

# ACLU OF INDIANA FAQ

## ***In Response to Speaker Brian Bosma's Comments About Citizens Outrage Against Attempts to Heighten Requirements for Trans and Non-Binary Hoosiers to Obtain an ID***

- In his interview, Brian Bosma characterized this as a battle between people who want to just walk into the BMV and “declare” their gender and people who do not want anyone to have the ability to change their gender marker. This is inaccurate. We are advocating for the continuation of the BMV’s decades old policy of allowing an updated birth certificate or notice from a doctor in order to update gender markers.
- In his interview, Brian Bosma characterized the doctor’s notice used to obtain an ID in Indiana as being vague and difficult for clerks to confirm. This is inaccurate. There is a very specific state form that doctors in Indiana use. The form is provided by the BMV itself and has served well for years. It requires the doctor to affirm that the trans person has undergone treatment AND requires the doctor to include their medical license number and their contact information.

**Physician’s Statement of Gender Change on Indiana BMV Website -**  
<https://forms.in.gov/Download.aspx?id=11817>

- In his interview, Brian Bosma characterized the process of updating a passport as a more rigorous process than that of changing a state ID through the BMV’s current process. This is inaccurate. The U.S. State Department requirements are nearly identical to those on the Indiana BMV’s State Form 55617.

**From the U.S. State Dept’s website:**

*A signed, original statement from a licensed physician must be on office letterhead and include:*

- *Physician’s full name, address, and telephone number*
- *Medical license or certificate number*
- *Issuing state or other jurisdiction of medical license/certificate*
- *Language stating that:*
  - *He or she has treated you, or has reviewed and evaluated your medical history*
  - *You have had appropriate clinical treatment for transition to male or female, or are in the process of transition to male or female*
- *The statement must include, “I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.”*

**Physician’s Statement of Gender Change on U.S. State Department Website -**

<https://travel.state.gov/content/dam/passports/content-page-resources/Physician%20Letter%20Example3.docx>

## The Costs of Updating an Indiana Birth Certificate

By eliminating a physician's statement as a valid document in order to change the gender marker on a driver's licenses, SB 182 will require transgender individuals to go through the burdensome and costly legal process of changing their birth certificate in order to update their ID. The process for amending the gender marker on a birth certificate in the state of Indiana is as follows:

1. Hire a therapist for an unspecified number of sessions until that therapist feels comfortable writing you a letter of gender change.
2. See a medical doctor for an unspecified amount of time until that doctor feels comfortable writing you a letter of gender change.
3. At this point most people will have to hire a lawyer for an unspecified amount of money.
4. File for a court appearance with your county of residence. This costs about \$150 in filing fees.
5. If a name change is part of this process, you may be required to publish your personal details in a local newspaper. This costs \$250-350 and can expose you to harassment. It is possible, if you can afford to pay a lawyer, to convince a judge to waive this requirement for your safety, but it is not guaranteed.
6. Appear before the court with the appropriate legal forms and letters from your medical providers. The judge may or may not find in your favor. In some counties this is routine, in other counties judges have been known to simply deny transgender name and gender changes brought before them.
7. If your name/gender change is granted, you can contact Vital Records to have your birth certificate updated.
8. This process can take six months to one year to complete and thousands of dollars in administrative, legal, and medical fees. If you are unlucky enough to have been originally born outside of Indiana in a state that makes such changes illegal, you will be unable to update your birth certificate and any other identity documents that require an updated birth certificate.