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## **Transgender Advocacy Group Expresses Concern Over Court's Decision On Name Change**

**A New York State Appellate Court's Ruling that a Name Change Order Must Include a Statement that it is Not Evidence of Gender Change Places a Scarlet Letter on Transgender New Yorkers**

NEW YORK – The Transgender Legal Defense & Education Fund [TLDEF] expresses concern over a recent New York State court decision that could create difficulties for transgender people seeking legal name changes.

An Appellate Division of the New York State Supreme Court on Nov. 26 correctly ruled that a transgender person can change her name in spite of potential confusion that might arise from the name change. The decision came in response to Earl William Golden III's petition to change her name to Elisabeth Whitney Golden. A lower court in Broome County had cited "possible confusion" in its decision to deny the name change. The appellate justices sent the case back to the lower court with an order to allow the name change to proceed, but added a requirement that it state it is not evidence of a gender change.

"We are pleased that the court has determined that mere confusion, which always accompanies a change of name, cannot be the basis for denying a name change application. But we are concerned about the court's invasion of transgender people's privacy by its requirement that a name change order state that it is not evidence of gender change," TLDEF executive director Michael Silverman said. "While everyone else can change their names without incident, transgender New Yorkers are saddled with the specter of gender change on their name change orders. Most individuals seeking name changes - whether transgender or not - use their name change orders to update bank accounts, health insurance information, employment and social security records, travel documents and other records. There is simply no reason for transgender New Yorkers to receive name change orders that look different from everyone else's. Such a two-class system subjects transgender people to heightened scrutiny and an unnecessary invasion of their privacy, and has the potential to cause confusion and discrimination."

TLDEF's Name Change Project has provided free legal representation to nearly 200 transgender New Yorkers seeking legal name changes. For many transgender people, a legal name change is a first step towards conforming their legal identities to the way they identify and live their lives. The Name Change Project ensures that they can successfully negotiate the often complicated legal process and move forward with their lives.

"A person's name is one of the most basic components of their identity," Silverman said. "The Name Change

Project allows transgender New Yorkers to change their names and live their lives in accordance with their gender identity and expression.”

Transgender Legal Defense & Education Fund is committed to ending discrimination based upon gender identity and expression, and to achieving equality for transgender people through public education, test-case litigation, direct legal services, community organizing and public policy efforts.