

This document outlines the process to undergo a legal change of name and gender within the Erie County Court system.

**LEGALLY ME:
NAVIGATING PAPER
BARRIERS TO
EMPLOYMENT FOR THE
TRANSGENDER
APPLICANT**

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JEFFERSON
EDUCATIONAL SOCIETY

HOW TO LEGALLY CHANGE YOUR NAME AND GENDER IN ERIE COUNTY, PA

The opinions expressed in this publication are those of the author.

PHASE I COURT ORDER

Legally changing your name and gender requires a court order. Start by filling out these:

FORMS

- 1) Petition for Change of Name
- 2) Verification
- 3) Notice of Hearing Order
- 4) Order of Name Change

*Permission to Proceed In Forma Pauperis *Optional – Income Based Request for Fee waiver request requires a hearing before a judge.

PROCESS

Plan on spending a couple of hours in the courthouse early in the morning. Parking is at meters so be prepared to use the app and spend \$5. Courthouse security checks mean no weapons of any kind and no electronic devices inside the building.

1) Complete forms 1 & 2 and bring blanks of 3 & 4 along with you to the court administrator's office, room 205 in the Erie County Courthouse, 140 W. Sixth St., Erie, Pennsylvania. This department will assign you a judge and provide you with that judge's room number.

2) Take your forms to that judge's chambers and request that the secretary assign you a hearing date. It will be approximately 6 to 8 weeks away to allow you time to do the other tasks that need to be done. They will do so and will likely provide you with extra copies. You will need three: one for you, two for publication.

2a)*Optional – The judge's secretary can direct you to the specific judge who is handling motions for that day. A motion is where you ask the court to do something for you – in this case to reduce or waive the fees for filing. These begin promptly at 8:30 a.m. so if you are requesting a fee waiver, go early. Check in with that judge's clerk and when called up, you will explain to that judge your financial need. Factors like unemployment, underemployment, unexpected expenses, mental health, and student status may all play a role so be honest and lay it all on the table. The judge has the option to reduce or waive the filing fee.

3) Take these documents to the Prothonotary's office in room 120 and pay the filing fee. It is **\$160** if no fee waiver was granted. Ask the clerk there for a fingerprint card. You're done at the courthouse for the day.

4) Take your fingerprint card to your local state police office and request that your fingerprints be taken. This may take some time as there is no appointment system. Bring your completed fingerprint card to the Prothonotary's office.

5) Publish your Notice of Hearing with two newspapers of general circulation:

Times Publishing Company, 205 W. 12th St., contact person Katie Lish (814) 870-1796
klish@localiq.com.

Erie County Bar Association – 302 W. Ninth St., (814) 459-3111 admin@eriebar.com.

They have a fee of approximately **\$200** (\$100 each) for their services and there is no fee waiver available. In about three weeks, they will mail you proof that it was published. Bring your two proofs of publication to the Prothonotary's office.

DAY OF HEARING

Prothonotary will have requested and received a criminal records check using your fingerprint card and will conduct a search for any financial liens or judgments filed against you. If there are any, these do not necessarily stop the judge from allowing your name and gender change, but the judge will want to make certain that you do not intend to defraud anyone by making the changes.

Show up early to your hearing date. Dress as if you were interviewing for an office job. The judge will discuss with you your decision to change your name and gender and confirm your present legal name and the spelling of your desired name. If your request is granted, the judge will sign the order and make multiple copies for you. Keep one in a safe place.

PHASE II VITAL DOCUMENTS

Your name and gender have been legally changed as of the date of the court's order. Next you have to change your vital documents to reflect those changes. Each bureau has its own procedures, timelines, and fees for doing this.

a) SOCIAL SECURITY CARD

Complete form SS-5 form – this cannot be completed online.

<https://www.ssa.gov/forms/ss-5.pdf>

This process takes approximately four weeks.

b) PA BIRTH CERTIFICATE

Instructions and forms: <https://www.health.pa.gov/topics/certificates/Pages/Birth-Certificates.aspx#apply>

Fees of approximately **\$20** apply and if submitting by mail rather than in person, documents will require notarization so an additional fee of approximately **\$15** for the notary applies.

You will need your original birth certificate or a state-provided reprint, the application for Certified Copy of Birth Record, a copy of your government issued ID (does not matter if old or new name is on it), the fee of \$20 in a check or money order, and a doctor's letter on letterhead.

It will take Pennsylvania approximately 12 weeks to send you a new birth certificate. If you were born outside of Pennsylvania, consult with the state or country that issued your birth certificate.

c) PA DRIVER LICENSE / STATE IDENTIFICATION CARD

This process can be done the same day as your court hearing and PennDOT issues you a new license on the spot. The fee for this is approximately \$30.

a) name form and instructions

<https://www.dot.state.pa.us/Public/DVSPubsForms/BDL/BDL%20Form/DL-80.pdf>

b) gender form and instructions

<https://www.dot.state.pa.us/public/dvspubsforms/BDL/BDL%20Form/DL-32.pdf>

PHASE III OTHER DOCUMENTS

With the court's order you can make changes to all of your other accounts. A good way to catalog the changes is to go through the cards in your wallet and start with your bank card, then credit card, then your car insurance and on down the line until even your grocery discount card is up to date.

Employer: Contact human resources department

School: Contact Student Records Office

Consider reaching out to past employers and past schools so that if you are using them for a reference at a new prospect or if they're verifying your school history everyone is on the same page as to who you are on paper.

Utilities, Credit Cards, Banks: use the toll-free customer service telephone numbers. They will transfer you to a specific department. That department will request a copy of your name

change order. Expect them to be polite and professional – this is the same procedure people do for name changes because of marriage, divorce, or adoption.

In all, the process takes approximately five months from the initial filing until you receive your vital documents. Expect to spend approximately \$450 (fees subject to change / current at the time of publication) in fees and always be prepared with paper checks since most government agencies don't accept cards. If you have questions during this process, you are encouraged to consult with an attorney. The employees at the courthouse are not allowed to give legal advice but they are quite helpful in telling you about forms, fees, and procedures.

PHASE IV JOB INTERVIEW

How to Approach the Inappropriate Interview Question

There are several categories of questions that a prospective employer may not legally ask. You should research the company and ask questions about the culture. Use LinkedIn to look at posts by the company. Use other social media to look at posts by the interviewers. Check employee reviews on glassdoor. Watch for cues as to whether these people might ask appropriate questions and be prepared with your reply.

Gender questions

It is illegal to ask what your gender is. Consider responding with a question like “what is the relationship of my gender to this position?”

Family Status

They CAN ask about your ability to work certain hours. They CAN also ask how long you envision yourself in this role. They can't ask about your marital status, or whether you have kids or are pregnant or plan to be.

Race / ethnicity / national origin / color / birthplace / ancestry

“Where are you from?” might seem innocuous but be careful. This might be steering toward your national origin. Consider answering the city from which you travelled to arrive there.

Age

“When did you graduate?” is just as bad as “how old are you?” Again, go back to answering by asking the relevance of the question. If pressed, “my age won't be an issue as to my performance.”

Religion

They CAN ask if you're available to work certain days of the week or certain days. They cannot ask what holidays you observe or what faith you claim.

Disability

They CAN ask you if you can perform the job duties. They CAN also ask you if you will require any accommodations in order to perform the job duties, and if so, what accommodations you may need. You can and should answer these questions honestly. They can't ask about your medical diagnoses.

Your default answer when asked something illegal should be that the [category] "won't have any bearing on my ability to perform this role."

YOUR NAME

ADDRESS

City, ST ZIP Code

Phone | Fax

Email

COURT OF COMMON PLEAS
ERIE COUNTY PENNSYLVANIA

in re: the name change of YOUR NAME

Docket No.:

PETITION FOR CHANGE OF NAME

The petitioner, YOUR NAME, hereby files this Petition for Change pursuant to 54 Pa.C.S. section 701 et seq, and in support thereof represents as follows:

1. I, YOUR NAME, an adult individual and resident of Erie County, Pennsylvania, with a current address of YOUR ADDRESS have lived at the following addresses for the past five years: PAST ADDRESSES
2. The Petitioner's date of birth is DATE OF BIRTH
3. The Petitioner seeks to change HIS / HER name from YOUR NAME to DESIRED NAME
4. The reason the petitioner seeks to change HIS / HER name is YOUR REASON – "COMMON USAGE" MAY BE USED FOR YOUR REASON.
5. Are there any judgments or liens filed against the Petitioner? If yes, please list: YES / NO
6. Have you ever been convicted of a criminal offense (not including summary offenses)? If yes, please list: YES / NO

Wherefore the Petitioner requests this Honorable Court to enter a Decree changing the name of the Petitioner from YOUR NAME to DESIRED NAME.

Respectfully Submitted by: _____

Signature YOUR NAME

YOUR NAME

ADDRESS

City, ST ZIP Code

Phone | Fax

Email

COURT OF COMMON PLEAS
ERIE COUNTY PENNSYLVANIA

in re: the name change of YOUR NAME

Docket No.:

VERIFICATION

1. I, YOUR NAME, verify that the statements made in this petition are true and correct to the best of my knowledge, information, and belief. I understand that the statements herein are made subject to the penalties of 19 Pa. C.S. section 4904 relating to unsworn falsification authorities.

Signature of Petitioner: _____

Date: _____

YOUR NAME

ADDRESS

City, ST ZIP Code

Phone | Fax

Email

COURT OF COMMON PLEAS
ERIE COUNTY PENNSYLVANIA

in re: the name change of YOUR NAME

Docket No.:

NOTICE OF HEARING ORDER

AND NOW, this ____ day of _____, 20____, a hearing on the Petition for Change of Name is scheduled for the ____ day of _____, 20____ at _____ o'clock a.m. / p.m. in Courtroom No. ____ on the 2nd floor at Erie County Courthouse, 140 W. Sixth St., Erie, PA 16501.

Petitioner is directed to give notice of the filing of the Petition for Change of Name and the date and time set for the hearing by publication once in the Erie Times-News and once in the Erie County Legal Journal (Erie County Bar Association) and submit proof of publication to this court.

BY THE COURT

_____ J.

YOUR NAME

ADDRESS

City, ST ZIP Code

Phone | Fax

Email

COURT OF COMMON PLEAS
ERIE COUNTY PENNSYLVANIA

in re: the name change of YOUR NAME

Docket No.:

ORDER OF NAME CHANGE

AND NOW, this ____ day of _____, 20____, upon consideration of the within Petition for
Chane of Name, and upon presentation of proof of publication of notice as required by law,
together with proof that there are no judgment or decrees of record or any other matter of like
character against YOUR NAME.

And it appearing that there is no lawful objection to the request of the Petitioner, it is hereby
ORDERED, ADJUDGED and DECREED that the name of YOUR NAME is hereby changed
to DESIRED NAME.

BY THE COURT

_____ J.

Plaintiff

IN THE COURT OF COMMON PLEAS
OF ERIE COUNTY, PENNSYLVANIA
CIVIL DIVISION

Defendant

NO.

PETITION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

1. I am the (Plaintiff) (Defendant) listed above. Because of my financial condition, I am unable to pay the required fees.

2. Have you ever applied for an In Forma Pauperis (IFP) in the past? _____ yes _____ no.

If so, was it granted? _____ yes _____ no.

If not, please state why. _____

3. If you have petitioned for an IFP in the past, have your financial circumstances changed since the last request? _____ yes _____ no.

If yes, please briefly explain that change. _____

_____.

4. I am unable to obtain funds from anyone, including my family and friends, to pay the costs.

5. I represent that the information below relating to my ability to pay the fees and costs is true and correct:

a. Name: _____

Address: _____

City, State, & ZIP: _____

Social Security Number: _____

b. EMPLOYMENT

If presently employed, state Employer: _____

Address: _____

City, State, & ZIP: _____

Wages/salary per month: _____

Type of work: _____

If presently unemployed, state date of last employment: _____

Wages/salary per month: _____

Type of work: _____

Reason no longer employed at last job: _____

c. OTHER INCOME WITHIN PAST 12 MONTHS

Business/Profession: _____

Other self-employment: _____

Interest: _____ Dividends: _____

Pension and annuities: _____

Social Security benefits: _____

Support payments: _____

Disability payments: _____

Unemployment compensation and supplemental benefits: _____

Workers' compensation: _____

Public Assistance: _____

Other: _____

d. OTHER CONTRIBUTIONS TO HOUSEHOLD SUPPORT

Name of spouse/significant other: _____

If your spouse is employed, state employer: _____

Wages/salary per month: _____

Type of work: _____

Contributions from Children: _____

Contributions from Parents: _____

Other contributions: _____

e. PROPERTY OWNED

Cash: _____

Checking Account: _____

Savings Account: _____

Certificates of Deposit: _____

Real Estate (including home): _____

Motor vehicle: Make: _____ Year: _____

Cost: _____ Amount now owed: _____

Stocks/bonds: _____

Other: _____

f. DEBTS AND OBLIGATIONS

Mortgage: _____ Rent: _____

Loans: _____

Other: _____

g. PERSONS DEPENDENT UPON YOU FOR SUPPORT

Name of spouse: _____

Children, if any: _____

Name: _____ Age: _____

_____ Age: _____

_____ Age: _____

Other persons:

Name: _____ Relationship: _____

6. I understand that I have a continuing obligation to inform the Court of any improvement in my financial circumstances which would permit me to pay the costs.

7. I verify that the statements made in this Affidavit are true and correct. I understand that false statements are made subject to the penalties of 18 Pa.C.S. 4904 relating to unsworn falsification to authorities.

Wherefore, I request this Honorable Court to enter an Order granting me leave to file an action

as an indigent party without the necessity of paying any filing fees or costs.

DATE: _____ Petitioner: _____

ORDER

AND NOW, to-wit, this _____ day of _____, the above
Petition for Leave to Proceed In Forma Pauperis is _____ as it pertains to
the filing fees of the Prothonotary office in this matter.

BY THE COURT:

Judge