

**CIVIL COURT OF THE CITY OF NEW YORK**

**Chief Clerk’s Memorandum**

Subject: Processing Petitions for Name/Sex  
Designation Change

Class: CCM-215  
Category: GP-10  
Eff. Date: Immediately

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**BACKGROUND**

The Gender Recognition Act (GRA) took effect on December 21, 2021. The GRA amended several provisions related to Name Change proceedings and introduced new provisions for Sex Designation Change proceedings. In response, the Office of Trial Court Support developed and released new petition forms tailored for individual adults, individual minors, and legally incapacitated adults to be utilized by court users seeking a Name Change and/or Sex Designation Change.

**DIRECTIVE**

Effective immediately, any person may apply for a Name Change and/or Sex Designation Change without restriction.

The clerk is reminded not to question any Name Change and/or Sex Designation Change applicant regarding the reason for the filing or to comment on the appearance or gender of the court user. The clerk does not have the authority to approve or reject a Name Change application. They must instead, provide the court user with the necessary forms to file a Name Change and/or Sex Designation Change petition, and should limit questions relating to completing the appropriate documents. In addition, the clerk must:

- Request that court user either complete the Name Change Application using the new forms implemented as of December 22, 2021, or alternatively, submit a Do-It-Yourself (DIY) prepared Name Change assembly.
- Review the forms for completeness. If the clerk notices any unanswered questions, kindly point them out to the filer. For example, “Are you aware that you left number 4 blank? Since you won’t be present when the Judge reviews it, it’s advisable to provide complete answers to all questions. Thank you for your cooperation.”
- Remind the filer that they should have the forms notarized and return them to the clerk’s office for submission to the Judge. Additionally, advise them to be prepared with supporting documents listed in the GP-81 “General Instructions – Name Change.”

**When the court user returns with the complete and notarized Name Change forms:**

- The Clerk may request documents from the court user, including the Original or Certified Copy of the Birth Certificate (*to prove where the filer was born, a Birth Certificate is required only for applicants born in the State of New York and optional for applicants born outside of the State of New York*), and a document reflecting the applicant’s address, such as a picture I.D. with address or a U.S. Passport. If the documents provided by the court user do not include an address, the clerk should request a bill or some form of

documentation indicating the court user's address within NYC. The document being submitted for proof of address should have an issue date within the last 3 months.

***If the court user is unable or elects to not provide any of the documents requested, the clerk must proceed with the ministerial processing of the application. If the clerk asks for documents not required at the time of filing, the clerk should remind the applicant that a judge may request the documents later.***

***Note on a GP-120 (Reviewed by Clerk Checklist) that the documentation was requested but not provided.***

- If the clerk becomes aware that the court user has a criminal record, the clerk may request a certified copy of documentation indicating the Court and Final Disposition where the criminal record exists.

***If the court user is unable or elects not to provide any of the documents requested, the clerk must proceed with the ministerial processing of the application. If the clerk asks for documents not required at the time of filing, the clerk should remind the applicant that a judge may request the documents later. Note on a GP-120(Reviewed by Clerk Checklist) that the documentation was requested but not provided.***

- If the court user provides a Foreign Birth Certificate, the clerk should request the original document. If the Foreign Birth Certificate is in a language other than English, the clerk may request that the court user provide an official English translation of the Birth Certificate or an English translation Affidavit/Affirmation. If an English translation is provided, the clerk shall attach it to the Birth Certificate.

**An official English document/adaptation of the Birth Certificate can be obtained at the appropriate Embassy office.**

***If the court user is unable or elects not to provide any of the documents requested, the clerk must proceed with the ministerial processing of the application. If the clerk asks for documents not required at the time of filing, the clerk should remind the applicant that a judge may request the documents later. Note on a GP-120(Reviewed by Clerk Checklist) that the documentation was requested but not provided.***

- After copies of appropriate documents are taken, including the Birth Certificate, an index number must be issued in accordance with DRP-202. In addition, the clerk should verify that we have collected the appropriate contact information from the applicant to ensure that the applicant can be notified when the order and/or original documents are ready for retrieval. Additionally, the clerk should provide information on what to expect next.

Date: May 15, 2024

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Alia A. Razzaq  
Chief Clerk  
Civil Court of the City of New York