

Support SB0581 - Lee Blinder.pdf

Uploaded by: Blinder , Lee

Position: FAV

SUPPORT SB 0581

Lee Blinder
Montgomery County
February 24, 2021

Thank you to the committee members for your time and attention to this important matter. This bill is important to me, personally as a transgender (trans) person, who has undergone the name change process in Maryland. Trans persons, like me, face many barriers to living as our most authentic selves. One of these barriers includes the financial expense of publishing our name change in the newspaper or at the courthouse. The requirement to publish our name change is also a violation of our privacy. The hardship imposed by name publication can be eased by supporting this bill - as it is written.

I am privileged to be able to be out about my identity as a trans person, as I do not face many of the hardships that my fellow community members face. Despite the aforementioned, the process of publishing my name change was intimidating and an invasion of my privacy. The newspaper that I published in, the Montgomery County Sentinel, has gone out of business as of 1/31/2020. The Montgomery County Sentinel was the cheapest and most private option as they did not have an online distribution. I appreciated the discretion on their part.

For me personally, having the details of my name change (such as my former name and my current name together) put online would have been a violation of my privacy. The name change publication requirement, due to forced disclosure through publication, has the potential to jeopardize my safety and future employment opportunities. As the previously stated option is no longer available to transgender persons who live in my county and my neighboring counties, and because publication is outdated, burdensome financially, and violates the privacy of transgender persons, it would be deeply impactful to pass this bill. Reducing the financial burden that transgender persons face when striving to live our most authentic lives will make a difference in our lives. I spent almost \$600 on my name change alone (cost of documents, travel, fees, etc), and many of my peers face name change costs close to \$1000 to \$3000 depending on their personal situations.

Passing SB 0581 is a simple fix that puts Maryland in line with best practices for name change in states like Kentucky and Mississippi, both of whom do not require publication. This reduces time and effort for the courts to monitor and process publication notices or waivers, which reduces the fiscal note to the taxpayer and streamlines the process internally.

I appreciate your time, and I encourage the committee to vote in Support of SB 0581.

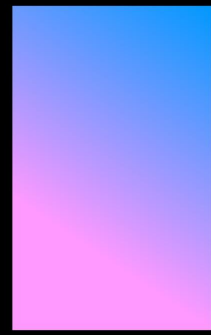
Lee Blinder
16807 Chestnut Street
Gaithersburg, MD 20877

Support SB 0581 - Trans Maryland.pdf

Uploaded by: Blinder , Lee

Position: FAV

TRANS MARYLAND



SUPPORT SB 0581

Action for Change of Name - Waiver of Publication Requirement

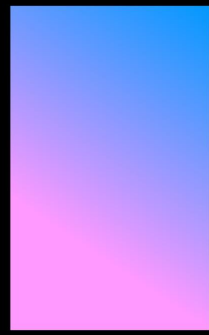
Trans Maryland
16501 Shady Grove Road #7742
Gaithersburg MD 20898
February 26, 2021

Esteemed Chair Smith, Vice Chair Waldstreicher, and the Judicial Proceedings Committee. My name is Lee Blinder, I use they/them pronouns, and I am the executive director of Trans Maryland. I am writing on behalf of our organization as a proud nonbinary trans Marylander. This bill is very important to Trans Maryland as we serve over 250 transgender (trans) persons per year who seek or have undergone Maryland's legal name change process, and are the only organization in the state to serve trans Marylanders with their name change process from beginning to end (as defined by the individual). We are also the only organization focusing on pro se name change petitioners. This bill provides trans Marylanders with the opportunity to seek a waiver of the state's name change publication requirement.

Maryland's current legal name change process poses financial barriers and safety risks for trans people. Trans people face many barriers to living as our most authentic selves. One of these barriers includes the financial expense of publishing our name change in the newspaper or at the courthouse. The requirement to publish our name change is also a violation of our privacy at a time that should be a celebration for those of us taking these exciting steps to live authentically. The hardship imposed by name publication can be eased by supporting this bill - as it is written.

The name change publication requirement, due to forced disclosure through publication, has the potential to jeopardize safety and future employment opportunities for our community members. As some more discrete publication options in Montgomery County and Prince George's County are no longer available, supporting SB 0581 is more urgent than in years past. Because publication is outdated, burdensome financially, and violates the privacy of transgender persons, it would be deeply impactful to pass this bill. Reducing the financial burden that transgender persons face

TRANS MARYLAND



when striving to live our most authentic lives will make a difference in our lives. Many of our community members face name change total costs close to \$1000 to \$3000 depending on their personal situations, lessening those costs by eliminating publication is the right thing to do.

Passing SB 0581 is a simple fix that puts Maryland in line with modernized best practices for name change in states like Kentucky and Mississippi, both of whom do not require publication. In all, there are 17 states, plus Washington D.C. and Puerto Rico that do not require publication for a legal name change. This reduces time and effort for the courts to monitor and process publication notices or waivers, which reduces the fiscal note to the taxpayer and streamlines the process internally.

We appreciate your time, and we encourage the committee to provide a favorable report for SB 0581.

Sincerely,

A handwritten signature in cursive script that reads 'Lee Blinder'.

Lee Blinder
Executive Director
Trans Maryland
Lee@transmaryland.org

TestimonySB581CassCaveney.docx.pdf

Uploaded by: Caveney, Cass

Position: FAV

Cass Caveney
Silver Spring, Maryland

February 24, 2020

SB 581 – Action for Change of Name - Waiver of Publication Requirement

SUPPORT

To the Chair, Vice Chair, and esteemed members of the Senate Judicial Proceedings Committee:

I am a longtime Maryland resident and went through the name change process here in 2017. Although I was able to successfully navigate the process over several months (the court did not accurately provide all of my information to the newspaper, resulting in a delay), the process imposes more numerous barriers, costs, and dangers to others in my community. While my name change took more time, effort, expense, and loss of privacy than ever should have been necessary, the barriers to more vulnerable members of my community are far higher and the threat of outing, discrimination, violence, and other harms is far more dire and severe.

Respecting the privacy and safety of all Marylanders who need to legally change their names is important no matter their circumstances, but it's critical for transgender and nonbinary Marylanders as we face increased risk of harassment, violence, and discrimination due to our gender identities. Unfortunately, there is an uneven response to motions for waivers of the publication requirement in Maryland. Some are granted without too much trouble, but all too often I hear from people in my community whose waivers have been rejected or who had to spend a great deal of time, effort, and expense to finally persuade a court to grant the waiver.

All of this to avoid a completely unnecessary notice in a newspaper where no one who needs to know will see it anyway. Credit agencies and creditors have no trouble finding our new name (if only it were so easy to update all our records!) as they keep track via Date of Birth and Social Security Number (and we are already required to update the Social Security Administration with our new name before we may apply for a Maryland ID or driver's license under our new name). They certainly are not relying on, looking at, or even aware of what's printed in small newspapers in Maryland. They certainly have no trouble in neighboring Virginia, the District of Columbia, and the many other states

that do not require publication of name changes. It is now 2021 and it's time for Maryland to move on from this outdated and antiquated publication requirement.

This is a simple bill. This will cost the State of Maryland nothing. The only change will be to require all motions for waiver of the publication requirement to be granted. If anything, this will only serve to reduce the burden on our courts. All existing notification laws will remain unchanged.

People in our communities deserve the liberty to decide when and to whom they wish to disclose their name change and should be free to live their lives without fear. Please support the safety, dignity, and privacy of all Marylanders.

I respectfully urge this committee to issue a **favorable report for Senate Bill 581**.

Thank you for your time and consideration.

Cass Caveney
Trans Recognition Maryland

LoS - Name Change Publication Waiver.pdf

Uploaded by: Dove, Spencer

Position: FAV

State of Maryland

Commission on Civil Rights

"Our vision is to have a State that is free from any trace of unlawful discrimination."



Officers

Alvin O. Gillard, Executive Director
Nicolette Young, Assistant Director
Glendora C. Hughes, General Counsel

Governor
Larry Hogan
Lt. Governor
Boyd K. Rutherford
Commission Chairperson
Gary C. Norman, Esq.
Commission Vice Chairperson
Roberto N. Allen, Esq.
Commissioners
Allison U. Dichoso, Esq.
Hayden B. Duke
Janssen E. Evelyn, Esq.
Eileen M. Levitt, SPHR, SHRM-SCP
Rabbi Binyamin Marwick
Jeff Rosen
Gina McKnight-Smith, PharmD, MBA

February 26, 2021

Senate Bill 581 – Action for Change of Name - Waiver of Publication Requirement **POSITION: Support**

Dear Chairperson Smith, Vice Chairperson Waldstreicher, and Members of the Senate Judicial Proceedings Committee:

The Maryland Commission on Civil Rights (“MCCR”; “The Commission”) is the State agency responsible for the enforcement of laws prohibiting discrimination in employment, housing, public accommodations, and state contracts based upon race, color, religion, sex, age, national origin, marital status, familial status, sexual orientation, gender identity, genetic information, physical and mental disability, and source of income.

Senate Bill 581 requires a court, on motion by an individual who has filed an action for change of name under Maryland Rule 15-901, to waive the publication requirement set forth in the Rule. The current fees to petition the court for a name change are \$165 plus the cost of publishing in a newspaper of general circulation in the county where you live. In Anne Arundel County, for example, the publication cost is \$80 and must be in the Capital Gazette.

The Maryland Commission on Civil Rights supports SB581 because this bill reduces procedural and fiscal barriers for individuals whose marital status has changed as well as those who are seeking to change their legal name to a chosen name that more closely matches their gender identity. These changes will make great strides in preventing unintentional disclosure of transgender identity or sex assigned at birth in situations requiring personal identification such as seeking employment, housing, or service at public places requiring age or gender verification for entry or access. Both marital status and gender identity are protected classes under MCCR’s statute. As such, our agency supports the additional protections this law would provide.

For these reasons, the Maryland Commission on Civil Rights urges a favorable report on SB581. Thank you for your time and consideration of the information contained in this letter. The Maryland Commission on Civil Rights looks forward to the continued opportunity to work with you to improve and promote civil rights in Maryland.

VSAB Support Ltr Name Change SB 581.pdf

Uploaded by: Frey, Leslie

Position: FAV



VICTIM SERVICES ADVISORY BOARD

February 26, 2021

The Honorable William C. Smith, Jr.
Chair, Senate Judicial Proceedings Committee
2 East, Miller Senate Office Building
Annapolis, Maryland 21401

Re: Support - SB581 – Action for Change of Name - Waiver of Publication Requirement

Dear Chairman Smith:

Senate Bill 581 waives the publication requirement for an individual seeking a name change under Maryland Rule 15-901. People who file the request to change their name must make the request to withhold the publication notice. Under current law, individuals who petition for a name change because of an adoption or a divorce are exempt from the publication requirement. All others seeking a change must publish a notice in a newspaper of general circulation listing the individual's current name and his or her intended new name. This can put survivors of intimate partner violence at great risk.

The Montgomery County Victim Services Advisory Board (VSAB) advises the County Council and County Executive on assisting with the needs of violent crime victims, including victims of rape, domestic violence, sexual assault and human trafficking. The number and severity of sexual assault and domestic violence cases referred to the Montgomery County HHS Victim Assistance and Sexual Assault Program and the Abused Persons Program increased substantially in one year when comparing 2019 and 2020 intake data. The Montgomery County Police also reported concerns with an increase in violence in 2020 when investigating domestic violence calls. (<https://wtop.com/montgomery-county>, Oct. 16, 2020)

Victims of such crimes are often fleeing dangerous perpetrators. Many victims strive for independence but struggle to create as much distance and privacy as they can in order to begin a new chapter in their lives. For some, concealing their identity is a critical prerequisite for protection and survival. Allowing victims to conceal name changes from the public can significantly contribute to their safety, and their children's safety, and may mean the difference between life and death.

VSAB asks the committee to issue a favorable report on Senate Bill 581.

Sincerely,

Kathryn Pontzer & Juanita Rogers
VSAB Co-chairs

Department of Health and Human Services

SB581_FAV_Hettleman.pdf

Uploaded by: Hettleman, Shelly

Position: FAV



The Senate of Maryland
ANNAPOLIS, MARYLAND 21401

SB 581 – ACTION FOR CHANGE OF NAME - WAIVER OF PUBLICATION
REQUIREMENT

Senate Bill 581 removes the antiquated publishing requirement for legal name changes. This is a holdover from the days when creditors wanted to ensure that debtors didn't abscond from their responsibilities. In today's world, financial systems trace debts through social security numbers- rendering the publishing of name changes to be meaningless and burdensome at best- discriminatory and dangerous at worst.

This bill will help simplify and update the name change procedures by removing only the publication requirements for those who wish to do so. It does not change anything else about the name change process and it is important to note what this bill does NOT do:

- It does not alter or change any other requirements such as crime victim notification or any existing process to apply for a name change
- It does not re-litigate who can or petition for a name change
- All the rules still apply - it simply allows an individual who has already filed a motion to change their name to waive any publication requirements

Maryland would not be among the first to streamline the process and administrative burden associated with changing one's name. Currently, nineteen states and jurisdictions have waived publication requirement.

Publication is a costly requirement that disproportionate impacts individuals with low incomes, individuals living in urban areas, and individuals who are transgender. The cost of publication varies dramatically from county-to-county and newspaper-to-newspaper, from \$40 up to \$250.

There are many individuals who would be positively impacted by the removal of this requirement. Victims of domestic abuse sometimes file for a name change to separate themselves from abusers. Today, under MD Rule 15-901, they are required to public their name change in a publication of general circulation in their county of residence. Under SB 581, removing the publication requirement would assist survivors who are seeking separation and safety from their abusers.

Additionally, members of the LGBTQ + community who are seeking to be identified by their preferred name face challenges for simply wanting to protect themselves from public notification of a name with which they no longer identify. Not only can anyone,

including potential and current employers, access and view a name history- but these records live on the internet in perpetuity. Such public notices potentially make transgendered persons vulnerable to discrimination, intimidation or even violence.

Removing the name change publishing requirement will help keep safe transgender and non-binary people and survivors of domestic violence, who wish to avoid risk and stigma, giving them the dignity and privacy, they deserve. For these reasons, I ask for a favorable report of SB 581.

SB0581 2021-02-26 Written Testimony for Senate Jud

Uploaded by: Hoffman, C.P.

Position: FAV



2526 SAINT PAUL STREET
BALTIMORE, MD 21218
TEL (410) 625-LGBT (5428)
FAX (410) 625-7423
www.freestate-justice.org

C.P. Hoffman
Legal Director
cphoffman@freestate-justice.org

February 24, 2021

The Honorable William C. Smith, Jr.
Senate Judicial Proceedings Committee
2 East
Miller Senate Office Building
Annapolis, MD 21401

Testimony of FreeState Justice

IN SUPPORT OF

SB0581: Action for Change of Name – Waiver of Publication Requirement

To the Chair, Vice Chair, and esteemed members of the Judicial Proceedings Committee:

FreeState Justice is a legal advocacy organization that seeks to improve the lives of low-income LGBTQ+ Marylanders, as well as advocate on issues affecting the broader LGBTQ+ community in Maryland. As part of this mission, FreeState Justice represents dozens, if not hundreds, of LGBTQ+ clients each year on matters relating to their sexual orientation or gender identity.

FreeState Justice's identity documents practice, which includes assisting transgender clients with obtaining name changes under Maryland Rule 15-901, is a cornerstone of our work. Since 2012, FreeState Justice and our panel of pro bono attorneys has helped over 450 transgender Marylanders change their names. For many of our clients, obtaining a court order confirming their name of common use is critical for being able to navigate the world safely and with the dignity of being their authentic selves.

Unfortunately, the publication requirement under Rule 15-901(e) imposes a substantial burden on the ability of transgender Marylanders to change their names. It is often all-too-easy to infer a person's transgender status from a published notice, especially when the individual is changing from, e.g., a traditionally feminine name to a traditionally masculine name, or vice-versa. And, because papers may post these legal notices online, they can become a permanent

FreeState Justice, Inc. (formerly FreeState Legal Project, Inc., merging with Equality Maryland) is a social justice organization that works through direct legal services, legislative and policy advocacy, and community engagement to enable Marylanders across the spectrum of lesbian, gay, bisexual, transgender, and queer identities to be free to live authentically, with safety and dignity, in all communities throughout our state.

digital scarlet letter outing their transgender status to anyone capable of a google search.

Many of FreeState Justice's clients are understandably concerned about their transgender status becoming public, which would out them to those who may be inclined to discriminate against or inflict harm on them because of it, including employers, coworkers, landlords, neighbors, teachers, classmates, and even unsupportive or hostile family members.

People who are transgender are routinely targeted for discrimination, harassment, and physical and sexual assault. According to the 2015 U.S. Trans Survey, a survey conducted in 2015 that is the most comprehensive survey of the United States transgender community to date, over half of respondents who held a job in the past year indicated that they had to hide their transgender status at work to avoid discrimination in the past year, and over 20% reported firing or other employment-related mistreatment at work in the past year because they were transgender.¹ Thirty percent of all respondents reported that they had experienced housing discrimination or homelessness in the past year because of their transgender status.² Large percentages of transgender people report being subjected to harassment and even physical assault when their transgender status is made known at work, in educational settings, and in places of public accommodation.³ By literally publicizing their transgender status, Rule 15-901(e)'s publication

¹ James, S. E., *et al.*, THE REPORT OF THE 2015 U.S. TRANSGENDER SURVEY at 151, 154 (National Center for Transgender Equality 2016), *available at* <http://www.transequality.org/sites/default/files/docs/USTS-Full-Report-FINAL.PDF>.

² *Id.* at 178.

³ *Id.* at 153 (15% of respondents who held a job in past year reported being verbally harassed, physically attacked, and/or sexually assaulted at work in the past year because of their transgender status); 136 (24% of respondents who attended college or vocational school reported being verbally, physically, or sexually harassed at school because of their transgender status when their gender identity was known to classmates, professors or staff); 213 (31% of respondents who visited a place of public accommodation in the past year where staff or employees realized they were transgender experienced at least one type of negative experience due to their gender identity, including being denied equal treatment or service (14%), verbally harassed (24%), and/or physically attacked (2%)); 89-90 (as a result of showing identification with a name or gender that did not match their gender presentation, 32% reported a negative experience, including verbal harassment (25%), denial of service (16%), and assault (2%)).

requirement makes all of these forms of discrimination more likely.

The publication requirement also increases the likelihood transgender individuals will be subjected to violence. People known, perceived, or suspected to be transgender are more often the targets of hate crimes than cisgender or gender-conforming individuals. Transgender individuals are 2.8 times more likely to be the targets of violence, including virtual violence online or over the phone than cisgender members of the LGBTQ community.⁴ As a consequence of such widespread discrimination and violence directed towards individuals perceived to be transgender or gender non-conforming, the transgender community suffers epidemically high rates of suicidality. The highest rates of suicide attempts and suicidality are experienced by transgender men of all ages (46%) and young, high school and college-aged transgender adults between the ages of 18-24 (45%).⁵ The name change publication requirement causes an already vulnerable community to be even more predisposed to these atrocities.

Transgender youth are especially at risk of violence and discrimination. As detailed by the Human Rights Campaign's national *2018 Youth Report*, 73% of LGBTQ youth experienced verbal threats or harassment and 70% experienced bullying based on their sexual orientation or gender identity.⁶ For minors who are transgender, when their gender identity is a subject of public disclosure, they face this significantly increased risk of discrimination and physical violence in school. In a 2015 survey of transgender Marylanders, 78% of school-aged respondents reported experiencing verbal harassment, discrimination, or physical or sexual assault based on their perceived gender identity in school within the past year.⁷

⁴ Emily Waters, *et al.*, CRISIS OF HATE 1, 32 (National Antiviolence Project 2018) available at http://avp.org/wp-content/uploads/2017/06/NCAVP_2016HateViolence_REPORT.pdf (also indicating that 64% of the victims of all anti-LGBTQ homicides committed nationally between January-August 2017 were under the age of 35).

⁵ Ann. P Hass, *et al.*, NATIONAL TRANSGENDER SURVEY 1, 2 (National Center for Transgender Equality 2014), available at <http://williamsinstitute.law.ucla.edu/wp-content/uploads/AFSP-Williams-Suicide-Report-Final.pdf>.

⁶ Human Rights Campaign Foundation & U. Conn., 2018 LGBTQ YOUTH REPORT 1, 7-9 (2018), available at <https://www.hrc.org/resources/2018-lgbtq-youth-report> (surveying a national survey of 29,291 LGBTQ youth's experiences in schools).

⁷ James S. E., *et al.*, THE 2015 U.S. TRANSGENDER SURVEY, *Maryland State Report* 1, 1 (Nat'l Ctr. For Transgender Equal. 2017) available at <https://transequality.org/sites/default/files/USTS%20MD%20State%20Report.pdf>.

Indeed, because transgender people face such high rates of discrimination, harassment, and violence, courts have been particularly conscious of the danger of revealing a person's transgender status to others. For example, the United States Court of Appeals for the Second Circuit held that the nonconsensual disclosure to others of a person's transgender status violated their constitutional right to privacy, noting the widespread "hostility and intolerance" transgender people face, as well as the "excruciatingly private and intimate nature of transsexualism, for persons who wish to preserve privacy in the matter, [which] is really beyond debate." *Powell v. Schriver*, 175 F.3d 107, 111 (2d Cir. 1999). A federal court in Michigan recently considered a state policy that prevented many transgender people from changing the gender marker on their driver's licenses, and thereby "outed" transgender people to others who could conclude that the person was transgender because their "lived sex" was inconsistent with the gender marker on the ID. *Love v. Johnson*, 146 F. Supp. 3d 848, 854 (E.D. Mich. 2015). The court recognized the fact that transgender people face widespread discrimination and violence, and held that "the Policy creates a very real threat to Plaintiffs' personal security and bodily integrity" and thereby implicated "their fundamental right of privacy." *Id.* at 856.

By allowing automatic waiver of the publication requirement upon request, Senate Bill 581 would protect the privacy and safety of transgender Marylanders and reduce the likelihood that they will be exposed to unnecessary discrimination and violence.

We respectfully urge a favorable report.

SB0581 FAV-DTMG-2-26-21.pdf

Uploaded by: Jones, Samantha

Position: FAV



Samantha Jones, DoTheMostGood Maryland Team

House Committee: Judicial Proceedings

Testimony on: SB0581 - Action for Change of Name - Waiver of Publication Requirement

Position: Favorable

Committee Hearing Date: February 26, 2021

Sponsored By: Senator Hettleman

DoTheMostGood (DTMG) is a progressive grassroots organization with more than 2,500 members who live in a broad range of communities in Montgomery County, from Bethesda at the DC line north to Frederick and from Poolesville east to Silver Spring and Olney. DTMG supports legislation and activities that uplift all members of its communities.

DTMG supports SB0581 - Action for Change of Name - Waiver of Publication Requirement. This legislation would remove the harmful requirement to publish an individual's name change in a local, widely circulated newspaper.

Name change publication requirements disproportionately impact transgender, non-binary, and gender-expansive individuals. This is because requiring these individuals to publicize their name change puts them at high risk for interpersonal violence. While the current statute allows individuals seeking a name change to submit a waiver of publication notice before a Circuit Court Judge, waivers to publication are rarely granted. SB0581 would streamline the process, remove the administrative burden, and decrease the risk associated with changing an individual's name.

Many transgender, non-binary, and gender-expansive residents across Maryland have reported that their petition to waive publication has been denied. In many instances, these waivers were submitted for reasons of safety. In 2015, the National Center for Transgender Equality released a survey with around 28,000 transgender individuals responding.¹ Nearly one in 10 transgender individuals responded that they were physically attacked in the last year because of being transgender and transgender women of color were four times as likely as other transgender people to be attacked with a gun. 2020 saw the most violence against transgender individuals

¹ 2015 U.S. Transgender Survey, <https://transequality.org/sites/default/files/docs/usts/USTS-Full-Report-Dec17.pdf>

than in any year prior. Given the unprecedented levels of hostility and violence towards transgender people, as well as non-binary and gender-expansive people, requiring those who seek a name change to publish their name change request, essentially outing themselves, in a local newspaper is unnecessarily dangerous.

Further, the publication requirement for name changes is no longer necessary given the original intent of the law. The publication requirement was originally established to give notice to creditors so that debtors could not evade their debts. However, debts are now tracked by Social Security Number, not by an individual's name. Further, creditors rely on modernized technology and datasets, rather than local newspapers, for accurate information on a debtor. The current requirement for publication in a local newspaper is also expensive and disproportionately impacts low-income residents. The cost of publication in Maryland can be as much as \$250.

The publication requirement is no longer necessary and is harmful to transgender, non-binary, and gender-expansive Marylanders. Out of consideration for the physical and mental health of transgender, non-binary, and gender-expansive Marylanders, DTMG supports SB0581 and urges a FAVORABLE report on this bill.

Respectfully submitted,

Samantha Jones
Maryland Team, DoTheMostGood
jones.a.samantha@gmail.com
301-395-2722

Name change - testimony - senate - 2021.pdf

Uploaded by: Jordan, Lisae C

Position: FAV



Working to end sexual violence in Maryland

P.O. Box 8782
Silver Spring, MD 20907
Phone: 301-565-2277
Fax: 301-565-3619

For more information contact:
Lisae C. Jordan, Esquire
443-995-5544
www.mcasa.org

Testimony Supporting Senate Bill 581
Lisae C. Jordan, Executive Director & Counsel
February 26, 2021

The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's seventeen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes the Sexual Assault Legal Institute (SALI), a statewide legal services provider for survivors of sexual assault. MCASA represents the unified voice and combined energy of all of its members working to eliminate sexual violence. We urge the Judicial Proceedings Committee to report favorably on Senate Bill 581.

Senate Bill 581

Child's Name Change – No Publication

Litigants who seek to change a person's name are currently required to publish a notice regarding the request for a name change. Rule 15-901(e)(2) requires:

“Publication. Unless the court on motion of the petitioner orders otherwise, the notice shall be published one time in a newspaper of general circulation in the county in which the action was pending at least fifteen days before the date specified in the notice for filing an objection to the petition. ...”

Courts are required to view motions for a waiver cautiously. 82 Op.Att’y Gen. 44 (1997). Name changes ordered in divorce or adoption actions do not require publication.

Senate Bill 581 requires courts to waive the publication requirement upon a motion.

MCASA's Sexual Assault Legal Institute (SALI) has handled several cases where a name change for a minor child was requested because the child's name was the same as a parent who committed sexual assault. In at least one case, the child's name was the same as his father's with “Junior” at the end, and the father was convicted of sexual assault and on the sex offender registry. Senate Bill 581 would assist in these cases and protect the privacy of victims of crime and their children. Its crossfile, House Bill 39, has passed the House of Delegates.

**The Maryland Coalition Against Sexual Assault urges
the Judicial Proceedings Committee to report favorably on Senate Bill 581**

FINAL SB 581 Written Testimony - 2-24-21.pdf

Uploaded by: Neira, Paula

Position: FAV



TO: The Honorable William C. Smith, Jr., Chair
Senate Judicial Proceedings Committee

FROM: Deborah J. Baker DNP, CRNP
Senior Vice President for Nursing, Johns Hopkins Health System
Vice President of Nursing and Patient Care, The Johns Hopkins Hospital

Devin O'Brien Coon, MD, MSE, FACS
Medical Director, Johns Hopkins Center for Transgender Health
Associate Professor of Plastic & Reconstructive Surgery
Associate Professor of Biomedical Engineering
Fellowship Director, Complex Gender and Microvascular Surgery Fellowship
Johns Hopkins University School of Medicine

Errol L. Fields, MD, PhD, MPH
Assistant Professor of Pediatrics
Associate Program Director, Adolescent Medicine Fellowship
Co-Director, Emerge Gender and Sexuality Clinic for Children, Adolescents, and Young Adults,
Division of Adolescent / Young Adult Medicine, Johns Hopkins University School of Medicine

Sherita Hill Golden, MD, MHS
Hugh P. McCormick Family Professor of Endocrinology and Metabolism
Vice President, Chief Diversity Officer
Johns Hopkins Medicine
Office of Diversity, Inclusion, and Health Equity

Helene Hedian, MD
Assistant Professor of Medicine, Division of General Internal Medicine
Johns Hopkins University School of Medicine

Steven J. Kravet MD, MBA
President, Johns Hopkins Community Physicians

Margaret Moon MD MPH
Pediatrician-in-Chief
Director, Department of Pediatrics
Johns Hopkins University School of Medicine
Co-Director, The Johns Hopkins Children's Center

Paula M. Neira, JD, MSN, RN, CEN, FAAN
Clinical Program Director, Johns Hopkins Center for Transgender Health
Assistant Professor of Plastic & Reconstructive Surgery
Johns Hopkins University School of Medicine

James “Jimmy” Potash, MD, MPH
Henry Phipps Professor of Psychiatry and Behavioral Sciences
Department Director and Psychiatrist-in-Chief
Johns Hopkins Medicine

Richard J. Redett III, MD
Director, Plastic and Reconstructive Surgery
Director, Pediatric Plastic Surgery
Johns Hopkins Medicine
Professor of Plastic and Reconstructive Surgery
Professor of Pediatrics
Johns Hopkins University School of Medicine

Renata Arrington Sanders, MD, MPH, ScM
Associate Professor, Division of Adolescent and Young Adult Medicine
Johns Hopkins University School of Medicine

Andrew J. Satin, MD, FACOG
Dr. Dorothy Edwards Professor and Director of Gynecology and Obstetrics
Obstetrician / Gynecologist -in-Chief, Johns Hopkins Medicine

Kimberlee Sherbrooke, MHA
Chief Operating Officer, Office of Johns Hopkins Physicians
Vice President, Johns Hopkins Medicine

Kate Thomas, PhD
Director of Clinical Services, The Johns Hopkins Sex and Gender Clinic
Director of Mental Health Services, Johns Hopkins Center for Transgender Health

DATE: February 24, 2021

The Johns Hopkins Center for Transgender Health (JHCTH) and Johns Hopkins Medicine support **Senate Bill 581 - Action for Change of Name – Waiver of Publication Requirement**. This bill provides that Maryland courts shall waive the publication requirement, upon motion by an individual who has filed an action for change of name under Maryland Rule 15-901. Currently, unless granted discretionary reprieve by the court, Maryland residents seeking legal name changes are required to publish notice of this change in a newspaper. Today, this often means that notices are published online. Enactment of SB581 would significantly reduce the risk of harm to Maryland’s transgender community, optimize the efficiency and accessibility of name change processes for all Maryland residents, and achieve statewide uniformity for a portion of the legal name change process.

Since 2017, the Johns Hopkins Center for Transgender Health, a multidisciplinary service line within Johns Hopkins Medicine, has offered holistic evidence-based treatments to over 2,400 patients seeking gender-affirming healthcare across multiple disciplines. Evidence-based science and best practices are the foundation of our work. The negative impacts of discrimination and societal stigmatization targeted at transgender people that result in health disparities and impact the social determinants of health in areas, such as employment, housing, insurance coverage, and access to health care are well documented.

The existing name-change publication requirement often acts as a barrier to care and potentially places our patients at risk. Many of our patients do not identify as transgender publicly; they are not “out” in their communities, workplaces, or even families. Our patients make these decisions, about with whom they share their gender identity,

for reasons ranging from serious safety concerns to the simple belief that their gender identity is a private and personal matter. Every person makes decisions about what parts of their identity to share with acquaintances, friends, colleagues, and family members, and it is no different for our Maryland transgender community members. When our patients are “outed” against their will – as published name change notices can do – they are placed at empirical risk of discrimination, harassment, and violence.

Poverty is the most important social determinant of health. Accordingly, it is important to note the cost of this burdensome publication requirement. People across Maryland can be charged up to \$250 for name change notice publication. And this is just one part of the costly legal name change process. 22% of surveyed transgender Marylanders reported that cost was the determining barrier to legally changing their names or gender markers. This figure, while staggering, is unsurprising given that a disproportionate segment of the transgender community lives in poverty. While an issue in and of itself, this cost barrier has further implications for our patients’ safety. The consequences of *not* legally changing a name and gender marker can be grave.

The 2015 U.S. Transgender Survey Maryland State Report, a Maryland-specific analysis of respondents participating in the largest survey of transgender people conducted in the United States, found 25% of respondents reported workplace discrimination, including, in some cases, termination because of their gender identity; 24% of respondents experienced housing discrimination, with 11% reporting some period of homelessness, because of their gender identity. Twenty-four percent of transgender Marylanders reported harassment or assault when their ID was found to display a name or gender marker that was incongruent with their physical presentation.

When Marylanders do not have a safe and accessible path to legal name change, they are often forced to live in an extreme state of vulnerability, wherein a routine traffic stop, an employment application, being “carded” at a bar, or a misplaced wallet can, again, “out” a patient against their will. These are not hypothetical situations and are particularly concerning given the reality that over 60% of transgender Marylanders do not have IDs that display their chosen names and appropriate gender markers. At least one study has reported that sexual and gender minority adults were victims of violent crimes (rape, sexual assault, and aggravated assault) at four times the rate of their cisgender/straight peers. Further, the risk of violence increases when the offender is aware of the victim’s gender identity. Requiring transgender people to publish notice of their name change, and thus their gender identity in most cases, contributes to this increased risk.

The lasting nature of name change publications on the internet wrests control from a person over their own identity and safety. Print-only options are ever-dwindling. In Montgomery County, transgender citizens have no print-only options for notice publications. Easily accessible online records follow Maryland transgender community members with them wherever they go, forever posing a significant level of risk to their safety, health, wellbeing, and livelihood.

Lastly, at this time, judges across the state do have the power to discretionarily waive the mandate. Community organizations have found that there is great discrepancy between jurisdictions regarding whether or not a waiver is granted. Uniformity is necessary to ensure all Maryland residents, regardless of their gender identity, are treated equally.

In recent years, the state of Maryland has made strides towards facilitating safe and accessible processes for its more than 22,000 transgender citizens to live as, and achieve legal affirmation of, their authentic selves, which has a positive impact on their health. Senate Bill 581 is an opportunity for Maryland to join 19 other jurisdictions in waiving the antiquated requirement that name changes be published in a newspaper, further cementing its commitment to ensuring the safety, wellbeing, and affirmation of our transgender community members.

The Johns Hopkins Center for Transgender Health and Johns Hopkins Medicine urges a **favorable report on Senate Bill 581 - Action for Change of Name – Waiver of Publication Requirement.**

SB0581 MD NARAL SUPPORT.pdf

Uploaded by: Philip, Diana

Position: FAV



SB0581 – Action for Change of Name – Waiver of Publication Requirement
Presented to the Hon. Will Smith and Members of the Senate Judicial Proceedings Committee
February 18, 2021 11:00 a.m.

POSITION: SUPPORT

NARAL Pro-Choice Maryland urges the Senate Judicial Proceedings Committee to issue a **favorable report on SB0581 – Action for Change of Name – Waiver of Publication Requirement**, sponsored by Senator Shelly Hettleman.

Our organization is an advocate for reproductive health, rights, and justice. It is essential to our goal of promoting and defending the reproductive rights of all Maryland residents, that we also prioritize patients' mental, emotional, and physical wellbeing. The waiving of a newspaper publication requirement when filing for a change of name is a considerable advancement in the rights of transgender and survivors of interpersonal violence.

The act of changing one's name can hold great significance for transgender individuals in expressing their chosen identities, and to prevent discrimination or violence against that person for being transgender. For survivors of domestic violence and the children of convicted sex offenders, the name change may serve as an essential strategy in seeking long-term safety and the ability to rebuild their lives while recovering from the harm of those crimes. We believe that the publication of name changes in local newspapers is an antiquated requirement that intrudes on an individual's right to privacy. Petitioners with such safety concerns should have the right to waive the publication requirement. The safety and welfare of these individuals far outvalues the mandate.

We must also consider the costs associated with such a requirement. The charge for filing a name-change petition is \$165 in Maryland, and the cost of newspaper publication varies from \$50 - \$100¹. For low-income individuals, the unemployed/underemployed, and those financially dependent on their guardians, spending over \$200 on the change of name process is an extremely difficult, and sometimes even impossible, commitment. This financial burden often prevents people from legalizing their new name and identity and should not be hindered by socioeconomic status.

SB0581 waives the publication requirement for individuals who have filed for a change of name with the Maryland courts. The ability to obtain legal identification documents that match one's chosen name promotes the likelihood of them seeking and accessing health care services, employment options, and other public health and social benefits². This bill is a significant step in ensuring the rights of Marylanders in need of this form of legal relief and reducing socioeconomic discrimination in such legal processes. For these reasons, NARAL Pro-Choice Maryland **urges a favorable committee report on SB0581**. Thank you for your time and consideration.

¹ Baran, Kira, and Kira Baran. "Navigating Maryland's Name-Change Publication Requirement." Legal Data Design Clinic, April 9, 2020. <https://blogs.ubalt.edu/legaldatadesign/2020/04/09/navigating-marylands-name-change-publication-requirement/>

² "Name and Gender Change for Transgender and Non-Binary Individuals." FreeState Justice. Accessed February 14, 2021. <https://freestate-justice.org/our-issues/identity-documents/>

SB0581_Action_for_Name_Change_MLC_FAV.pdf

Uploaded by: Plante, Cecilia

Position: FAV



TESTIMONY FOR SB0581
Action for Change of Name – Waiver of Publication Requirement

Bill Sponsor: Senator Hettleman

Committee: Judicial Proceedings

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of SB0581 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of individuals and grassroots groups with members in every district in the state with well over 30,000 members.

The requirement to publish a change of name has been around a long time. It came about for good reasons and served an important role in cases where someone sought to avoid creditors or misdeeds by changing their name.

However, that requirement does not at all serve when someone is trying to change their name because they need to change their gender. Often, these people are young and are not seeking to do harm to others by changing their name, but are merely trying to live their lives.

In these cases, the publication requirement does the opposite of what it was intended to do. It causes harm to the person who is changing their name. We cannot continue a practice that causes harm. It is not conscionable, especially in light of the intense suffering it causes.

Today, there is plenty of other information related to a person that will allow them to be tracked by creditors and by law enforcement. We no longer really need the publication requirement.

So, we need to rethink. We need to give each person who seeks to change their name the right to protect themselves from harm and avoid publication.

We support this bill and recommend a **FAVORABLE** report in committee.

SB581_MNADV_FAV.pdf

Uploaded by: Shapiro, Melanie

Position: FAV



BILL NO: Senate Bill 581
TITLE: Action for Change of Name – Waiver of Publication Requirement
COMMITTEE: Judicial Proceedings
HEARING DATE: February 26, 2021
POSITION: **SUPPORT**

The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals for the common purpose of reducing intimate partner and family violence and its harmful effects on our citizens. **MNADV urges the Senate Judicial Proceedings Committee to issue a favorable report on SB 581.**

To a survivor of intimate partner violence, a name change could be a critical step in securing their safety and truly escaping the abuse or violence they experienced. Senate Bill 581 provides an important and singular modification to current law regarding how a person legally changes their name when it is not in connection with an adoption or divorce. This bill removes the current publication requirement for a name change.

Under current Maryland law, pursuant to Md. Rule 15-901, persons who petition for a name change must publish in a newspaper of general circulation in their county of residence their current name, their intended new name, and the deadline for objections at least fifteen prior to the objection deadline. This publication requirement could allow an abuser to locate a survivor especially since it must be filed in the county in which survivor resides. Maryland recognizes the need for survivors of domestic violence to achieve anonymity and survivors can keep their address confidential through the Maryland Safe at Home Address Confidentiality Program. A survivor of domestic violence might seek a name change to secure their safety with anonymity. The publication requirement for a name change undermines that very objective.

A person seeking a name change will still need to comply with all of the other requirements of Md. Rule 15-901 including providing in the petition for name change whether that person has ever been known by any other names and provide those names, the reasons why they are seeking a name change, a certification that the name change is not for illegal or fraudulent purposes, if the person is a minor seeking a name change the names and addresses of that minor's parents and any guardian or custodian, and whether the person whose is seeking the name change has ever been registered as a sexual offender and the name under which that person registered.¹ A

¹ Md. Rule 15-901(c)(1).



court may hold a hearing on the petition and shall hold a hearing if one is requested by the petitioner.²

The elimination of the publication requirement in Md. Rule 15-901 would have a positive and profound impact for survivor of domestic violence attempting to secure their safety.

For the above stated reasons, the **Maryland Network Against Domestic Violence urges a favorable report on SB 581.**

² Md. Rule 15-901(g)

SB581_FAV_Smith.pdf

Uploaded by: Smith, James

Position: FAV

James R. Smith
213 N. Tyrone Road
Baltimore, MD 21212
Jamie.smith@gmail.com

Testimony in Support of SB581

Dear Chairman Smith, Vice-Chair Waldstreicher and Members of the Senate Judicial Proceedings Committee:

I write in support of SB581.

We changed our son's name a few years ago. It was a very private matter. But the State of Maryland required us to publish the personal information of a 15-year-old child in a newspaper before granting our petition. Suddenly our family decisions were held up for public scrutiny. Nobody has been able to tell me yet why the State mandates this invasion of children's privacy.

For months afterward, the very first result when searching for his name on Google was the legal notice of his name change. It listed not only his changed name but also his birth name. That notice has since been removed, but for the rest of his life, my son will have to worry that anytime anyone searches for his name online, they will immediately be privy to deeply personal information that is nobody else's business. I can imagine this affecting his employment, his personal life, perhaps even his safety.

It's too late to change this for my child. But it's not too late for the members of this Committee to prevent this from happening to any more children in the future. By simply removing the legal requirement that individuals must publish legal notice of a name change, you will be helping children today and for the rest of their lives.

Sincerely,

James R. Smith
Baltimore, MD

SB 581_FAV_ACLU_Spielberger.pdf

Uploaded by: Spielberg, Joe

Position: FAV



**Testimony for the Senate Judicial Proceedings Committee
February 26, 2021**

**SB 581– Action for Change of Name – Waiver of Publication
Requirement**

FAVORABLE

JOSEPH SPIELBERGER
PUBLIC POLICY COUNSEL

AMERICAN CIVIL
LIBERTIES UNION
OF MARYLAND

3600 CLIPPER MILL ROAD
SUITE 350
BALTIMORE, MD 21211
T/410-889-8555
or 240-274-5295
F/410-366-7838

WWW.ACLU-MD.ORG

OFFICERS AND DIRECTORS
JOHN HENDERSON
PRESIDENT

DANA VICKERS SHELLEY
EXECUTIVE DIRECTOR

ANDREW FREEMAN
GENERAL COUNSEL

The ACLU of Maryland supports SB 581, which would require courts, upon motion, to waive the publication requirement for individuals seeking to change their name.

While individuals change their names for many reasons, this issue is particularly important for LGBTQIA+ individuals seeking a name change on their identity documents that better reflects their sexual orientation and identity.

Under Maryland law, an applicant for a name change must petition the court, and publish notice of their petition to the court in a county newspaper at least fifteen days before the end of the objection period.¹ This requirement may be cost-prohibitive, particularly for low-income individuals, to copy documentation, and pay court fees and the newspaper cost. More importantly, this requirement also puts transgender and non-binary individuals at further risk of discrimination in housing, employment, and education.

The ACLU-MD believes strongly in the values of freedom, autonomy, and self-determination, particularly for communities that have historically faced persecution. Although our society has recently made landmark strides toward LGBTQIA+ equality, there is still a long way to go. SB 581 would take another important step to protect the privacy and safety of LGBTQIA+ individuals, and help ensure they are able to live their lives freely.

For the foregoing reasons, we urge a favorable report on SB 581.

¹ MD Code Ann., Maryland Rules § 15-901(e).

2021_0226_SB0581_Testimony_EzraTowne.pdf

Uploaded by: Towne, Ezra

Position: FAV

Ezra MacLeod Towne

3010 Blueridge Avenue
Silver Spring, MD 20902

(e) ezra.towne@gmail.com
(p) 703.609.1092

Favorable Testimony for SB0581 Action for Change of Name - Waiver of Publication Requirement

February 26, 2021

Senator Smith, Chair; Senator Waldstreicher, Vice Chair; and esteemed members of the Judicial Proceedings Committee:

My name is Ezra Towne, and I use the pronouns they/them/theirs. **I submit this testimony in support of SB0581** - Action for Change of Name - Waiver of Publication Requirement. I do so as a non-binary transmasculine person, an activist for trans communities in and around Montgomery County, a resident of Silver Spring for nearly 16 years, and a parent of two kids.

My spouse and I welcomed our first child in 2008. I soon found myself writing the name my parents gave me on more documents, more frequently than ever before. Even though I had already used "Ezra" in all social, professional, and familial contexts for nearly 10 years – the exhaustion of having to mark every enrollment and permission form for pre-schools, school, and activities with both my chosen and birth name hadn't fully set in. When we welcomed a new child to our family in 2012, the number of forms doubled and I couldn't handle it much longer.

In 2015, I legally changed my name to Ezra MacLeod Towne. This name more accurately reflects the gender I know myself to be. My change of name also removed much of the stress in child care and schooling logistics, writing checks, getting bills, retaining medical records, opening new accounts and other day to day parts of my life. When I went to the circuit court with all of the forms and documents required to pursue a name change, I paid the required fees and scheduled publication.

I am incredibly lucky that my financial and residential status is stable – but this is not the case for many trans people, nor for survivors of domestic abuse, sexual assault, stalking, and harassment. Requiring publication causes unnecessary risks to the privacy, safety, and security of all Marylanders seeking a name change. It presumes that individuals can wait additional weeks or months before completion of the order, and that they can afford the fee for publication. Costs for publication of name change vary widely across the state from \$50 to \$250, and wait times can be longer than six months.

Ezra MacLeod Towne

3010 Blueridge Avenue
Silver Spring, MD 20902

(e) ezra.towne@gmail.com
(p) 703.609.1092

SB0581 allows for a safer, more just name change process for Marylanders. The bill would: require all motions to waive publication be granted, reduce the potential for hostile or discriminatory responses directed at those pursuing a name change, and protect the privacy of all Marylanders as they go through this process. **Seventeen other states, the District of Columbia, and Puerto Rico have already eliminated publication requirements for name changes.**

Passing this bill WILL NOT harm state and local agencies which require notification of name change. (e.g. financial creditors; victims of domestic violence or sexual assault; judicial actions, pre and post release notifications for incarcerated or formerly incarcerated people with criminal records; non-custodial parent notification of a minor's pursuit of a name change, and/or a change in legal test when parents, guardians, or custodians disagree.) Claims that HB0039 will make notification exceptionally difficult are baseless -- all of the above notification requirements are already addressed in Maryland law.

Attached to this testimony are images of how easy it is to find my name change online with a basic search on the internet. The pictures in Attachment 1 were accessible for free, and the pictures in Attachment 2 cost \$18.28 for a 1-month subscription. To be clear, I did not have to pay ANY money to find evidence of my name change, as shown on Attachment 1.

Even without these two tools, I can find evidence of the fact that I have changed my name by a simple google search resulting in the witness testimony files for a previous hearing on this bill. <https://mgaleg.maryland.gov/mgawebsite/Legislation/WitnessSignup/039?ys=2021RS>

I urge you to support SB0581. Ensuring privacy during the name change process can and will save lives.

Sincerely,



Ezra Towne
District 18
Wheaton Hills, MD 20902
Encl: Attachments 1 and 2

Ezra MacLeod Towne

3010 Blueridge Avenue
Silver Spring, MD 20902

(e) ezra.towne@gmail.com
(p) 703.609.1092

Attachment 1

Image 1 - Google Search

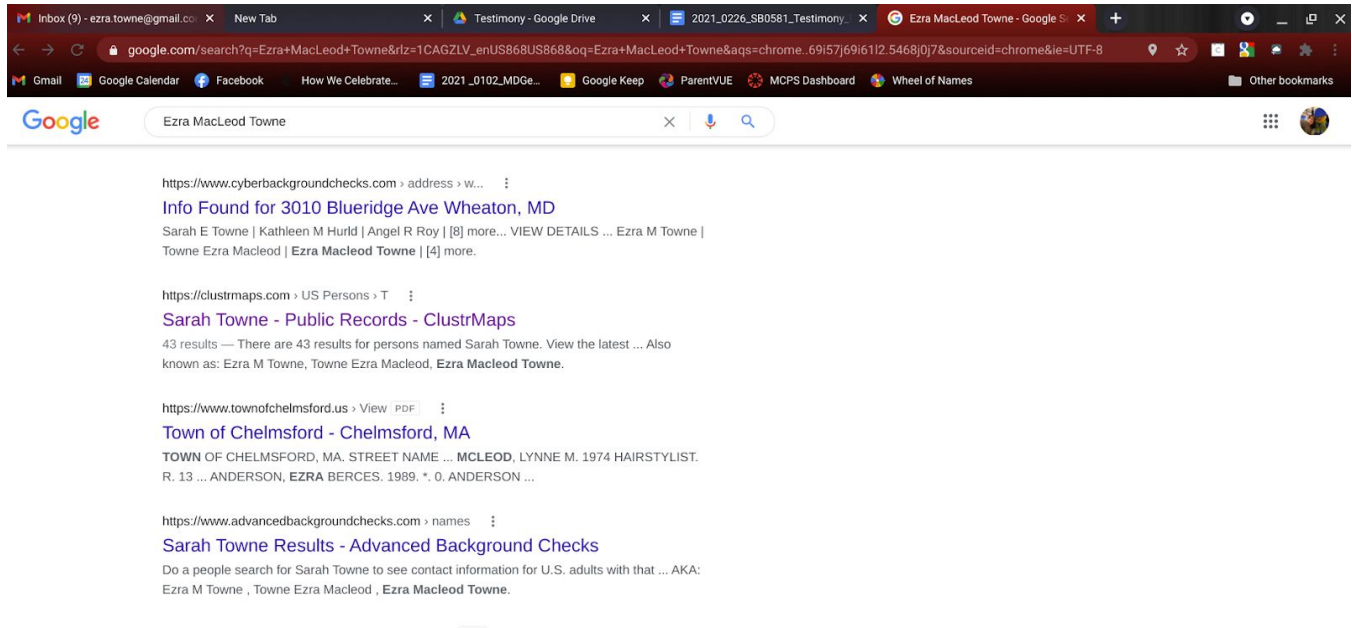
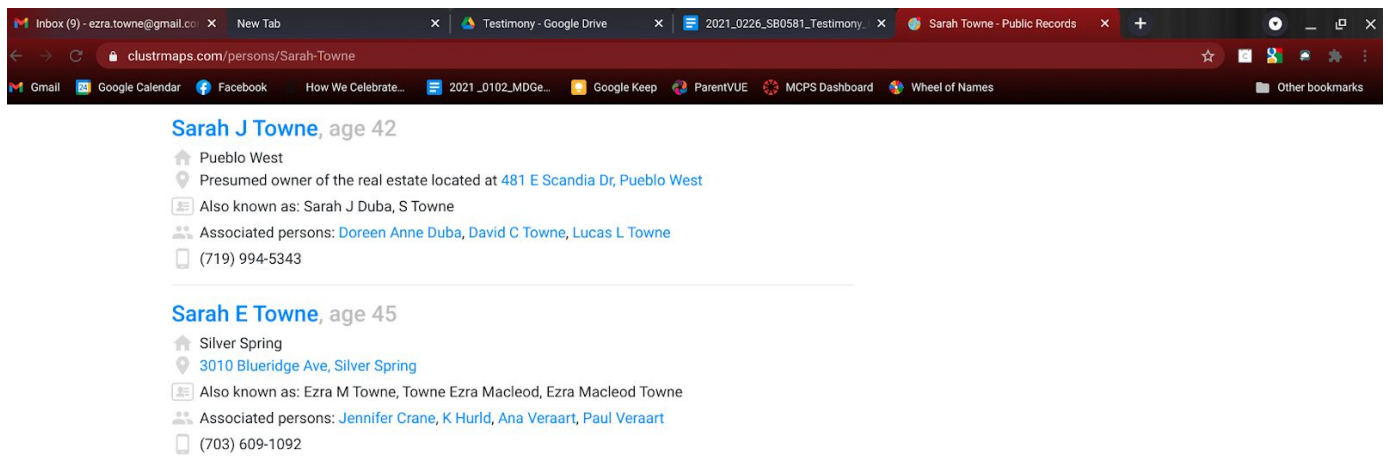


Image 2 - Clustr Maps (https://clustrmaps.com/)



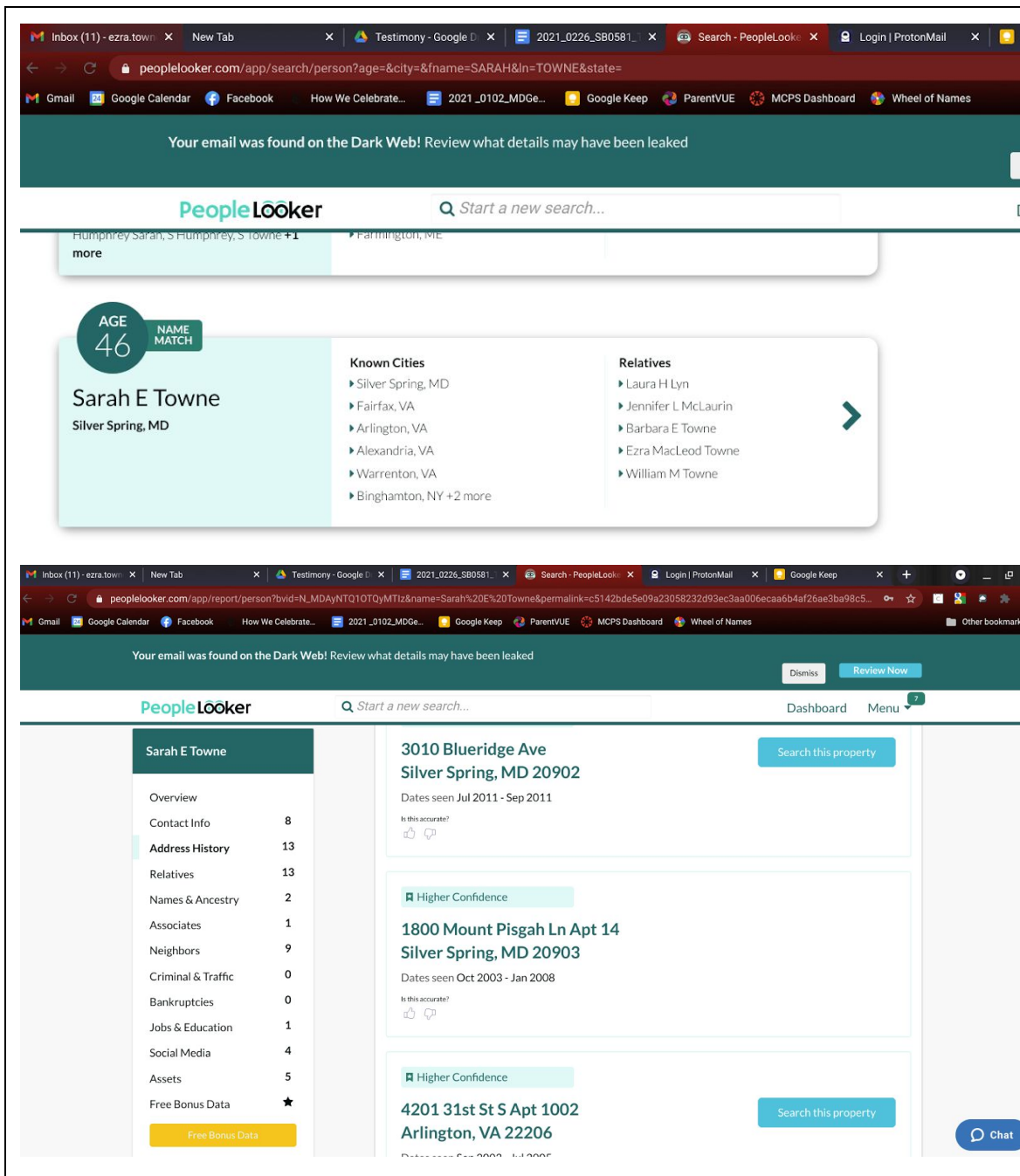
Ezra MacLeod Towne

3010 Blueridge Avenue
Silver Spring, MD 20902

(e) ezra.towne@gmail.com
(p) 703.609.1092

Attachment 2

Image 1: People Looker (www.peoplelooker.com)
former cities, states, siblings, and parents
Found without specifying City or State

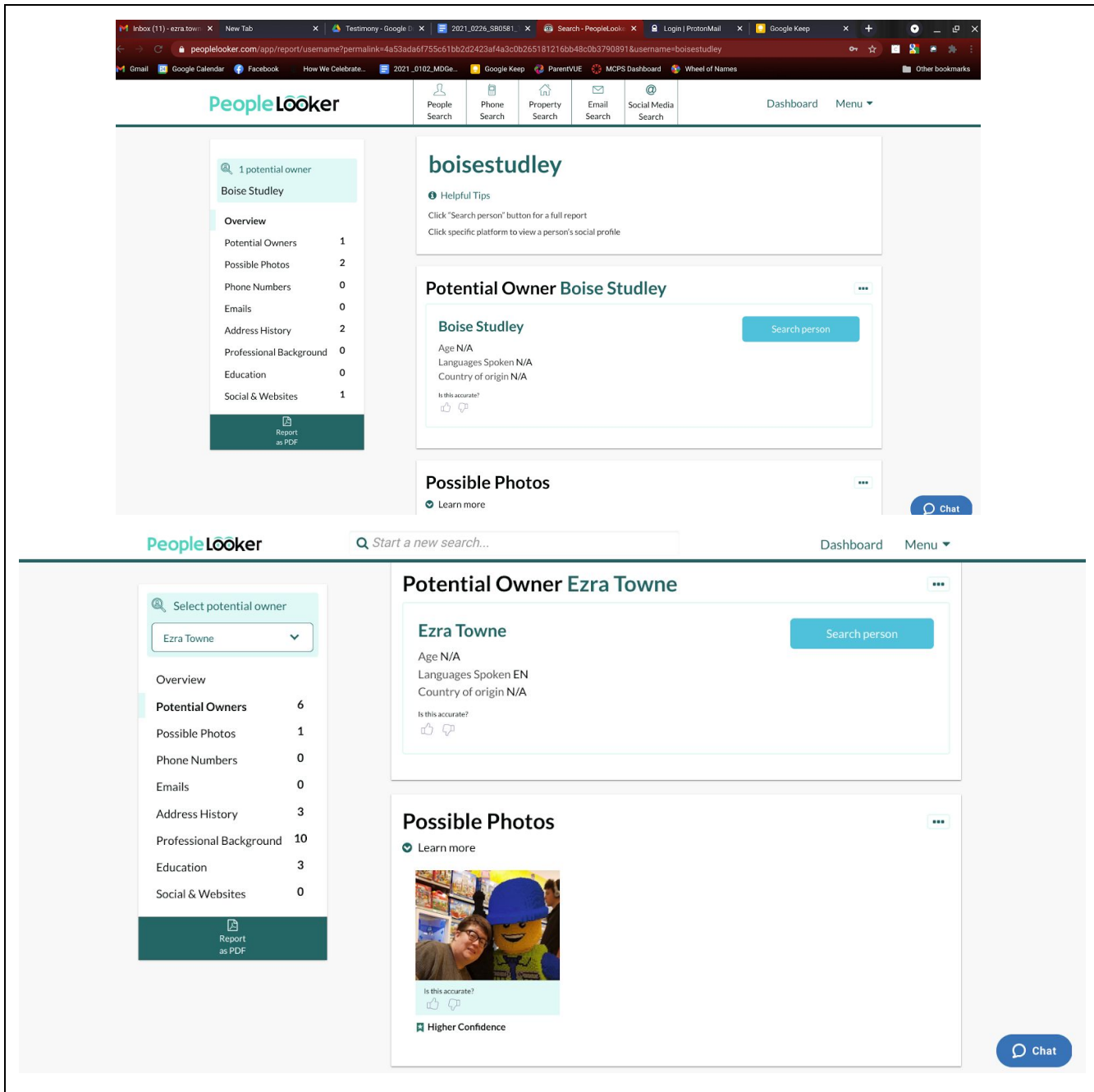


Ezra MacLeod Towne

3010 Blueridge Avenue
Silver Spring, MD 20902

(e) ezra.towne@gmail.com
(p) 703.609.1092

Image 2: People Looker (www.peoplelooker.com), social media search (w/ current and old "handle") includes names of my children and a photo of me



Ezra MacLeod Towne

3010 Blueridge Avenue
Silver Spring, MD 20902

(e) ezra.towne@gmail.com
(p) 703.609.1092

Image 3: People Looker (www.peoplelooker.com)
Phone number search results

The screenshot shows the search results for the phone number (703) 609-1092 on the People Looker website. On the left, there is a sidebar with a search filter set to 'Ezra Towne' and an 'Overview' section listing various categories and counts: Potential Owners (2), Possible Photos (0), Other Phone Numbers (0), Email Addresses (0), Address History (0), Work History (0), Educational Background (0), Social Media & Websites (1), and Comments (0). Below the sidebar are three buttons: 'Report as PDF', 'Monitor this Report', and 'Leave a comment'. The main content area displays the phone number '(703) 609-1092' in large green text, followed by 'Phone type Mobile' and 'Service provider NEW AT&T WIRELESS PCS, LLC - DC'. A 'Threat detection' section shows 'No Complaints Found' with a 'View threat level' link. A prominent green box highlights '2 Potential Owners Identified' with a prompt to 'Select a potential owner (1 of 2) to view more info'. A dropdown menu is open, showing 'Ezra Towne' as the selected option and 'Sarah Towne' as another potential owner. In the top right corner, there is a dark green box with a bell icon, the text 'Monitor this report to receive updates', and a 'Turn monitoring on' button.

MD Judiciary - Testimony SB 581.pdf

Uploaded by: Elalamy, Sara

Position: UNF

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Mary Ellen Barbera
Chief Judge

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: Senate Judicial Proceedings Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: Senate Bill 581
Action for Change of Name – Waiver of Publication Requirement
DATE: January 29, 2021
(2/26)
POSITION: Oppose

The Maryland Judiciary opposes Senate Bill 581. Currently, Maryland Rule 15-901 applies to actions for change of name other than in connection with an adoption or divorce. Under the rule, unless the court on motion of the petitioner orders otherwise, notice of the proposed name change must be published one time in a newspaper of general circulation in the county in which the action was pending at least fifteen days before the date specified in the notice for filing an objection to the petition. Under the proposed bill, on motion by an individual who has filed an action for change of name under Maryland Rule 15-901, the court **shall** waive the publication requirement.

The Judiciary traditionally opposes legislation that includes mandatory provisions and takes away judicial discretion. The Judiciary believes it is important for judges to weigh the facts and circumstances for each individual case. Provisions that place restrictions on the judge prevent the judge from considering legislative intent or factors unique to the case.

The notification requirement also serves to prevent fraud and mandatory elimination of such notice could lead to an increase in such activities.

cc. Hon. Shelly Hettleman
Judicial Council
Legislative Committee
Kelley O'Connor

SB581 testimony UNfavorable.pdf

Uploaded by: mcavoy, vince

Position: UNF

UNfavorable – SB581

vince mcavoy po box 41075 baltimore md

Senate President (for life) Mike Miller (*requiescat in pace*) loved to share stories on the Senate Floor. This bill reminds me of the day when Pres. Miller was recounting on the Senate Floor that tough day in the 2010's when he got chastised by his mother for “pass a bill on sodomy”. Around that time, I recall Sen. Will Smith brought a bill that surprised me (and others) as it was under the Vehicle Law category, rather than, say, the Health or Family Law. Here, an “X” was added for vehicle law allowing a 3rd biological sex of “X”. Because of Senator Miller's strong statements on the Floor, I called his office for help killing the bill. They empathized, said my request had come too late but asked me to leave my information. Upon watching testimony of the bill in JPR, I recall the number of absolutely disturbed & devastated young lives who testified in clothes opposite their biological sex & was saddened. SB196 (2019)

<http://mgahouse.maryland.gov/mga/play/fl54c2da-fa3d-465f-9502-eb84aabbf9c9/?catalog/03e481c7-8a42-4438-a7da-93ff74bdaa4c&playfrom=7690000>

This bill feels like another surprise a la Will Smith’s bill SB196, as I noticed that each proponent for the bill advocated the trans agenda. What I thought was a simple bill about a family law matter turns out to be a misnamed bill about transgenderism and other agenda. **I'm asking for an unfavorable.** And I am absolutely certain that the delegates in the House, much as I, had no idea what this bill is about. The bill in the House & Senate is misnamed, according to Legislature’s rules on bill-naming.

Dangers of the transgender movement well-documented

“More than half of transgender teens who participated in surveys have reported attempting suicide in their lifetime...29.9% of transgender female teens said they had attempted suicide nonbinary youth, 41.8% said they have attempted suicide at some point of their lives....transgenderism is the embodiment of self-hatred...suicide rates are off-the-charts high.”

<https://youtu.be/iPLY2SqK7UE?t=2-0>

Trans-Privilege & Trendiness

There's no sound argument to be made that registering a publication would affect transgenders any more than any other sector of society.

“not hated by society.... A trend, a fad to be gay at this point...”



<https://youtu.be/iPLY2SqK7UE?t=660>

Trans Industry Profiteering

Further, this fad is being promoted by Planned Parenthood, according to Wall Street Journal reporter Abigail Shrier, for profit through hormone treatment, bloodwork, and other opportunities for profit. <https://youtu.be/2SPHcVP4sJw?t=48>

There is true privilege when the minuscule sector you congregate in not only pays for the NAME CHANGE process but offers to file for them.



The program will cover the cost of filing a petition with a court, posting requirements, a new birth certificate, a new ID, and printing and mailing fees. #transgender #LGBTQ



11:04 AM · 24 May 20 · lgbtqnation

So of course should this happen, Maryland would expect MUCH greater use of this trans-privilege. This will increase the cost to the courts (as more paperwork comes in) and will simultaneously increase the risk and danger to Marylanders.

Others who take advantage of legally changing their name cannot claim such trendiness or fad-like appeal.

Purposes of Name Change

I believed this to be a uniform name change bill. I have seen multiple cases in the courthouse where NAME CHANGE issues were abused. There is a time element to NAME CHANGES and PUBLICATION is part of that time element issue. Removing the publication requirement affects a necessary part of name changes. Name changes occur for many reasons – this is why I thought this bill was brought for the wider scope of name change reasons.

The usual practices in the courthouse include publication. Publication is a standard path and there are several ways to publish. Without publication, abuses of criminal, sexual & financial in nature will increase.

Children in Danger

Now with respect to the trans-privilege advocates in the bill it is necessary to point out that this bill is a danger to children.

The dangers lie in making a process so free of checks & balances that the process embraces indoctrination while removing self-reflection to teens who make be experiencing normal adolescent challenges & pressures.

There is also danger in another sense where those escaping the scrutiny of publication may pose a risk to women and children because in COVID era, can we absolutely rule out these processes being done remotely and in the absence of light on the process; organizations are proxy-handling all aspects of the NAME CHANGE.

#ProtectJamesYounger

However, the primary risk which I was considering (before knowing this was a trans-privilege bill) was the case of James Younger in Texas.

<https://youtu.be/9sV2zeE4X08>

The case garnered the attention of Texas' Attorney General & Governor.



This case did, in fact, involve trans-privilege. A father was gravely concerned about the “sexual mutilation of his own son [while] all of his authority figures – his mother, his teacher, the librarian at school, the police officer at school, the principals at school – say he's a girl....[James' father was] the only authority figure in his life that tells him the truth-- that he's a boy”

https://youtu.be/Jdxc_chdwIo

While the James Younger case does, in fact, involve the attempts of a child-indoctrinating, parental-alienating mother to transition her son (physically, culturally, biologically) into a girl at AGE THREE, this scenario could be used by any single-mother bent on kidnapping a child & changing names to evade the rightful child custody merits of a fit father.

<https://youtu.be/iPLY2SqK7UE?t=1310>

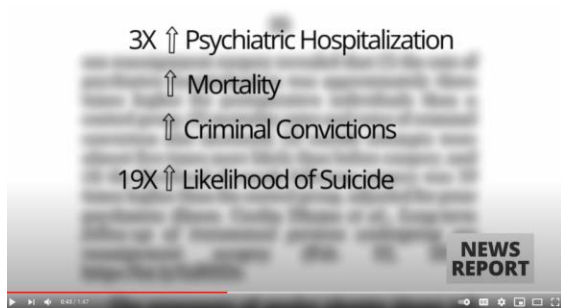
In 2011, cross-filed bills (SB481/HB485) to address such Parental-Kidnapping / Parental-Alienating offenders were offered by Senator Bobby Zirkin & Delegate Luiz Simmons.

<https://mgaleg.maryland.gov/mgawebsite/Search/Legislation?target=/2012rs/billfile/sb0481.htm>

Because such kidnappings do, in fact, occur.

https://www.washingtonpost.com/local/crime/plane-turns-back-to-dulles-so-fbi-can-arrest-mom-in-parental-kidnapping-case/2014/09/05/2ca7f812-351a-11e4-9e92-0899b306bba_story.html

The possibility of something so heinous happening in Maryland will increase if this bill is passed. What should be of interest to the Senate JPR is that only 2 years ago, the outcomes of transgender re-assignment were presented in an amicus to the U.S. Supreme Court, noting an “increased psychiatric hospitalization, a sharp increase in mortality as well as criminal convictions, with transgenders 19 times more likely to kill themselves.”



https://youtu.be/ljL2RNa6_Xo

IF YOU WERE TRYING TO KILL OUR CHILDREN

You would subsidize a gender ideological industry and normalize the drug industry to confuse Maryland's children.

You would call telling the truth to be “hate”.

You would disguise the name of a bill in Annapolis from its intended purpose, trans-gressing the Legislature's own rules of bill-submittals.

And you would disregard the known consequences and ignore rightful projections related to the unintended consequences of misleading, lying as well as sexually & physically manipulating Maryland's OWN children for the benefit of manic & child-abusing lobby groups in Maryland. What little research I have done on the subject shows that this is not a NAME CHANGE bill but is part of an agenda against children. That issue is why you hear/have been hearing from me in Annapolis

And speaking of harm to children and women, the issues with domestic violence have nothing to do with this bill. However, just as with many other bills in Annapolis, sponsors place DV somewhere in the name or narrative to falsely spin lies about what a given bill is about. This happens in D.C. It happens every single year in Annapolis. But to anyone who doesn't see beyond the obvious, over \$16 million has been funded to address the sequestering of legitimate DV victims through GOCCP (i.e. – shielding DV victims from stalking abusers).

NAME CHANGE isn't even used extensively in local witness protection cases involving local violent crime (at least vis-a-vis Baltimore crime).

That however, is not and was never what this bill is about.

This misguided, trans-privilege bill will be misused by the trans industry. But perhaps worse, this will eliminate proper identification for a host of bad actors who are in our state and who travel through out state. The equality of the law as it stands now has purpose, I've literally seen those purposes first-hand in my court-watching. The trans industry shows no empathy with regard to care & kindness to the IMMENSE existing body of law.

SB196 (2019)

<http://mgahouse.maryland.gov/mga/play/fl54c2da-fa3d-465f-9502-eb84aabbf9c9/?catalog/03e481c7-8a42-4438-a7da-93ff74bdaa4c&playfrom=5860000>

HB0421 (2019)

<http://mgahouse.maryland.gov/mga/play/93b53d0a-ae96-49b1-8c0b-aa80e99e4204/?catalog/03e481c7-8a42-4438-a7da-93ff74bdaa4c&playfrom=6600000>

Showing privilege to remove that requirement for a minuscule sector should not just be denied to the transgender sector but denied to everyone and anyone looking to take advantage of the court structure and a public sector accommodation. If some people are so worried about publication of NAME CHANGE, there is always time and room for reflection about whether the NAME CHANGE is truly justified.