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Senate Democratic Policy Committee,

Thank you for this opportunity to share testimony from impacted individuals, policy & legal experts and organizational and community leaders. As a longtime resident of South Central PA and as a transgender and non-binary inclusion expert, I have heard an overwhelm of experiences from folks impacted by the legal name change process. Personally, I am also impacted by this issue, and I know firsthand how difficult and inaccessible legal name change can be. It is a life-saving process for those who have access to it, and I am hopeful that we can work together to eliminate barriers to folks who desperately need it.

When transgender and non-binary folks do not have access to legal name change it creates unsafe outcomes. According to The National Transgender Discrimination Survey Report 40% of transgender and non-binary people surveyed reported that they had been harassed, 15% experienced discrimination, and 3% were assaulted for having incongruent documents (Grant, 2011). Transgender and non-binary folks seek out legal name change simply because we wish to navigate everyday spaces and life-sustaining services with the same ease as our cisgender counterparts. In my work and personal experience, I have identified four major barriers to legal name change for transgender and non-binary Pennsylvanians. Most folks struggle because of financial, safety, legal, and information / process barriers.

In Dauphin, Cumberland, York, and Lancaster counties, transgender and non-binary folks can expect to pay an average of \$500 in legal name change fees if they are filing alone. For folks who require legal assistance this number can be much higher. It is also critical to note that this \$500 average does not include the cost of travel, taking time off of work, childcare, printing / mailing materials, and other miscellaneous, and often overlooked, expenses. For folks who cannot afford to file for legal name change the process is completely inaccessible. Thankfully, the Central PA LGBT Center offers legal name change assistance through its program ARTS of PA, and there are additional local, regional, and national organizations doing similar work. However, even with our best efforts, we are still unable to meet the needs of the many transgender and non-binary folks who need legal name change financial assistance.

The current name change process also jeopardizes the safety and wellbeing of entire communities. Since the process requires publication of the name change, Transgender and non-binary Pennsylvanians are often forced into two unsafe scenarios. Either folks experience mistreatment, discrimination, violence, or harassment for having incongruent documents, or they are put at risk after being required to publish or announce their name change in public spaces as part of the legal name change process.

While the formal publication can be waived, not all transgender and non-binary people will be granted this safety consideration. With 2020 being the most violent year for transgender and non-binary people, particularly transgender BIWOC (Black, Indigenous, Women of Color) on record, the Commonwealth of Pennsylvania cannot afford to put another transgender or non-binary person in danger of anti-transgender violence, discrimination, or mistreatment (HRC, 2020).

Some transgender and non-binary folks have legal barriers that deny them from completing the legal name change process. Some Pennsylvanians who have been convicted of felonies are also unable to change their names. This makes for a particularly disheartening and unsafe situation for transgender and non-binary folks who have been convicted of felonies. This barrier to legal name change has a direct impact on their quality of life. Incongruence in documents complicates navigation of employment, renting / home ownership, medical and mental healthcare, etc. Navigating these areas of life are already challenging for many people re-acclimating after incarceration, and it is especially challenging for transgender and non-binary folks who have incongruent documents. Transgender and non-binary folks who have been previously incarcerated should not be barred from the legal name change processes that increase quality of life and access to everyday spaces.

Minors are also unable to change their names without the permission and consent of a parent or guardian. According to the 2020 Trevor Project National Survey, 52% of transgender and non-binary youth have considered attempting suicide (Trevor, 2020). However, when transgender and non-binary youth's identities are affirmed likelihood of attempting suicide decreases (Trevor, 2020). Access to legal name change is a life-saving, suicide prevention measure, and this is especially true for transgender and non-binary youth who often lack agency and choice over decisions that impact their life and wellbeing. By increasing access to legal name change for minors, we can create more inclusive, affirming, and welcoming communities where young people can thrive during their critical developmental years.

There is one challenge with legal name change that affects every person regardless of identity, background, or circumstance. Legal name change is a long, arduous, and complicated process. Most transgender and non-binary folks seeking out legal name change have no idea where to begin. Thankfully many people turn to organizations like the Central PA LGBT Center for guidance on the legal name change process, and there are organizations like TransLifeline who offer legal name change archives for folks who are unsure of how to file. However, we know that for every person who reaches out for guidance, there are likely others who don't know where to turn for help.

Even when folks do have access to information and step-by-step guides, the process can still be overwhelming, frustrating, and emotionally and physically taxing. I have not met a single transgender or non-binary person who has completed the legal ID change in less than six months, and those who can complete the ID change in that timeframe usually have the most straightforward of circumstances. By far the easiest way to go about legal name change is to work with a legal professional who can guide and advise through the process, but the majority of people do not have access to legal services such as this.

Additional factors can further complicate how long or complicated it may be to file for legal name change. Some transgender and non-binary people might also be impacted by more than one form of oppression (ie racism, ableism, ageism, etc.) at once, and having an intersectional identity can make this

process much more difficult than it might otherwise be for transgender and non-binary people without intersectional identities. What is even more alarming about this, is that transgender and non-binary folks who have intersectional identities often experience the most violence, discrimination, and mistreatment associated with document incongruence (Grant, 2011).

When the call for testimonies was announced, I was elated and nearly brought to tears. Part of my work entails educating folks about the needs and experiences of transgender and non-binary South Central Pennsylvanians. Every time I speak to the topic of legal name change, there is an outcry of “Why is the process like this?” and “How can we work to fix this?” from cisgender and transgender community members alike. It is incredible to know that I can now share with people that the Senate Democratic Policy Committee is gathering perspectives and trying to learn about the many problems with the legal name change system in an effort to fix them.

There is likely much more to uncover about the inaccessible nature of the PA legal name change process than what I have expressed in this testimony. I am hopeful we will get a more clear idea of the legal name change barriers through our diversified testimonies. Not only that, but I am sure we will also learn more about the life-saving nature of legal name change and its ability to create more inclusive, welcoming, and affirming communities. I am excited to see where we can go from here and how we can all work together to create a more just and equitable legal name change system for Pennsylvanians.

Should you have any questions or need additional information from me, please do not hesitate to reach out via email at DCeja@CentralPALGBTCenter.org. I would be more than happy to speak with you.

Respectfully,
Dre Ceja
they/them

References

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