

# What are the steps to change my sex/gender marker in Travis County, Texas?

These instructions are to request a court order to change your sex/gender identifier. If you want to change your sex/gender identifier AND also your name, there are separate instructions and forms for that. Note: These forms are intended for use in **Travis County, Texas**.

**Please note that there is a new policy at Vital Statistics and at the Texas Department of Public Safety that those agencies will not accept gender marker change orders.**

## Step 1. Fill out two forms.

*Petition to Change the Sex/Gender Identifier of an Adult.*

- and -

*Final Order to Change the Sex /Gender Identifier of an Adult.*

### Where do I get the forms?

You can print forms from the Law Library's website at [www.TravisCountyLawLibrary.org](http://www.TravisCountyLawLibrary.org).

If you cannot afford to pay a filing fee, you can ask to waive the fee by filing a *Statement of Inability to Afford Payment of Court Costs* form.

## Step 2. Gather the additional paperwork.

You will need a letter from a medical doctor.

The letter should say that:

- The doctor has examined you,
- You have received appropriate clinical treatment for transitioning, **and**
- Granting a change of gender/sex marker is in your best interest.

You may also need this paperwork:

- A *Statement of Inability to Afford Payment of Court Costs* form (if you want to ask that filing fees be waived).
- A copy of your certificate of discharge (if you were convicted of a felony and served time in prison).
- A copy of your discharge from felony probation (if you successfully completed probation)
- A copy of your Sex Offender Update Form (if you are required to register as a sex offender)

## Step 3. Get your fingerprints taken.

Have your **fingerprints** taken. You will need the fingerprint card to file with your *Petition*.

### Do you want your forms reviewed by an attorney?

- You can hire a private attorney. There are attorneys in Austin who specialize in LGBT+ legal matters.
- The Travis County Law Library can review your forms.
- The University of Texas Law School holds a legal clinic each semester. The clinic volunteers will help you fill out the paperwork.

### Where do I get my fingerprints taken?

Check with local law enforcement to learn where you can have your fingerprints taken. There is a fee, around \$20. In Travis County, you can have your fingerprints taken at Passport Express at 1107 Rio Grande, Austin, Texas 78701.

## Step 4. File your Petition.

You can file the *Petition* in the District Clerk's Office, 1700 Guadalupe 3<sup>rd</sup> floor or online.

File these attachments with your *Petition*:

- Your proposed *Final Order to Change the Sex /Gender Identifier of an Adult*.
- The fingerprint card. Make sure:
  - the image of your fingerprint card is legible.
  - You signed the card where indicated.
- The letter from your medical doctor.
- A *Statement of Inability to Afford Payment of Court Costs* form (if you want to ask that filing fees be waived)
- Exhibit: A copy of your certificate of discharge (if you were convicted of a felony)
- Exhibit: A copy of your discharge from felony probation (if you completed probation)
- Exhibit: A copy of your *Sex Offender Update Form* (if you are required to register as a sex offender).

**Note:** You can file your Petition online [www.eFileTexas.gov](http://www.eFileTexas.gov). If you file online:

1. Make sure you scan and upload your fingerprint card, the medical letter, and the exhibits (if applicable) with your *Petition*.
2. Fill out and upload your proposed *Final Order to Change the Sex /Gender Identifier of an Adult*.
3. Include instructions in the 'Comments' section that you would like your paperwork forwarded to the court for consideration.

### Step 5. Pay the Filing Fee.

You will **pay a filing fee** of about \$350 at the Travis County District Clerk's Office.

If paying the fee will create a financial hardship for you and your family, you may file a *Statement of Inability to Afford Payment of Court Costs* form to ask the Court to waive court and filing fees.

### Step 6. Wait for a Notice from the Court.

Court cases take some time to process. The average time for Gender Identifier case to be finished is around four months.

Once the Judge signs your order, the court will send you a Notice of Order. These notices are sent through email or postal mail.

If you have reached the 4-month mark without any contact from the Court, or if you have concerns about your filing, you can contact the Travis County Law Library to check on your case. After four months have passed since the original or any subsequent amended filings, we can reach out to the clerk's office on your behalf. Law Library: 512-854-8677.

### Step 7. Get certified copies of the Order.

Go to the District Clerk's Office, 1700 Guadalupe 3<sup>rd</sup> floor. The Clerk's Office stamps the Order signed by the judge.

Ask for a **certified copy** of the signed and stamped Order. Pay the fee for the certified copy. You will need the certified copies to prove that the Court ordered the identifier change. You may want to get at least 3 certified copies.

You can also purchase certified copies [online](#) from the District Clerk's Office.

### Step 8. Notify.

Notify agencies of your identifier change. You may be required to show them a certified copy of your court order. Agencies to notify include the:

- Social Security Administration
- Tax Office (vehicle and voter registration)
- County Clerk's Office (property titles)
- Passport Office

As of August 2024, Vital Statistics (birth certificates) and the Texas Department of Public Safety (driver's license) no longer accept court orders to change gender markers on birth certificates and driver's licenses. Contact Lambda Legal at [lambdalegal.org/helpdesk](http://lambdalegal.org/helpdesk) if you have questions or concerns about notifying Texas state agencies.

## Questions: Gender Marker/Sex Identifier Change

**Q. Can I change my gender marker on my Texas driver's license? Can I change my gender marker on my birth certificate?**

A: No. As of August 2024, both the Texas Department of Public Safety (DPS) and Texas Vital Statistics have policies that the agencies will no longer accept gender marker changes. You may want to contact the Lambda Legal help desk at [lambdalegal.org/helpdesk](http://lambdalegal.org/helpdesk) before contacting DPS.

**Q. Who can use these forms?**

A: This form is intended for use by people who want to change the sex identifier on their public documents to match their gender identity. If you want to change your name AND gender marker, there are separate forms for that. There are also separate forms if you want to just change your name.

**Q. Can I change my gender/sex marker on public documents without going to court?**

A: No. In Texas, you need a court order. Judges have discretion to either grant or deny your request.

**Q. Is surgery or other medical treatment or procedure required before I can change my gender/sex marker?**

A: No, surgery is not required by Texas law. What is required is a narrative statement from your medical doctor that says:

- The doctor has examined you.
- You have received appropriate treatment to transition.
- It is in your best interest (it is recommended) that your sex and/or gender marker be changed in public records to be consistent with your identity and presentation.

In exercising their discretion to grant sex/gender marker changes, judges often look to the Current Standards of Care (SOC) established by the World Professional Association for Transgender Health (WPATH).

**Q. Can I change my gender/sex marker to non-binary or some other identity that is neither male or female (M or F)?**

A: No. Texas law does not recognize non-binary, third gender or gender fluid as an acceptable entry for sex or gender that is printed on state identification documents.

**Q. Will my identity documents automatically be updated once the court enters an order?**

A: No. Getting an order is just the first step of the process of correcting your gender marker on your ID documents. You will need to contact the issuing authority for each type of ID and present a certified copy of the court order when you ask for a change. You can get a certified copy of the order signed by the judge from the District Clerk's Office 1700 Guadalupe 3<sup>rd</sup> floor.

Although the order is a binding order of a Texas district court of general jurisdiction, it is not an absolute guarantee that state entities will immediately adjust your gender marker in accordance with the order.

As of August 2024, both the Texas Department of Public Safety (DPS) and Texas Vital Statistics have policies that the agencies will no longer accept gender marker changes. You may want to contact the help desk at Lambda Legal 214-219-8585 before contacting DPS.



3. I ask the Court to change my gender and sex identifier:

from Male to Female. **OR**  from Female to Male.

The reason I want to change my gender and my sex identifier is that my birth certificate lists me as

Male  Female.

My true sex and gender, as reflected in the attached physician's/therapist's letters, is

Male  Female.

In all aspects of my life, I present as  Male  Female.

My birth certificate and other identifying information should conform with my true gender/sex. If this conformation does not occur, I will suffer significant damage including problems with schools voting, being paid for work; problems with travel; problems obtaining credit, insurance, employment, and housing; and problems with producing correct and consistent identification. It is in my best interest or to my benefit and in the interest of the public that I have identification that matches who I am.

**And/Or** (if other reason, print below)

**4. Personal Information**

My personal information is as follows:

Home Address\* Street Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_ County \_\_\_\_\_

My date of birth is \_\_\_\_\_ Sex/Gender on my birth certificate:  Male  Female  
Month Day Year

My race is \_\_\_\_\_

I was born in \_\_\_\_\_, \_\_\_\_\_ County, \_\_\_\_\_, \_\_\_\_\_  
City of birth County of birth State of Birth Country of Birth

My Social Security Number is XXX-XX-X \_\_\_\_\_ Or  I do not have a Social Security Number.  
(last 3 digits)

All drivers' license numbers issued to me during the last 10 years:

(last 3 digits)	State that Issued License	(last 3 digits)	State that Issued License
_____	_____	_____	_____
_____	_____	_____	_____

Or  I have not had a driver's license during the last 10 years.

**5. Criminal History**

**5a. Are you required to register as a sex offender?**  Yes  No

*If yes – You must attach proof that you notified the appropriate local law enforcement authority of your proposed name change.*

**5b. Have you ever been charged with a Class A or B misdemeanor or a felony?**  Yes  No

*If yes -- Write your FBI (Federal Bureau of Investigation) or SID (State Identification) number, if known, or any other reference number in a criminal history record system that identifies you.*

*If you don't know the number, write "unknown."*

FBI # \_\_\_\_\_ SID # \_\_\_\_\_

Other criminal history record system # \_\_\_\_\_

**5c. List all Class A or B misdemeanors and felonies with which you have been charged,** even if the case was dismissed or you were not convicted.

*If you need more space, attach an additional page.*

*If you do not know the information, contact the court clerk where the offense occurred.*

1. Offense charged: \_\_\_\_\_ in \_\_\_\_\_  
(Year Charged)

Court case/cause # \_\_\_\_\_ in \_\_\_\_\_  
County, State

Court's Name and # \_\_\_\_\_  
*(Examples: County Court #0, 700th District Court, Superior Court, Criminal Court at Law)*

2. Offense charged: \_\_\_\_\_ in \_\_\_\_\_  
(Year Charged)

Court case/cause # \_\_\_\_\_ in \_\_\_\_\_  
County, State

Court's Name and # \_\_\_\_\_  
*Examples: County Court #0, 700th District Court, Superior Court, Criminal Court at Law)*

3. Offense charged: \_\_\_\_\_ in \_\_\_\_\_  
(Year Charged)

Court case/cause # \_\_\_\_\_ in \_\_\_\_\_  
County, State

Court's Name and # \_\_\_\_\_  
*Examples: County Court #0, 700th District Court, Superior Court, Criminal Court at Law)*

4. Offense charged: \_\_\_\_\_ in \_\_\_\_\_  
(Year Charged)

Court case/cause # \_\_\_\_\_ in \_\_\_\_\_  
County, State

Court's Name and # \_\_\_\_\_  
*Examples: County Court #0, 700th District Court, Superior Court, Criminal Court at Law)*

5. Offense charged: \_\_\_\_\_ in \_\_\_\_\_  
(Year Charged)

Court case/cause # \_\_\_\_\_ in \_\_\_\_\_  
County, State

Court's Name and # \_\_\_\_\_  
*Examples: County Court #0, 700th District Court, Superior Court, Criminal Court at Law)*

**5d. Have you ever been convicted of a felony?**  Yes  No

Many people who have a felony conviction are not eligible for a name change order. The court may order your name change *only if*:

- You ask to change your name to the primary name used in your criminal history record. **-OR-**
- At least 2 years have passed since you received a certificate of discharge or completed court-ordered community supervision or juvenile probation. **-OR-**
- You were pardoned.

If any of the above apply, you must attach proof to your filed Petition.

**5e. List all of your felony convictions here. If you need more space, attach an additional page.**

**NOTE:** If you list a conviction below, make sure the charge for the conviction is also above in 5C.

1. Felony Convicted: \_\_\_\_\_ in \_\_\_\_\_  
(Year)

Court case/cause # \_\_\_\_\_ in \_\_\_\_\_  
County, State

Court's Name and # \_\_\_\_\_  
*Examples: County Court #0, 700th District Court, Superior Court, Criminal Court at Law)*

2 .Felony Convicted: \_\_\_\_\_ in \_\_\_\_\_  
(Year)

Court case/cause # \_\_\_\_\_ in \_\_\_\_\_  
County, State

Court's Name and # \_\_\_\_\_  
*Examples: County Court #0, 700th District Court, Superior Court, Criminal Court at Law)*

3. Felony Convicted: \_\_\_\_\_ in \_\_\_\_\_  
(Year)

Court case/cause # \_\_\_\_\_ in \_\_\_\_\_  
County, State

Court's Name and # \_\_\_\_\_  
*Examples: County Court #0, 700th District Court, Superior Court, Criminal Court at Law)*

4. Felony Convicted: \_\_\_\_\_ in \_\_\_\_\_  
(Year)

Court case/cause # \_\_\_\_\_ in \_\_\_\_\_  
County, State

Court's Name and # \_\_\_\_\_  
*Examples: County Court #0, 700th District Court, Superior Court, Criminal Court at Law)*

5. Felony Convicted: \_\_\_\_\_ in \_\_\_\_\_  
(Year)

Court case/cause # \_\_\_\_\_ in \_\_\_\_\_  
County, State

Court's Name and # \_\_\_\_\_  
*Examples: County Court #0, 700th District Court, Superior Court, Criminal Court at Law)*

**6. Request for Judgment**

I ask that my gender and my sex identifier be changed:  from Male to Female  from Female to Male.

I ask the Court to enter an order for schools, universities, agencies, and departments within this court's jurisdiction to correct and amend the gender and sex identifiers in all licenses, databases, certificates, or other official documents under the agencies' control and issuance, whether electronic or paper. This includes, but is not limited to, the Texas Department of Public Safety, the Texas Department of State Health Services (TDSHS), the Vital Statistics Section of TDSHS, the Texas Secretary of State, and county election and voter registration officials.

*[If you were born in Texas, complete this section.]*

I ask that upon application to the Texas Department of State Health Services, Vital Statistics Section, my Texas birth certificate shall be amended pursuant to Texas Health and Safety Code 192.011 to reflect my sex/gender as:  Male  Female.

*[If you were born outside of Texas, complete this section.]*

I ask that the Court find that I was born in the state/country of \_\_\_\_\_.  
I ask that the Court authorize the appropriate officials in charge of correcting birth records and other official records containing identifying information in the state/country of \_\_\_\_\_ to correct the birth record and other records with official identifying information in accordance with the findings in this order, to the extent lawful under that state/country's laws.

**7. Sensitive Information**

This filing contains sensitive information. I ask that the Clerk maintain this file as a restricted file.

**8. Declaration Made Under Penalty of Perjury**

*(Unsworn declaration made pursuant to Texas Civil Practice and Remedies Code, Section 132.001.)*

My current legal name is:

\_\_\_\_\_ *First* \_\_\_\_\_ *Middle (if any)* \_\_\_\_\_ *Last*

My date of birth is \_\_\_\_\_  
*Month Day Year*

My address is *Street Address* \_\_\_\_\_

*City* \_\_\_\_\_ *State* \_\_\_\_\_ *Zip Code* \_\_\_\_\_ *Country* \_\_\_\_\_

**I declare under penalty of perjury that all information in this Petition to Change Name and Sex/Gender Identifier of an Adult is true and correct. I understand I could be prosecuted for lying on this form.**

Formally signed in \_\_\_\_\_ County, \_\_\_\_\_ on this date: \_\_\_\_\_  
*County State Month Day Year*

▶ \_\_\_\_\_  
**Your Signature**

\_\_\_\_\_ *Email Address* \_\_\_\_\_ *Phone*

\_\_\_\_\_ *Mailing Address (if different from above)* \_\_\_\_\_ *City* \_\_\_\_\_ *State* \_\_\_\_\_ *Zip*



**9. You MUST attach these documents to your Petition:**

- A letter from your medical doctor stating that you have received or are receiving appropriate care or treatment in support of your transition. Write **"Exhibit A"** at the top.
- A legible and complete set of your fingerprints on a fingerprint card in a form acceptable to the Texas Department of Public Safety and Federal Bureau of Investigations. Write **"Exhibit B"** at the top. Make sure you sign the front of the card where indicated.
- If you were convicted of a felony and it has been at least 2 years since you discharged or completed probation or parole, attached proof of each conviction. Write **"Exhibit C"** at the top.
- If you are required to register as a sex offender, attach proof that you notified the appropriate local law enforcement authority of your proposed name change. Write **"Exhibit D"** at the top.
- If you were convicted of a felony and pardoned, attached proof. Write **"Exhibit E"** at the top.

Cause Number \_\_\_\_\_

In Re: \_\_\_\_\_

In the \_\_\_\_\_ District Court of  
Court Number

Travis County, Texas

\_\_\_\_\_  
Petitioner (Print your initials.)

## FINAL ORDER TO CHANGE THE SEX/GENDER IDENTIFIER OF AN ADULT

1. This case was: (Check one.)

- heard on this date in person.
- heard on this date by means of Zoom Hearing.
- considered by submission.

2. The Petitioner: (Check one.)

- did not appear.
- appeared in person without an attorney and announced ready.
- appeared in person with an attorney and announced ready.

3. A record: (Check one.)

- was waived with the consent of the Court.
- was made by a court reporter.

4. The Court makes the following findings:

- 4a. The Court has jurisdiction over this case and Petitioner.
- 4b. Petitioner is an adult.
- 4c. Petitioner has used or been known by the following names:

[Make sure the names below match EXACTLY what you wrote on the Petition.]

**Name on Birth Certificate:**

\_\_\_\_\_  
First Middle (if you have one) Last

**Current Legal Name:**

\_\_\_\_\_  
First Middle (if any) Last

**Other Names:**

\_\_\_\_\_  
First Middle (if any) Last

\_\_\_\_\_  
First Middle (if any) Last

5. Petitioner's personal information is as follows:

Home Address: Street Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_ County \_\_\_\_\_

Date of birth \_\_\_\_\_ Sex/Gender listed on birth certificate:  Male  Female  
Month Day Year

NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA.

Race: \_\_\_\_\_

Birthplace: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
City of birth County of birth State of Birth Country of Birth

Social Security Number is XXX-XX-X \_\_\_\_\_ Or  Petitioner does not have a Social Security Number.  
(last 3 digits)

**6. All drivers' license numbers issued to Petitioner during the last 10 years:**

(last 3 digits) State that Issued License (last 3 digits) State that Issued License Or  Petitioner has not had driver's license during the last 10 years.

7. Petitioner disclosed any criminal history information required by Texas Family Code 45.102 in the Petitioner's *Petition to Change the Name and Sex/Gender Identifier of an Adult*.

8. Petitioner filed a legible and complete copy of Petitioner's fingerprints.

9. Petitioner's change of name is in Petitioner's interest or benefit and is in the interest of the public.

**10. The Court orders Petitioner's gender and sex identifier be changed: (select one)**

from Male to Female.  from Female to Male.

This order shall act as the official order for schools, universities, agencies, and departments within this Court's jurisdiction to correct and amend the gender and sex identifiers on all licenses, databases, certificates, and other official documents under the agencies' control and issuance, whether electronic or paper. This includes, but is not limited to, the Texas Department of Public Safety, the Texas Department of State Health Services (TDSHS), including the Vital Statistics Section of TDSHS, the Texas Secretary of State, and county election and voter registration officials.

*(If Petitioner was born in Texas)*

The Court orders that upon application to the Texas Department of State Health Services, Vital Statistics Section, Petitioner's Texas birth certificate shall be amended pursuant to Texas Health and Safety Code 192.011 to reflect Petitioner's sex/gender as:  Male  Female.

*(If Petitioner was born in another state)*

The Court finds that the Petitioner was born in the state/country of \_\_\_\_\_.

The Court authorizes the appropriate officials in charge of correcting birth records and other official records containing identifying information in the state/country of \_\_\_\_\_ to correct the birth record and other official records with identifying information in accordance with the findings in this order to the extent lawful under that state/country's laws.

The Court further **orders** that the Petitioner not use this change of sex/gender identifier to avoid past or future financial or credit obligations or liabilities, for the purposes of fraud; or to circumvent any laws or ordinances.

Documents within the file shall not be released except upon court order or upon request of the attorneys of record or the party to the case. The Clerk shall maintain this file as a restricted file.

**12. Other Orders**

The Court has the right to make other orders, if needed, to clarify or enforce this order. Any orders requested that do not appear above are denied.

SIGNED ON \_\_\_\_\_

 \_\_\_\_\_  
Judge's Signature