply*):

- The Petitioner has attested to a change of gender.
- The Petitioner has provided evidence of a lived gender experience that is different than the gender they were previously assigned on identity records.
- The Petitioner has attested to a change of gender for their minor child.
- The Petitioner has provided evidence of their minor child having a lived gender experience that is different than the gender they were previously assigned on identity records.

5. Conclusion

The petition should be granted. The court should enter an Order of Confirmation of Gender Change as requested

6. Request to seal

- Does not apply.
- The court has signed an Order on Motion to Redact or Seal (form All Civil 052) filed separately in this case. (If you check this box, also check the "Clerk's action required: 6" box in the heading on page 1.)
- Clerk's action: Don't file in a public access file.** The case file shall not be open to inspection except:
- Upon order of the court for good cause shown; or
 - Upon the request of the person whose name change was granted or the person's guardian or representative whom filed the case on their behalf.

Dated _____

Judge/Court Commissioner

Print Judge/Court Commissioner Name

Presented by:



Petitioner's or Parent/Guardian's Signature

Print name



Second Parent/Guardian's Signature (if any)

Print name



Minor child age 13 or older (if any)

Print name

Superior Court of Washington, County of _____

In re: _____

No. _____

(Petitioner)

by parents or legal guardians on behalf of a minor:

(Name/s of parents or legal guardians)

Order for Confirmation of Gender Change

(RCW 2.08.010)

(No mandatory form)

Clerk's action required: 3

Order for Confirmation of Gender Change

Use this form with the Petition for Confirmation of Gender Change (NJP LGBTQ+ 880) and Findings and Conclusions for Confirmation of Gender Change (NJP LGBTQ+ 881).

1. Basis

The court entered Findings and Conclusions for Confirmation of Gender Change on (date): _____.
Based on those findings, the court issues this order.

2. Order

The petition is granted. The court orders the following:

The gender change has been confirmed by this Court and attested to in the record.

The gender of (name): _____ has been changed from (check one):

- Female (F)
- Male (M)
- Non-Binary (X)

to (check one):

- Female (F)
- Male (M)
- Non-Binary (X)

3. Request to seal

- Does not apply.
- The court has signed an Order on Motion to Redact or Seal (form All Civil 052) filed separately in this case. (*If you check this box, also check the "Clerk's action required: 3" box in the heading on page 1.*)

Clerk's action: Don't file in a public access file. The case file shall not be open to inspection except:

- Upon order of the court for good cause shown; or
- Upon the request of the person whose name change was granted or the person's guardian or representative whom filed the case on their behalf.

Ordered.

Dated _____

Judge/Court Commissioner

Print Judge/Court Commissioner Name

Presented by:



Petitioner's or Parent/Guardian's Signature

Print name



Second Parent/Guardian's Signature (if any)

Print name



Minor child age 13 or older (if any)

Print name