

Trans Maryland
16501 Shady Grove Road #7742
Gaithersburg MD 20898



House Bill 369 Marriage Records - Name Change
House Judiciary Committee
February 10, 2022
Position: Support

Trans Maryland is a multi-racial, multi-gender community power building organization for Maryland's trans community. Trans Maryland runs the state's largest volume name and gender marker change program, offering peer-to-peer guidance and financial assistance to Marylanders seeking a name and gender marker change. Through our work with that program, we hear often from transgender Marylanders who do not have access to legally changing their names on marriage records. We are grateful for the discussions we've had with the Maryland Judiciary's Clerks of the Courts towards removing the barriers to implementation of this legislation, and are glad to report they do not oppose this bill.

Trans Maryland's name change program has assisted over 300 transgender Marylanders to secure a certified court order of name change in the last 2 years. We have not tracked how many trans Marylanders wish to update their legal name on this marriage record, as we've been aware there is no process for updating marriage records in Maryland since at least 2018. Despite not specifically collecting information about this need, it has come up during the intake process more than 10 times over the past 2 years, with the majority of those circumstances occurring in the last 6 months. This increase in need signifies to us that as the process of legal name change for transgender Marylanders becomes easier, there is increased capacity to address more specific needs such as inability to change marriage records. As many transgender Marylanders with access to financial resources hire private attorneys to handle their name change matters, we are uniquely situated and eager to uplift that this issue also impacts low-income married transgender Marylanders.

The inability to update marriage records (or "marriage certificates") means transgender parents may face barriers to proving they are their child's legal parent or guardian, or that they are entitled to married benefits for insurance, or in the event of the death of their spouse. This barrier also can lead to increased discrimination, as it often necessitates having to disclose their transgender status due to documentation discrepancies.

When requesting to update marriage documents, transgender people have been told that they should get divorced and then remarried. We see this as an unacceptable answer on moral, ethical, and financial grounds. Even a non-contested divorce is expensive, and updating names on identity documents should not involve undertaking stressful, expensive legal actions that one has no intention to pursue.

Passing this legislation is a simple step to increase equity and protection for transgender Marylanders, and benefits a group of Marylanders who already face significant hurdles to being seen as our true selves. We believe that trans Marylanders must be allowed to access the same rights and benefits as cisgender (someone who is not transgender) residents, and this bill takes significant steps toward that progress. As such, **we urge a favorable report on this HB 369.**

For more information, contact Lee Blinder, Executive Director of Trans Maryland at lee@transmaryland.org