

FAVORABLE HB 369
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Testimony for HB 369
Marriage Records – Name Change

My wife and I were married in the Prince George's County Courthouse in 2014. At the time neither of us was out as transgender.

In 2017, I came out, changed my legal name, and updated my current identification documents. In 2019, I changed my name on my birth certificate and began my efforts to change it on my marriage license.

I spent approximately two full workdays physically at the Prince George's County court complex in Upper Marlboro and many hours on the phone with various offices trying to find out how to amend my marriage license. Employees of the circuit court thought (understandably) that my name-change order would be sufficient, but it was not. Employees of the marriage license department said they were not allowed to amend marriage licenses for any reason, per the state attorney general.

I eventually learned that I could get a court order specifically to amend my marriage license. I composed a petitionary letter, paid the \$165 filing fee, and waited for weeks to get the new court order.

When I received the court order, I returned to the marriage license office and explained the situation. Despite the new, specific court order, they still insisted they couldn't amend the marriage license. I had to argue and eventually say that I would go back across the street and let the court know they weren't complying with a judge's order before they amended the license.

My wife later came out as transgender and, in 2021, she legally changed her name. Because I had already been through this process, she was spared the hours I'd spent seeking answers and immediately filed a petition. She received her marriage license amendment court order a few weeks later. However, even then we encountered obstacles. When my wife went to the marriage license office with her specific court order *and* the knowledge that her husband had done the exact same thing two years ago, she was still told it was impossible to amend the license.

The first employee she spoke to said he wasn't sure if he could and needed to ask up the chain of command, at which point a second employee interjected that it was not possible and began making disrespectful comments to my wife. The first employee was trying to confirm that he could amend the license, while the second employee was trying to stop him and get my wife to leave. Meanwhile, I called the circuit court and informed them that the marriage license office was not complying with the order. Eventually they did amend the license, but it took well over an hour and involved multiple attempts on the part of at least one employee to stop the

amendment from happening. (When my wife informed this woman that my name had already been amended on the license previously, she said it “shouldn’t have” been.)

My wife and I are privileged to have the time, money, and security to fight these roadblocks. We were lucky. However, this process was so daunting, expensive and time-consuming that it is not at all reasonable to expect anyone to go through it. It is especially concerning that the marriage license office treats it like an anomaly and tries to refuse even with a court order.

To allow married trans people to change their names on their marriage licenses is important for the same reason it’s important to allow any trans person to change their name on their birth certificate or any other document. A person’s transgender status is private personal information. It is up to an individual how much of, when, and to whom they share this information. Forcing someone to keep their previous name on any important document is forcing them to reveal personal information in situations they would not have chosen otherwise.

In short, I should not have to tell someone what genitals I was born with in order to show that I’m married.

Furthermore, when a trans person updates their name on their birth certificate, they are creating a paper trail that allows them to move through the world without revealing personal information and potentially inviting discrimination or even violence. If a person’s birth certificate, driver’s license, passport, social security card and bank account all have one name and their marriage license has another, that creates an error on this paper trail that is so important for the individual’s dignity and safety.

The people affected by this are trans people and others who have changed their names for deeply personal reasons (such as disconnection from an abusive parent), who changed their names after getting married and are still married to the same person. I do not know how many of those people reside in Maryland, but I do know that anyone in that situation deserves to have all of their documents reflect their current, chosen, legal name, and to be able to do this without unnecessary obstruction, expense or confusion.