

Letter of Support for HB39 - Action for Change of Name - Waiver of Publication Requirement

Chairman Clippinger, Vice-Chair Atterbeary and Members of the Judiciary Committee,

My name is Vito Anastasia and I am the Advocacy Committee Chair of the LGBTQ Democrats of Montgomery County. My pronouns are he/him/his. On behalf of the club, I am submitting this testimony **in full support of House Bill 39 - Action for Change of Name - Waiver of Publication Requirement.**

This legislation would remove the requirement to publish an individual's name change in a local, widely circulated newspaper.

The LGBTQ Democrats of Montgomery County are dedicated to improving the lives of the LGBTQ people who live, work, and study in Montgomery County. We strongly believe that transgender, non-binary, and gender-expansive individuals should have the right to feel safe in their everyday lives.

Name change publication requirements disproportionately impact low-income, transgender, non-binary, and gender-expansive individuals. The cost of publication in Maryland can be as much as \$250. Additionally, some newspapers put these legal notices in online versions of their newspapers and are available online forever. While publication waivers are technically allowed in current legislation, courts are rarely consistent in granting motions to waive publication. Decisions are left up to the presiding judge. Waivers to publication are rarely granted. HB39 would streamline the process and remove the administrative burden associated with changing an individual's name.

Many transgender, non-binary, and gender-expansive individuals within the LGBTQ Democrats of Montgomery County 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. 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 than in any year prior.

The publication requirement for name changes was 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. The publication requirement is no longer necessary and is harmful to transgender, non-binary, and gender-expansive Marylanders. Unfortunately, many judges fail to recognize that transgender individuals are disproportionately impacted by harassment and violence.

The name change process is onerous and stressful to any individual but especially for transgender, non-binary, and gender-expansive individuals who face an extraordinary amounts of harassment and violence in their everyday lives. Forcing a transgender individual to publish their name change puts them at risk for harm.

Out of consideration for the physical and mental health of transgender individuals, the LGBTQ Democrats of Montgomery County strongly urges a favorable report on House Bill 39 - Acting for Change of Name - Waiver of Publication Requirement.

Thank you,

Vito Anastasia
Advocacy Committee Chair
LGBTQ Democrats of Montgomery County