



**LGBTQ+ SERVICES PROGRAM:
GENDER MARKER & NAME CHANGE CLINIC
VOLUNTEER HANDBOOK**

Inland Counties Legal Services
1040 Iowa Avenue, Suite 109, Riverside, CA 92507
Nameandgenderclinic@icls.org

Rev. 05/1/2024.

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We appreciate your choosing to participate with ICLS's Gender Marker and Name Change Clinic. This clinic provides TGNC/NB (i.e., transgender, gender non-conforming, and non-binary) folks with free legal representation in the California name change process. Since the Clinic's inception in Fall 2022, we have reached more than 300+ LGBTQ+ individuals with legal education and direct representation in the name and gender change process. Please consider reviewing our LGBTQ+ Services Program 2023 Impact Report, attached [here](#), for addition figures. This program would not be possible without the generous support of volunteers like you. Thank you!

I. ABOUT THIS HANDBOOK

This handbook was created to help volunteers provide our clients with guidance on how to navigate the process of obtaining a legal name/gender change. The information is only current as of the date of the front page. We are constantly incorporating updated information as new questions arise and court procedures change. We encourage you to let us know if you experience something that differs from the procedures outlined here so that we can update the handbook.

II. INTRODUCTION

a. About ICLS

Founded in 1958, ICLS is the largest civil legal aid organization in the Inland Empire (IE) working to bridge our region's access to justice gap through thoughtful legal education, community outreach, and free legal services. ICLS is committed to and has led the effort in advocating for people of limited financial means, older adults, persons with disabilities, and otherwise vulnerable residents of Riverside and San Bernardino Counties. With a staff of approximately 140+ advocates, including 55 attorneys, and offices in Riverside, Victorville, and Ontario, ICLS intends for every person in the IE seeking legal help to participate fairly and equally in the legal system.

ICLS has eight core practice groups that specialize in different areas of the law. Each group is committed to their clients and provides expertise through legal advice, education, and direct representations. More importantly, ICLS uses a holistic intake model used to identify legal issues in different areas of the client's life. For detailed information about our services and referrals, please visit our "[Get Help](#)" tab on www.inlandlegal.org.

b. Why the Gender Marker and Name Change Clinic?

Taking part in any court proceeding is an intimidating and time-consuming endeavor. That sentiment is further exacerbated when folks have no legal representative to help them navigate the various court/agency processes. ICLS's Gender Marker and Name Change Clinic seeks to assuage that burden by ensuring that our TGNC/NB community has competent, culturally informed legal representation.

By way of background, Riverside and San Bernardino Counties are home to 133,000 LGBTQ+ adults, including an estimated 27,000 TGNC/NB adults. More than 1/3 of this community has experienced discrimination in housing, employment, and access to healthcare, in large part because of the perceived mismatch between the person's birth name and their current gender identity & gender expression (i.e., appearance) on their identity documents. For more information, please see the 2022 U.S. Trans Survey highlights [here](#).

The stark reality for the TGNC/NB community is that there is no "one-stop" process for legally changing their name and/or gender marker to match their gender identity. Agencies that issue identity documents or keep records of your identity- e.g., the Department of Motor Vehicles (DMV) or the Social Security Administration (SSA)- have separate, disjointed systems with no central government agency to oversee all these databases. For each of these agencies, there is a different process and set of required documents a person needs to gather to update their name and gender information on record.

However, obtaining a name & gender marker change order, and subsequently updating one's identity documents, is associated with a lower rate of harassment in public settings, fewer housing related issues, being treated with more respect by healthcare professionals, and feeling more comfortable asking law enforcement for help, etc. ICLS recognizes the ameliorative role that the Gender Marker & Name Change Clinic plays in dismantling anti-LGBTQ discriminatory barriers to obtaining basic needs like employment, housing, and public benefits. ICLS is a proud ally and will continue to be of service to our region's LGBTQ+ community through thoughtful and intentional clinical programs like this one.

c. Clinic Overview

In collaboration with its pro bono volunteers, ICLS provides limited to full-scope representation through the name change process to service-eligible clients, including, forms prep, filing services, and execution of the subsequent Order. Each volunteer can expect between 2 and 5 hours of total work for each client, including substantive training.

For a high-level overview of the Clinic structure please refer below:

Intake: ICLS' team of dedicated intake specialists will pre-screen prospective clients to ensure that they meet our organization's eligibility requirements. Among other considerations, ICLS is principally committed to serving those persons living at or below 200% of the Federal Poverty Level. Our pro bono partners are not involved at the intake stage.

Client Placement: Once a client has been deemed eligible, cleared conflict checks and signed ICLS's compliance forms (e.g., retainer, citizenship attestation, etc.), they will be placed with a pro bono volunteer. If you are not comfortable taking on a case by yourself, or if you are a first-time volunteer, you may choose to pair up with a seasoned volunteer.

L Orozco will provide volunteers with a client description and facilitate a warm handoff via email. When assigned, we inform the clients that they will hear from their volunteer advocate in 5 – 10 business days. The volunteer will also receive supplemental documentation to assist with the client consultation (*see Appendix B and D*).

Volunteer-Client Consultation: The volunteer is responsible for scheduling and facilitating all virtual consultations. The volunteer will also draft the name change petition and corresponding court forms.

If you have a question regarding the CA name change process, please contact the following ICLS Staff Attorneys:

- **L Orozco (they/them/elle)**, Pro Bono Coordinator, lorozco@icls.org;
- **Matt Kugizaki (he/him)**, Pro Bono Director, mkugizaki@icls.org.

Filing & Subsequent Steps: Once the petition is drafted, L Orozco will review and file the forms. If you want to be involved with the ID amendment process post-Order, please notify L Orozco.

III. INTERACTING WITH ICLS CLIENTS

a. LGBTQ+ Cultural Competency – Respecting Gender Diverse Identities

ICLS strives to cultivate an environment where all clients, particularly TGNC/NB-identified folk, feel welcomed, safe, and respected. Our volunteers are expected to act in accordance with ICLS' client-centered values. Please carefully consider the following best practices:

Respect the client's identity, pronouns, and preferences by mirroring their language. The name, pronouns, and honorifics that a person chooses to use for themselves communicate to others how they want to be seen and acknowledged. As their legal advocate, it is essential that you refer to your client by their chosen name and their chosen pronouns. Once you know what terms a person uses, the best way to make sure that you use the correct ones is to practice. [Here](#) is a helpful practice tool.

Do not make assumptions about a person's name, pronouns, or honorifics based on how they look or their medical history. Some clients may lack access to gender affirming clothing, cosmetics, medication, etc., that would enable them to conform their appearances more to their gender identity. Others may have safety and privacy concerns that make it easier for them to dress and express themselves in ways typically associated with another gender, rather than the one with which they identify. The only way to know for sure what terms a person uses is to respectfully ask them in private (during your initial consultation).

Avoid misgendering and deadnaming the client. Misgendering and deadnaming are all too frequent and distressing occurrences experienced by TGNC/NB folk, which research indicates have adverse mental health consequences. One way to avoid misgendering someone is to use gender expansive language and pronouns, e.g., they/them/theirs. However, misgendering/deadnaming may happen during your work. What is most important is how you handle it when it does. If you make a mistake with a client's name or pronouns, apologize, correct yourself and move on. Do not dwell on the mistake or apologize repeatedly; prolonged attention to the mistake is unnecessary and may make the client more uncomfortable.

For additional guidance, you may wish to consider referring to the American Bar Association's "[5 tips on best representing LGBT clients](#)" and the National

Center for Lesbian Rights’ [“Tips for Legal Advocates Working with Lesbian, Gay, Bisexual, & Transgender Clients.”](#)

b. Missed Appointment and Drop-offs

ICLS recognizes how important our volunteers’ time and efforts are towards effectuating meaningful change. We emphasize to our clients the importance of keeping appointments with their volunteers and calling ahead to reschedule if they cannot make it. You may find it helpful to send a reminder email or reminder call the day before a scheduled appointment. Unfortunately, some clients will miss appointments. No matter the reason, we encourage our volunteers to come with an open mind and an open heart. If you experience repeated scheduling challenges with a client, please contact L Orozco (lorozco@icls.org).

Moreover, despite ICLS’ efforts to screen participants, some who make it past the intake process and are assigned to volunteers do not complete the name change process. Some clients discover that they are not at a place in their lives where they can complete the name change process. Others face unforeseen familial, social, and/or legal problems that require their full attention. If your client expresses hesitancy in continuing the process, try to find out why or loop in an ICLS staff member. We will walk the client through their concerns and advise them that they can come back to the Clinic later.

c. Timeliness of Name Changes

All our clients come to the Clinic eager to change their names. It is, however, worth highlighting that some clients are urgently seeking out name & gender changes for specific reasons, such as to assist them in switching to a different shelter or because they are moving to another city where programs like this are not available to help them. That is, for certain clients, it is essential to complete the court process as quickly as possible.

It is important that our volunteers help temper client expectations at the onset. The Court can take anywhere between 2-4 months to finalize and grant a name change order, not accounting for court backlogs. It is helpful to remind our clients that the Court’s timeline is beyond our control.

However, we can control the pre-filing timeline (i.e., the client consultation and petition drafting period that precedes filing). We ask that if you are unable to give enough attention to a client to promptly complete the process, please hold off until your schedule allows more time. Likewise, if you have a client and

work/personal obligations come up that require your attention, please tell us, and we would be happy to reassign the client.

IV. CALIFORNIA NAME CHANGE LAW

a. The CA Gender Recognition Act

The Gender Recognition Act ([California Senate Bill 179](#)), authored by Sens. Toni Atkins (D-San Diego) and Scott Wiener (D-San Francisco), was signed into law in 2018 and went into full effect January 1, 2019. In brief, SB 179 streamlined the process for Californians to apply to change their gender markers and created a nonbinary gender category (signified by the letter “X”) on California birth certificates, drivers’ licenses, identity cards, and gender-change court orders. SB 179 enabled many in our community, including transgender, intersex, and nonbinary people, to have full recognition in the State of California. That said, SB 179 does not affect documents issued by other states or the federal government.

For your convenience, below is a timeline that captures the nature of the changes brought by SB 179.

Beginning on January 1, 2018, “no physician’s declaration of any kind will be required to update the gender marker on a California birth certificate; instead, applicants will simply have to submit an affidavit attesting, under penalty of perjury, that the request for a change of gender is to conform their legal gender to their gender identity and not for any fraudulent purpose.”

Subsequently, on September 1, 2018, “no physician’s declaration of any kind will be required to petition for a gender change court order; instead, applicants will simply have to submit an affidavit attesting, under penalty of perjury, that the request for a change of gender is to conform their legal gender to their gender identity and not for any fraudulent purpose.” **Please be advised that the gender attestation is embedded in the CA court forms.**

And finally, on January 1, 2019, “it will no longer be necessary to obtain a doctor’s certification in order to update the gender marker on a CA driver’s license or state ID.” Instead, “people seeking to update their gender marker on their ID will simply be able to self-select ‘male,’ ‘female,’ or ‘nonbinary’ on the application form.”

b. California Statute

Successful name and gender change petitions in Riverside and San Bernardino counties must satisfy the California Code of Civil Procedure Secs 1275-1279.5 (*see Appendix C*), which establish the general elements of a name change to conform to a person's gender identity as follows:

- Petitions must be filed in the superior court of the county in which the individual resides (Ca. Civ. Proc. Code Sec. 1276(a)(1));
- Petition must set forth (i) the petitioner's place of birth and current residence, (ii) the petitioner's present name (i.e., current legal name), (iii) the petitioner's proposed name (i.e., chosen name), and (iv) the reason for the name change (Ca. Civ. Proc. Code Sec. 1276(a)(2));
- The Court shall issue an Order to Show Cause reciting the filing of the petition, the petitioner's current legal & proposed name, and directing all persons interested in the matter to file written objection within six weeks of the making of the order (Ca. Civ. Proc. Code Sec 1277.5(a)(1));
- Petitioners changing their name to conform to their gender identity are exempt from any publication requirements (Ca. Civ. Proc. Code Sec. 1277.5(b));
- Unless an objection is timely filed and shows good cause for opposing the name change, a hearing date shall not be set in the proceeding. Objections based solely on concerns that the proposed change is not the petitioner's actual gender identity or gender assigned at birth shall not constitute good cause (Ca. Civ. Proc. Code Sec. 1277.5(c)); and
- The Court must enter an Order changing the name as petitioned, without a hearing, if no objection showing good cause to oppose the petition is timely filed within the above-mentioned six-week period (Ca. Civ. Proc. Code Sec. 1277.5(a)(1)).

In California, a name change petition should proceed and be granted without incident so long as (i) the petitioner meets the statutory requirements, (ii) there are no lawful objections, and (iii) the petitioner is not seeking to commit fraud. Note that a name change petitioner need not testify before the Court regarding their motivation for a name change, and no medical documentation is required to support a TGNC/NB person's name change petition.

Please note that the requirements for minors and person's changing their name for reasons other than to conform to their gender identity differ than those listed above. If you are assigned a minor, L Orozco will contact you directly for additional training.

V. ICLS' GENDER MARKER & NAME CHANGE CLINIC WORKFLOW

The following subsections provide a suggested workflow and items to discuss with your clients. Please read carefully.

a. Initial Meeting with Client

When meeting with the client for the first time, dedicate some time towards developing a rapport. Make sure you ask your client to share their name and pronouns to ensure that you are not deadnaming or misgendering them. And most importantly, be sure to discuss the attorney-client privilege to put the client at ease regarding confidentiality.

Then, proceed to gather the information needed to complete the name and gender marker petition using the supplemental ICLS questionnaire provided (see **Appendix B**).

Discuss the costs involved in the name change process. Depending on the client's circumstances, the entire process could cost \$0.00 to \$573.00 or more. The potential costs include:

- Filing fee for name change petition: \$435 - \$450 (fee depends on the county in which the petitioner will be filing – for more information see the [Riverside County Fee Schedule](#) and the [San Bernardino County Fee Schedule](#)).
- Certified Name Change Order Copies: \$41 per copy (\$40.00 to certify a document & \$0.50 per document page), recommended 3 copies for a total of \$123.

If your client cannot afford the filing costs, discuss their financial situation to inform your assessment of whether you should complete a Fee Waiver Request (detailed below in subsection “i”). If the Court approves the fee waiver request, the Court will waive all associated costs, including filing and certification fees.

b. Identity Documents

Identity documents, like birth certificates, are not required to successfully file a name change in California. Other states (e.g., New York) do require that you attach a birth certificate and other ID (e.g., valid and unexpired state ID) to the name change petition. Whether the client has a birth certificate or other valid identity documents should not delay the name change process.

c. Drafting the Petition

Please note that there are three sets of forms that someone can use to petition for change of name and/or recognition of change of gender Court Order in California: change of name only for an adult or minor (NC-100 series); change of gender (with or without change of name) for an adult (NC-300 series); and change of gender (with or without change of name) for a minor (NC-500 series).

You can get blank copies of all these forms directly from the California court's website. For name change forms and processes visit [here](#). Visit [here](#) for gender change forms and processes. An index of all available forms is available [here](#).

Below are lists of the standards forms that you will need to complete, depending on which category the client falls into:

- **Adults seeking a legal name change only:** Petition for Change of Name ([NC-100](#)), Attachment to Petition for Change of Name ([NC-110](#)), Order to Show Cause ([NC-125](#)), Decree Changing Name ([NC-130](#)), and Civil Case Cover Sheet ([CM-010](#)).
- **Adults seeking a legal name and gender change:** Petition for Recognition of Change of Gender and Sex Identifier ([NC-300](#)), Attachment to Petition for Change of Name ([NC-110](#)), Order to Show Cause ([NC-125](#)), Order Recognizing Change of Gender and Sex Identifier ([NC-330](#)), and Civil Case Cover Sheet ([CM-010](#)).
- **Adult seeking gender change only:** Petition for Recognition of Change of Gender and Sex Identifier ([NC-300](#)), Order Recognizing Change of Gender and Sex Identifier ([NC-330](#)), and Civil Case Cover Sheet ([CM-010](#)).

Additionally, Riverside County Petitioners must complete Certificate of Counsel Local Form ([RI-C1032](#)). Whereas San Bernardino County Petitioners must

also complete Certificate of Assignment Local Form ([SB 13-16503-360](#)) and Declaration of Petitioner & Request for Records Check Local Form ([SB 13-00050-360](#)).

See Appendix D for a sample California Adult Change of Name and Gender Petition with Riverside and San Bernardino County Local Court forms.

i. Fee Waiver

If your client intends to request a fee waiver for the filing fee, you will need to complete the Request to Waive Court Fees ([FW-001](#)) and Order on Court Fees ([FW-003](#)). Fee waiver requests are submitted with the rest of the petition. There are three ways to qualify for a fee waiver:

- If the client is receiving certain means-tested public benefits, such as food stamps, SSI, cash assistance, or Medi-Cal, they are automatically eligible for a fee waiver. A complete list of qualifying public benefits is available on FW-001 under item 5a.
- If the client's income falls under a certain limit based on the number of people in their household, they are also automatically eligible. A chart of eligible household size and income is available on FW-001 under item 5b. **Please be sure to complete items 7-9 if the client intends to pursue this route.**
- If the client does not receive any of the listed public benefits and their income falls over the limit, they may still qualify under FW-001 item 5c, but they will be required to provide the Court with detailed information about all their income and expenses. Thereafter, the Court will schedule a hearing to determine whether the client is eligible to have their fees waived, which will have the added effect of prolonging the name change process. **Please temper the client's expectations if they intend to pursue this route.**

In certain circumstances, ICLS may be able to cover the filing and/or certification costs using private funding. Please advise clients that ICLS makes these determinations on a case-by-case basis and cannot guarantee that it will cover all associated costs.

d. Filing the Petition

Once completed, the Petition and supplemental forms will be forwarded to L Orozco (lorozco@icls.org) for final review and filing.

VI. FINAL STEPS

ICLS will update volunteers once the client's Order is issued. Please advise clients that being issued an Order will not automatically update their name or gender on any of their identity documents. The Order will only act as a "link" between their current and former identities. They will actively have to update their core identity documents (i.e., Social Security Card, CA State ID/DL, and CA Birth Certificate, U.S. Passport) through each corresponding agency's unique processes. ICLS staff will assist the clients with executing their Orders through placement with our sister clinic the ID Amendment Clinic.

If you wish to help update the client's core identity documents, please inform L Orozco and they will follow up with additional instructions. Thank you.

VII. APENDICIES

Appendix A: Clinic Roadmap



Gender Marker & Name Change (GMNC) Clinic Workflow Roadmap

1. **Training & Preparation.** Participate in ICLS's training and review supplemental materials provided in your initial client placement email, which includes:
 - a. A brief client description and client contact information.
 - b. Clinic PPT & Clinic Manual with sample completed forms and other helpful information; The contact information for an ICLS advocate, who you can email with questions/updates at any point during the GMNC process.

2. **Initial Client Consultation.** Schedule a virtual consultation within 5-10 business days of case assignment, if possible, to begin the GMNC process. If your client cannot accommodate video call, phone is fine.
 - a. **Be sure to use the client's chosen name and pronouns.** This information should have been made available upon case assignment. If you are not sure, please contact L Orozco (lorozco@icls.org), ICLS Pro Bono Coordinator. It is also okay to ask your client directly for their pronouns, albeit in a respectful way.
 - b. Introduce yourself using your own pronouns.
 - c. Confirm with your client the best way to communicate (e.g., email or phone). **Please reach out to L Orozco if you experience any trouble getting hold of your client at any point throughout the process.**

3. **Provide the client with a brief overview of the process.** Please refer to the GMNC Clinic training manual for more information on the subpoints below.
 - a. Draft & file GMNC petition, supplemental local court forms, and fee waiver (if applicable).
 - b. No publication requirement.
 - c. Order to show cause – six-week waiting period post-filing & potential hearing if a valid, written objection is made.
 - d. Obtain certified copies.
 - e. Effectuate the order by amending identity documents with local, state and federal agencies.

4. **Gender marker change.** Assess whether your client wants a court ordered gender marker change (sometimes called a sex identifier change), or if they would benefit from such a change.

- a. **Not necessary in CA.** Explain that gender change order is not necessary to amend California ID/DLs or CA birth certificates, which only require the applicant's self-attestation.
- b. **Helpful for out-of-state documents.** If your client was born outside of California, some states require an order to change the gender marker on birth certificates. Be sure to check the National Center for Transgender Equality Center's [ID Documents Center Resource Page](#) to see if this applies to your client's state of birth (see the top of this document for a link).
- c. **Security and peace of mind.**

5. **Draft the name change petition (and gender marker change, if applicable) with your client's input.** The sample completed petition will guide you, but make sure to:

- a. **Triple check the intended name** – spelling, middle name(s), accent marks, etc.
- b. Discuss “reason for name change,” and ask whether the template language is acceptable.
 - i. The template language will read “To better match my gender identity.” That is language developed by various other California legal aid agencies, and generally accepted by the Courts.
- c. **Ask about the client's criminal background, whether they are on the sex offender registry, and if they are a part of any ongoing court proceedings.**
- d. Ensure that the correct Courthouse is selected for the client's petition. For Riverside County residents, please check [here](#). All San Bernardino County residents will be filing at the San Bernardino Justice Center.
 - i. Please do not use the Courthouse designated on the sample petition provided, unless applicable, as it may not be the appropriate venue. **The correct courthouse will depend on your client's zip code.**

6. **Review the GMNC Petition with your client.** Schedule a follow up call with your client to review the working draft and make any necessary revisions.

- a. Give the client a final overview of the next steps in the process during your petition review session and explain that they may be responsible for paying any associated court filing fees if they are not applying/eligible for a fee waiver. ICLS may cover the filing fees case-by-case, but ICLS cannot guarantee full cost coverage now.
- b. **Contact L Orozco for support if necessary.**

7. **Return GMNC petition to L Orozco (lorozco@icls.org) for final review, signing, and filing.**
8. **If a client raises other legal issues** that they need assistance with (e.g., advance healthcare directives, housing issues, family law matters, etc.) confer with your ICLS contact as needed and advise the clients to call the **ICLS intake line at 888.245.4257**.
9. **Amending identity documents.** An ICLS representative will update you once we successfully obtain a GMNC order for your client. **Please let ICLS know if you can assist the client with amending their core identity documents!** If so, L Orozco will follow up with the next steps.

Appendix B: Initial Meeting Questionnaire



Gender Marker & Name Change (GMNC) Clinic Initial Meeting Questionnaire

Thank you for volunteering with ICLS’s GMNC Clinic – with your assistance, we can help TGNC/NB folx in the Inland Empire obtain a Court Order to change their name and/or gender marker that better reflects their identity.

This “Initial Meeting Questionnaire” is intended to help guide your first client meeting, and it should collect all the information necessary to complete the gender marker and/or name change court forms.

If you have any questions for ICLS, please contact L Orozco (lorozco@icls.org) or Matt Kugizaki (mkugizaki@icls.org).



1. Introduction.

- *Prior to your meeting, please make sure that you are in a private location, with a secure internet/phone connection. Please be sure to have reviewed the ICLS training manual, clinic roadmap, and other supporting materials.*
- *At the beginning of your meeting, please remember to introduce yourself (provide your own pronouns), briefly discuss your professional/legal background, role as an attorney/paralegal (privilege, confidentiality, etc.), and reiterate that you are here to collect information that will help you complete the gender marker and/or name change court forms on their behalf.*
- *Please confirm whether the client wishes to proceed with a name change only, or a name and gender change, as that will impact the forms that we are required to complete.*
- *It may also be helpful to temper the client’s expectations by letting them know that you may not be able to answer all their questions today, but you’ll write them down and promptly follow up after.*

2. General Information.

Full Chosen Name (i.e., name Petitioner seeks to assume):

First: Middle: Last:

Full Dead Name (i.e., Petitioner's current legal name):

First: Middle: Last:

Pronouns:

Have you legal changed your name before? (If applicable, ask for all other prior names).

Physical Address:

What county do you live in?

Updated Contact Information (Phone/Email):

Date of Birth:

Place of Birth (City, County and State):

Are you married? If so, will you be seeking an amended marriage license/certificate reflecting your name/gender change?¹

Do you have any children? If so, will you be seeking an amended birth certificate(s) reflecting your name/gender change?²

¹ Petitioners requesting the issuance of a new CA marriage license/certificate with a change of designation of the person as bride, groom, or having neither box checked and/or change of name must complete [Form NC-312, Marriage License and Certificate Attachment](#).

² Petitioners requesting the issuance of a new CA birth certificate for petitioner's child reflecting petitioner's change of gender/name must complete [Form NC-311, Birth Certificate for Child of Petitioner Attachment](#).

Are you currently on parole or registered as a 290 (i.e., sex offender registrant)?³ (If yes to either parole or 290, notify Jen Okerlund and L Orozco for further instructions).

3. Criminal Addendum⁴

Social Security Number:

CA ID/DL Number:

4. Legal Gender Change Information

What is the sex listed on your birth certificate?

Which marker do you wish to assign as your gender?⁵

5. Proper Filing Venue

³ As of September 2018, if you are in prison or jail or are on parole in California, you have the right to petition for a name/gender change court order without first obtaining permission from your warden, parole officer, or the Secretary of the Department of Corrections and Rehabilitation. However, at the time you file your petition, you must provide a copy of the petition to the relevant department. Please advise your clients that CDCR or the sheriff are allowed to file objections to the petition; if this happens, the court will schedule a hearing to make a determination. State law also has special rules for people who are on the state sex offender registry. In this case the court will change your client's name only if it determines that granting the application "is in the best interest of justice" and will not "adversely affect public safety." For additional information, and case strategizing, please contact L Orozco (lorozco@icls.org).

⁴ **Only San Bernardino County residents are required to complete**, among other local court forms, **the Criminal Addendum SB-13-00050-360**, i.e., the Declaration of Petitioner and Request for Records Check. Please be advised that as of April 2024 the most up-to-date version of the Criminal Addendum is dated 10/20/2022.

⁵ As of September 2018, it is possible to request a court order recognizing a change of gender to nonbinary. Thus, the options are female (F), nonbinary (X), and male (M).

- *On the court forms, you will be required to select and provide information about the courthouse where the petition will be submitted. In general, this is the courthouse located closest to the client’s home address (by zip code).*
- *If the client resides in Riverside County, please visit here for more information: <https://riverside.courts.ca.gov/FormsFiling/WhereToFile/where-to-file.php>.*
- *If the client resides in San Bernardino County, they must file with the San Bernardino Justice Center, please visit here for more information: <https://www.sb-court.org/general-information/where-can-i-file>.*

6. Fee Waiver

- *If you do not qualify for a fee waiver, you will need to pay the California Courts a filing fee for your petition.⁶ Riverside County residents can expect to pay \$450 in filing fees (not including certification costs), while San Bernardino County residents will pay \$435 (again, not including certification costs).*
- *Please refer to the following questions, if the client wishes to be screened for fee waiver eligibility:*

Are you employed? (If so, provide the Petitioner’s job title, employer’s name and employer’s business address).

Do you receive any means-tested public benefits? (If so, please list all the public benefits that the Petitioner receives).

If you do not receive any public benefits, how many people live in your household with whom you share expenses (e.g., sharing bills, food costs, or other financial support)? (Please provide the names of all those living in your household, age, relationship, and gross monthly income).

⁶ Please advise your client that the above fees are imposed by the California Courts system, and not by Inland Counties Legal Services. If your client does not qualify for a fee waiver, contact L Orozco (lorozco@icls.org). ICLS may be able to pay for a portion or the full cost through a separate, private funding source. ICLS cannot guarantee that it will cover the associated costs – the decision is made by ICLS senior management on a case-by-case basis.

If you do not receive public benefits, what is the combined monthly household income of everyone identified above?

7. Conclusion/Schedule a Follow Up Meeting

- *At the end of your meeting, it may be helpful to reiterate any next steps, ensure that the client understands the process (and ask if they have any questions), and, if applicable, schedule a follow-up meeting to review the completed forms with the client.*
- *A follow up/forms review meeting is scheduled for _____.*
- *If the client has additional legal issues, please take down a few notes of the general matter and refer over to L Orozco (lorozco@icls.org) for further assistance.*

Appendix C: Name Change Statutes

State of California
CODE OF CIVIL PROCEDURE
Section 1275

1275. Applications for change of names must be determined by the Superior Courts.
(Amended by Stats. 1983, Ch. 486, Sec. 1.)

State of California
CODE OF CIVIL PROCEDURE
Section 1276

1276. (a) (1) All applications for change of names shall be made to the superior court of the county where the person whose name is proposed to be changed resides, except as specified in subdivision (e) or (g), either (A) by petition signed by the person or, if the person is under 18 years of age, by one of the person's parents, by any guardian of the person, or as specified in subdivision (e), or, if both parents are deceased and there is no guardian of the person, then by some near relative or friend of the person, or (B) as provided in Section 7638 of the Family Code.

(2) The petition or pleading shall specify the place of birth and residence of the person, the person's present name, the name proposed, and the reason for the change of name.

(b) In a proceeding for a change of name commenced by the filing of a petition, if the person whose name is to be changed is under 18 years of age, the petition shall, if neither parent of the person has signed the petition, name, as far as known to the person proposing the name change, the parents of the person and their place of residence, if living, or, if neither parent is living, near relatives of the person, and their place of residence.

(c) In a proceeding for a change of name commenced by the filing of a petition, if the person whose name is proposed to be changed is under 18 years of age and the petition is signed by only one parent, the petition shall specify the address, if known, of the other parent if living. If the petition is signed by a guardian, the petition shall specify the name and address, if known, of the parent or parents, if living, or the grandparents, if the addresses of both parents are unknown or if both parents are deceased, of the person whose name is proposed to be changed.

(d) In a proceeding for a change of name commenced by the filing of a petition, if the person whose name is proposed to be changed is 12 years of age or older, has been relinquished to an adoption agency by the person's parent or parents, and has not been legally adopted, the petition shall be signed by the person and the adoption agency to which the person was relinquished. The near relatives of the person and their place of residence shall not be included in the petition unless they are known to the person whose name is proposed to be changed.

(e) All petitions for the change of the name of a minor submitted by a guardian appointed by the juvenile court or the probate court, by a court-appointed dependency attorney appointed as guardian ad litem pursuant to rules adopted under Section 326.5 of the Welfare and Institutions Code, or by an attorney for a minor who is alleged or adjudged to be a person described in Section 601 or 602 of the Welfare and Institutions Code shall be made in the court having jurisdiction over the minor. All petitions for the change of name of a nonminor dependent may be made in the juvenile court.

(f) If the petition is signed by a guardian, the petition shall specify relevant information regarding the guardianship, the likelihood that the child will remain under the guardian's care until the child reaches the age of majority, and information suggesting that the child will not likely be returned to the custody of the child's parents.

(g) (1) On or after January 1, 2023, an application for a change of name may be made to a superior court for a person whose name is proposed to be changed, even if the person does not reside within the State of California, if the person is seeking to change their name on at least one of the following documents:

(A) A birth certificate that was issued within this state to the person whose name is proposed to be changed.

(B) A birth certificate that was issued within this state to the legal child of the person whose name is proposed to be changed.

(C) A marriage license and certificate or a confidential marriage license and certificate that was issued within this state to the person whose name is proposed to be changed.

(2) For the purposes of this subdivision, the superior court in the county where the birth under subparagraph (A) or (B) of paragraph (1) occurred or marriage under subparagraph (C) of paragraph (1) was entered shall be a proper venue for the proceeding. The name change shall be adjudicated in accordance with California law.

(Amended by Stats. 2021, Ch. 577, Sec. 1.5. (AB 218) Effective January 1, 2022)

State of California
CODE OF CIVIL PROCEDURE
Section 1277

1277. (a) (1) If a proceeding for a change of name is commenced by the filing of a petition, except as provided in subdivisions (b), (c), (d), and (f), or Section 1277.5, the court shall thereupon make an order reciting the filing of the petition, the name of the person by whom it is filed, and the name proposed. The order shall direct all persons interested in the matter to appear before the court at a time and place specified, which shall be not less than 6 weeks nor more than 12 weeks from the time of making the order, unless the court orders a different time, to show cause why the application for change of name should not be granted. The order shall direct all persons interested in the matter to make known any objection that they may have to the granting of the petition for change of name by filing a written objection, which includes the reasons for the objection, with the court at least two court days before the matter is scheduled to be heard and by appearing in court at the hearing to show cause why the petition for change of name should not be granted. The order shall state that, if no written objection is timely filed, the court may grant the petition without a hearing.

(2) (A) A copy of the order to show cause shall be published pursuant to Section 6064 of the Government Code in a newspaper of general circulation to be designated in the order published in the county. If a newspaper of general circulation is not published in the county, a copy of the order to show cause shall be posted by the clerk of the court in three of the most public places in the county in which the court is located, for a like period. Proof shall be made to the satisfaction of the court of this publication or posting at the time of the hearing of the application.

(B) (i) On or after January 1, 2023, if the person whose name is proposed to be changed does not live in the county where the petition is filed, pursuant to subdivision (g) of Section 1276, the copy of the order to show cause shall be published pursuant to Section 6064 of the Government Code in a newspaper of general circulation published in the county of the person's residence. If a newspaper of general circulation is not published in the county of the person's residence, a copy of the order to show cause shall be posted by the clerk of the court in the county of the person's residence or a similarly situated local official in three of the most public places in the county of the person's residence, for a like period. If the place where the person seeking the name change lives does not have counties, publication shall be made according to the requirements of this paragraph in the local subdivision or territory of the person's residence. Proof shall be made to the satisfaction of the court of this publication or posting at the time of the hearing of the application.

(ii) If the person is unable to publish or post a copy of the order to show cause pursuant to clause (i), the court may allow an alternate method of publication or posting or may waive this requirement after sufficient evidence of diligent efforts to publish or post a copy of the order has been submitted to the satisfaction of the court.

(3) Four weekly publications shall be sufficient publication of the order to show cause. If the order is published in a daily newspaper, publication once a week for four successive weeks shall be sufficient.

(4) If a petition has been filed for a minor by a parent and the other parent, if living, does not join in consenting thereto, the petitioner shall cause, not less than 30 days before the hearing, to be served notice of the time and place of the hearing or a copy of the order to show cause on the other parent

pursuant to Section 413.10, 414.10, 415.10, or 415.40. If notice of the hearing cannot reasonably be accomplished pursuant to Section 415.10 or 415.40, the court may order that notice be given in a manner that the court determines is reasonably calculated to give actual notice to the nonconsenting parent. In that case, if the court determines that notice by publication is reasonably calculated to give actual notice to the nonconsenting parent, the court may determine that publication of the order to show cause pursuant to this subdivision is sufficient notice to the nonconsenting parent.

(b) (1) If the petition for a change of name alleges a reason or circumstance described in paragraph (2), and the petitioner has established that the petitioner is an active participant in the address confidentiality program created pursuant to Chapter 3.1 (commencing with Section 6205) of Division 7 of Title 1 of the Government Code, and that the name the petitioner is seeking to acquire is on file with the Secretary of State, the action for a change of name is exempt from the requirement for publication of the order to show cause under subdivision (a), and the petition and the order of the court shall, in lieu of reciting the proposed name, indicate that the proposed name is confidential and is on file with the Secretary of State pursuant to the provisions of the address confidentiality program.

(2) The procedure described in paragraph (1) applies to petitions alleging any of the following reasons or circumstances:

(A) To avoid domestic violence, as defined in Section 6211 of the Family Code.

(B) To avoid stalking, as defined in Section 646.9 of the Penal Code.

(C) To avoid sexual assault, as defined in Section 1036.2 of the Evidence Code.

(D) To avoid human trafficking, as defined in Section 236.1 of the Penal Code.

(3) For any petition under this subdivision, the current legal name of the petitioner shall be kept confidential by the court and shall not be published or posted in the court's calendars, indexes, or register of actions, as required by Article 7 (commencing with Section 69840) of Chapter 5 of Title 8 of the Government Code, or by any means or in any public forum, including a hardcopy or an electronic copy, or any other type of public media or display.

(4) Notwithstanding paragraph (3), the court may, at the request of the petitioner, issue an order reciting the name of the petitioner at the time of the filing of the petition and the new legal name of the petitioner as a result of the court's granting of the petition.

(5) A petitioner may request that the court file the petition and any other papers associated with the proceeding under seal. The court may consider the request at the same time as the petition for name change, and may grant the request in any case in which the court finds that all of the following factors apply:

(A) There exists an overriding interest that overcomes the right of public access to the record.

(B) The overriding interest supports sealing the record.

(C) A substantial probability exists that the overriding interest will be prejudiced if the record is not sealed.

(D) The proposed order to seal the records is narrowly tailored.

(E) No less restrictive means exist to achieve the overriding interest.

(c) If the petition is filed for a minor or nonminor dependent who is under the jurisdiction of the juvenile court, the action for a change of name is exempt from the requirement for publication of the order to show cause under subdivision (a).

(d) A proceeding for a change of name for a witness participating in the state Witness Relocation and Assistance Program established by Title 7.5 (commencing with Section 14020) of Part 4 of the Penal Code who has been approved for the change of name by the program is exempt from the requirement for publication of the order to show cause under subdivision (a).

(e) If an application for change of name is brought as part of an action under the Uniform Parentage Act (Part 3 (commencing with Section 7600) of Division 12 of the Family Code), whether as part of a petition or cross-complaint or as a separate order to show cause in a pending action thereunder, service of the application shall be made upon all other parties to the action in a like manner as prescribed for the service of a summons, as set forth in Article 3 (commencing with Section 415.10) of Chapter 4 of Title 5 of Part 2. Upon the setting of a hearing on the issue, notice of the hearing shall be given to all parties in the action in a like manner and within the time limits prescribed generally

for the type of hearing (whether trial or order to show cause) at which the issue of the change of name is to be decided.

(f) If a guardian files a petition to change the name of the guardian's minor ward pursuant to Section 1276:

(1) The guardian shall provide notice of the hearing to any living parent of the minor by personal service at least 30 days before the hearing.

(2) If either or both parents are deceased or cannot be located, the guardian shall cause, not less than 30 days before the hearing, to be served a notice of the time and place of the hearing or a copy of the order to show cause on the child's grandparents, if living, pursuant to Section 413.10, 414.10, 415.10, or 415.40.

(Amended by Stats. 2021, Ch. 577, Sec. 2.5. (AB 218) Effective January 1, 2022.)

State of California
CODE OF CIVIL PROCEDURE
Section 1277.5

1277.5. (a) (1) If a proceeding for a change of name to conform the petitioner's name to the petitioner's gender identity is commenced by the filing of a petition, the court shall thereupon make an order reciting the filing of the petition, the name of the person by whom it is filed, and the name proposed. The order shall direct all persons interested in the matter to make known any objection to the change of name by filing a written objection, which includes any reasons for the objection, within six weeks of the making of the order, and shall state that if no objection showing good cause to oppose the name change is timely filed, the court shall, without hearing, enter the order that the change of name is granted.

(2) If a petition is filed to change the name of a minor to conform to gender identity that does not include the signatures of both living parents, the petition and the order to show cause made in accordance with paragraph (1) shall be served on the parent who did not sign the petition, pursuant to Section 413.10, 414.10, 415.10, or 415.40, within 30 days from the date on which the order is made by the court. If service cannot reasonably be accomplished pursuant to Section 415.10 or 415.40, the court may order that service be accomplished in a manner that the court determines is reasonably calculated to give actual notice to the parent who did not sign the petition.

(b) The proceeding for a change of name to conform the petitioner's name to the petitioner's gender identity is exempt from any requirement for publication.

(c) A hearing date shall not be set in the proceeding unless an objection is timely filed and shows good cause for opposing the name change. Objections based solely on concerns that the proposed change is not the petitioner's actual gender identity or gender assigned at birth shall not constitute good cause. At the hearing, the court may examine under oath any of the petitioners, remonstrants, or other persons touching the petition or application, and may make an order changing the name or dismissing the petition or application as the court may deem right and proper.

(Amended by Stats. 2018, Ch. 776, Sec. 11. (AB 3250) Effective January 1, 2019.)

State of California
CODE OF CIVIL PROCEDURE
Section 1278

1278. (a) (1) Except as provided in subdivisions (c) and (d), the petition or application shall be heard at the time designated by the court, only if objections are filed by a person who can, in those objections, show to the court good cause against the change of name. At the hearing, the court may examine on oath any of the petitioners, remonstrants, or other persons touching the petition or application, and may make an order changing the name, or dismissing the petition or application, as the court may deem right and proper.

- (2) If no objection is filed at least two court days before the date set for hearing, the court may, without hearing, enter the order that the change of name is granted.
- (b) If the provisions of subdivision (b) of Section 1277 apply, the court shall not disclose the proposed name unless the court finds by clear and convincing evidence that the allegations of domestic violence, stalking, or sexual assault in the petition are false.
- (c) If the application for a change of name is brought as part of an action under the Uniform Parentage Act (Part 3 (commencing with Section 7600) of Division 12 of the Family Code), the hearing on the issue of the change of name shall be conducted pursuant to statutes and rules of court governing those proceedings, whether the hearing is conducted upon an order to show cause or upon trial.
- (d) If the petition for a change of name is filed by a guardian on behalf of a minor ward, the court shall first find that the ward is likely to remain in the guardian's care until the age of majority and that the ward is not likely to be returned to the custody of the parents. Upon making those findings, the court shall consider the petition and may grant the petition only if it finds that the proposed name change is in the best interest of the child.
- (e) This section shall become operative on September 1, 2018.
(Repealed (in Sec. 6) and added by Stats. 2017, Ch. 853, Sec. 7. (SB 179) Effective January 1, 2018.
Section operative September 1, 2018, by its own provisions

State of California
CODE OF CIVIL PROCEDURE
Section 1278.5

1278.5. In any proceeding pursuant to this title in which a petition has been filed to change the name of a minor, and both parents, if living, do not join in consent, the court may deny the petition in whole or in part if it finds that any portion of the proposed name change is not in the best interest of the child.
(Amended by Stats. 2006, Ch. 567, Sec. 13. Effective January 1, 2007.)

State of California
CODE OF CIVIL PROCEDURE
Section 1279.5

- 1279.5. (a) Except as provided in subdivision (e) or (f), this title does not abrogate the common law right of a person to change his or her name.
- (b) A person under the jurisdiction of the Department of Corrections and Rehabilitation or sentenced to county jail has the right to petition the court to obtain a name or gender change pursuant to this title or Article 7 (commencing with Section 103425) of Chapter 11 of Part 1 of Division 102 of the Health and Safety Code.
- (c) A person under the jurisdiction of the Department of Corrections and Rehabilitation shall provide a copy of the petition for a name change to the department, in a manner prescribed by the department, at the time the petition is filed. A person sentenced to county jail shall provide a copy of the petition for name change to the sheriff's department, in a manner prescribed by the department, at the time the petition is filed.
- (d) In all documentation of a person under the jurisdiction of the Department of Corrections and Rehabilitation or imprisoned within a county jail, the new name of a person who obtains a name change shall be used, and prior names shall be listed as an alias.
- (e) Notwithstanding any other law, a court shall deny a petition for a name change pursuant to this title made by a person who is required to register as a sex offender under Section 290 of the Penal Code, unless the court determines that it is in the best interest of justice to grant the petition and that doing so will not adversely affect the public safety. If a petition for a name change is granted for an individual required to register as a sex offender, the individual shall, within five working days,

notify the chief of police of the city in which he or she is domiciled, or the sheriff of the county if he or she is domiciled in an unincorporated area, and additionally with the chief of police of a campus of a University of California or California State University if he or she is domiciled upon the campus or in any of its facilities.

(f) For the purpose of this section, the court shall use the California Law Enforcement Telecommunications System (CLETS) and Criminal Justice Information System (CJIS) to determine whether or not an applicant for a name change is required to register as a sex offender pursuant to Section 290 of the Penal Code. Each person applying for a name change shall declare under penalty of perjury that he or she is not required to register as a sex offender pursuant to Section 290 of the Penal Code. If a court is not equipped with CLETS or CJIS, the clerk of the court shall contact an appropriate local law enforcement agency, which shall determine whether or not the petitioner is required to register as a sex offender pursuant to Section 290 of the Penal Code.

(g) This section shall become operative on September 1, 2018.

(Repealed (in Sec. 2) and added by Stats. 2017, Ch. 856, Sec. 3. (SB 310) Effective January 1, 2018. Section operative September 1, 2018, by its own

Appendix D: Sample Completed Petition – Adult Petitioner

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
Matthew R. Kugizaki, SBN 286795
 Inland Counties Legal Services, 1040 Iowa Ave, Suite 109, Riverside CA 92507
 TELEPHONE NO.: 951.320.7516 FAX NO. (Optional): 951.398.7377
 E-MAIL ADDRESS: mkugizaki@icls.org
 ATTORNEY FOR (Name): Nicholas Alan Smith

SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Bernardino
 STREET ADDRESS: 247 W 3rd Street
 MAILING ADDRESS: 247 W 3rd Street
 CITY AND ZIP CODE: San Bernardino, CA 92415
 BRANCH NAME: San Bernardino District - Civil Division

CASE NAME:
 In re: Petition of Nicholas Alan Smith for Change of Name & Gender to Conform to Gender Identity

FOR COURT USE ONLY

CIVIL CASE COVER SHEET
 Unlimited (Amount demanded exceeds \$25,000) **Limited** (Amount demanded is \$25,000 or less)
Complex Case Designation
 Counter Joinder
 Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER:
 JUDGE:
 DEPT.:

Items 1–6 below must be completed (see instructions on page 2).

1. Check **one** box below for the case type that best describes this case:
- | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Auto Tort</p> <input type="checkbox"/> Auto (22)
<input type="checkbox"/> Uninsured motorist (46) <p>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</p> <input type="checkbox"/> Asbestos (04)
<input type="checkbox"/> Product liability (24)
<input type="checkbox"/> Medical malpractice (45)
<input type="checkbox"/> Other PI/PD/WD (23) <p>Non-PI/PD/WD (Other) Tort</p> <input type="checkbox"/> Business tort/unfair business practice (07)
<input type="checkbox"/> Civil rights (08)
<input type="checkbox"/> Defamation (13)
<input type="checkbox"/> Fraud (16)
<input type="checkbox"/> Intellectual property (19)
<input type="checkbox"/> Professional negligence (25)
<input type="checkbox"/> Other non-PI/PD/WD tort (35) <p>Employment</p> <input type="checkbox"/> Wrongful termination (36)
<input type="checkbox"/> Other employment (15) | <p>Contract</p> <input type="checkbox"/> Breach of contract/warranty (06)
<input type="checkbox"/> Rule 3.740 collections (09)
<input type="checkbox"/> Other collections (09)
<input type="checkbox"/> Insurance coverage (18)
<input type="checkbox"/> Other contract (37) <p>Real Property</p> <input type="checkbox"/> Eminent domain/Inverse condemnation (14)
<input type="checkbox"/> Wrongful eviction (33)
<input type="checkbox"/> Other real property (26) <p>Unlawful Detainer</p> <input type="checkbox"/> Commercial (31)
<input type="checkbox"/> Residential (32)
<input type="checkbox"/> Drugs (38) <p>Judicial Review</p> <input type="checkbox"/> Asset forfeiture (05)
<input type="checkbox"/> Petition re: arbitration award (11)
<input type="checkbox"/> Writ of mandate (02)
<input type="checkbox"/> Other judicial review (39) | <p>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403)</p> <input type="checkbox"/> Antitrust/Trade regulation (03)
<input type="checkbox"/> Construction defect (10)
<input type="checkbox"/> Mass tort (40)
<input type="checkbox"/> Securities litigation (28)
<input type="checkbox"/> Environmental/Toxic tort (30)
<input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) <p>Enforcement of Judgment</p> <input type="checkbox"/> Enforcement of judgment (20) <p>Miscellaneous Civil Complaint</p> <input type="checkbox"/> RICO (27)
<input type="checkbox"/> Other complaint (not specified above) (42) <p>Miscellaneous Civil Petition</p> <input type="checkbox"/> Partnership and corporate governance (21)
<input checked="" type="checkbox"/> Other petition (not specified above) (43) |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

2. This case is is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a. <input type="checkbox"/> Large number of separately represented parties | d. <input type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
3. Remedies sought (check all that apply): a. monetary b. nonmonetary; declaratory or injunctive relief c. punitive
4. Number of causes of action (specify): **1**
5. This case is is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: 09/12/2023
 Nicholas Alan Smith

▶

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

(TYPE OR PRINT NAME)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the Civil Case Cover Sheet contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the Civil Case Cover Sheet to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

Auto (22)–Personal Injury/Property Damage/Wrongful Death
Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

Other P/DPD/W (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)
Asbestos Property Damage
Asbestos Personal Injury/Wrongful Death
Product Liability (*not asbestos or toxic/environmental*) (24)
Medical Malpractice (45)
Medical Malpractice–Physicians & Surgeons
Other Professional Health Care Malpractice
Other PI/DPD/W (23)
Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/DPD/W (e.g., assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress
Other PI/DPD/W

Non-PI/DPD/W (Other) Tort

Business Tort/Unfair Business Practice (07)
Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)
Defamation (e.g., slander, libel) (13)
Fraud (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice (*not medical or legal*)
Other Non-PI/DPD/W Tort (35)

Employment

Wrongful Termination (36)
Other Employment (15)

Contract

Breach of Contract/Warranty (06)
Breach of Rental/Lease
Contract (*not unlawful detainer or wrongful eviction*)
Contract/Warranty Breach–Seller Plaintiff (*not fraud or negligence*)
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Collections (e.g., money owed, open book accounts) (09)
Collection Case–Seller Plaintiff
Other Promissory Note/Collections Case
Insurance Coverage (*not provisionally complex*) (18)
Auto Subrogation
Other Coverage
Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

Eminent Domain/Inverse Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (26)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

Unlawful Detainer

Commercial (31)
Residential (32)
Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

Judicial Review

Asset Forfeiture (05)
Petition Re: Arbitration Award (11)
Writ of Mandate (02)
Writ–Administrative Mandamus
Writ–Mandamus on Limited Court Case Matter
Writ–Other Limited Court Case Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal–Labor
Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

Antitrust/Trade Regulation (03)
Construction Defect (10)
Claims Involving Mass Tort (40)
Securities Litigation (28)
Environmental/Toxic Tort (30)
Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

Enforcement of Judgment

Enforcement of Judgment (20)
Abstract of Judgment (Out of County)
Confession of Judgment (*non-domestic relations*)
Sister State Judgment
Administrative Agency Award (*not unpaid taxes*)
Petition/Certification of Entry of Judgment on Unpaid Taxes
Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

RICO (27)
Other Complaint (*not specified above*) (42)
Declaratory Relief Only
Injunctive Relief Only (*non-harassment*)
Mechanics Lien
Other Commercial Complaint Case (*non-tort/non-complex*)
Other Civil Complaint (*non-tort/non-complex*)

Miscellaneous Civil Petition

Partnership and Corporate Governance (21)
Other Petition (*not specified above*) (43)
Civil Harassment
Workplace Violence
Elder/Dependent Adult Abuse
Election Contest
Petition for Name Change
Petition for Relief From Late Claim
Other Civil Petition

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: Matthew R. Kuizaki FIRM NAME: Inland Counties Legal Services STREET ADDRESS: 1040 Iowa Ave. Suite 109 CITY: Riverside STATE: CA ZIP CODE: 92507 TELEPHONE NO.: 951.320.7516 FAX NO.: 951.398.7377 E-MAIL ADDRESS: mkuizaki@icls.org ATTORNEY FOR (name): Nicholas Alan Smith	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: 247 W 3rd Street MAILING ADDRESS: 247 W 3rd Street CITY AND ZIP CODE: San Bernardino, CA 92415 BRANCH NAME: San Bernardino District - Civil Division	
PETITION OF (name): Nicholas Alan Smith	
PETITION FOR RECOGNITION OF CHANGE OF GENDER AND SEX IDENTIFIER <input checked="" type="checkbox"/> AND CHANGE OF NAME <input checked="" type="checkbox"/> AND ISSUANCE OF NEW CERTIFICATES	CASE NUMBER:

Before you complete this petition, read *Instructions for Filing Petition for Recognition of Change of Gender and Sex Identifier, Name Change, and Issuance of New Certificates* (form NC-300-INFO).
Note: You do not need to file this petition or obtain a court order in order to obtain a new California birth certificate for you or your child reflecting a change of your gender or a new California marriage license and certificate reflecting a change of gender. You may use an administrative process instead; see Health and Safety Code section 103426.

1. Petitioner (*present name*): **Nicholas Alan Smith** is 18 years old or older and requests an order recognizing the change of petitioner's gender and sex identifier to
 - a. female.
 - b. male.
 - c. nonbinary.

2. Petitioner is a California resident or seeks a change to a California birth certificate or marriage license and certificate.

3. Petitioner has already obtained a decree of name change that petitioner wants reflected on the certificates checked in item 5. Petitioner attaches a certified copy of the decree of name change to this petition.
(If this item is checked, skip item 4 and indicate the request in item 5.)

4. Petitioner requests that the court decree that petitioner's name be changed, in order to conform to petitioner's gender identity, to (*proposed name*):
 - a. This is the right court for the petition to change name, because petitioner (*check (1) or (2)*).
 - (1) resides in this county.
 - (2) does not reside in California and (*check one*):
 - (i) wants a name change on their or their child's birth certificate, which was issued in this county.
 - (ii) wants a name change on a marriage license, and was married in this county.
 - b. Petitioner requests that the court issue an order directing any interested persons to file written objections to show cause why the petition for change of name should not be granted.
 - c. *Name and Information About the Person Whose Name Is to Be Changed* (form NC-110) is attached to this form.

SHORT TITLE: In re: Nicholas Alan Smith	CASE NUMBER:
-----------------------------------------	--------------

5. Issuance of New California Certificate

- a. Petitioner requests an order for the issuance of a new birth certificate for petitioner reflecting the change of gender and change of name.
- b. Petitioner requests an order for the issuance of a new birth certificate for petitioner's child reflecting petitioner's change of gender and change of name.

(Attach *Birth Certificate for Child of Petitioner—Attachment* (form NC-311).)

- c. Petitioner requests an order for the issuance of a new marriage license and certificate with a change of designation of the person as bride, groom, or having neither box checked and change of name.

(Attach *Marriage License and Certificate—Attachment* (form NC-312).)

I declare under penalty of perjury under the laws of the State of California that the request for a change in gender and sex identifier to (*check one*) female male nonbinary is to conform my legal gender and sex identifier to my gender identity and is not for any fraudulent purpose.

Date: 09/12/2023
Nicholas Alan Smith

(TYPE OR PRINT NAME OF PETITIONER)

▶ _____
(SIGNATURE OF PETITIONER)

Date: 09/12/2023
Nicholas Alan Smith

(TYPE OR PRINT NAME OF ATTORNEY)

▶ _____
(SIGNATURE OF ATTORNEY)

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PETITION OF (name of petitioner or petitioners): Nicholas Alan Smith	CASE NUMBER:
-------------------------------------------------------------------------	--------------

FOR CHANGE OF NAME

**NAME AND INFORMATION ABOUT THE PERSON
WHOSE NAME IS TO BE CHANGED**

Attachment ¹ of ¹

Attachment to Petition (form NC-100, form NC-300, or form NC-500)

(You must use a separate attachment for each person whose name is to be changed. If petitioner is a guardian of a minor, a declaration of guardian (form NC-110G) must also be completed and attached for each minor whose name is to be changed.)

7. (Continued) Petitioner applies for a decree to change the name of the following person:

b. Self Other

(1) Present name (specify): Nicholas Alan Smith

(2) Proposed name (specify): Elaine Nicole Smith

(3) Born on (date of birth): 01/01/2000 and presently under 18 years of age 18 years of age or older

(4) Born at (place of birth): Long Beach, California

(5) Sex (as stated on original birth certificate): Male Female

(6) Current residence address (street, city, county, state, and zip code):
1234 South Street, Unit 105, San Bernardino, San Bernardino County, 92407

c. Reason for name change (explain):

To better match my gender identity.

d. Relationship of the petitioner to the person whose name will be changed:

(1) Self

(4) Guardian ad litem or attorney for minor appointed by juvenile court

(2) Parent

(5) Near relative (indicate relationship):

(3) Guardian

(6) Other (specify):

e. If the person whose name will be changed is under 18 years of age, provide the names and addresses, if known, of the following persons:

(1) Parent (name): N/A (address): N/A

(2) Parent (name): N/A (address): N/A

(3) (Only if neither parent is living) Near relatives (names, relationships, and addresses):
N/A

f. If the person whose name will be changed is 18 years of age or older, that person must sign the following declaration:

DECLARATION	
I declare under penalty of perjury under the laws of the State of California that (check one) <input checked="" type="checkbox"/> I am not <input type="checkbox"/> I am under the jurisdiction of the California Department of Corrections and Rehabilitation (in state prison or on parole) or in county jail and (check one) <input checked="" type="checkbox"/> I am not <input type="checkbox"/> I am required to register as a sex offender under Penal Code section 290.	
Date: 09/12/2023	
Nicholas Alan Smith <small>(TYPE OR PRINT NAME OF PERSON WHOSE NAME IS TO BE CHANGED)</small>	 <small>(SIGNATURE OF PERSON WHOSE NAME IS TO BE CHANGED)</small>

(If petitioner is represented by an attorney, the attorney's signature follows):

Date: 09/12/2023

Matthew R. Kugizaki
(TYPE OR PRINT NAME)

(SIGNATURE OF ATTORNEY)

(Each petitioner must sign this petition in the space provided below or, if additional pages are attached, at the end of the last attachment.) I declare under penalty of perjury under the laws of the State of California that the information in the foregoing petition is true and correct.

Date: 09/12/2023

Nicholas Alan Smith
(TYPE OR PRINT NAME)

(SIGNATURE OF PETITIONER)

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF PETITIONER)

ADD ADDITIONAL SIGNATURE LINES FOR ADDITIONAL PETITIONERS

SIGNATURE OF PETITIONERS FOLLOWS LAST ATTACHMENT

**NAME AND INFORMATION ABOUT THE PERSON
WHOSE NAME IS TO BE CHANGED
(Attachment to Petition for Change of Name)**

For your protection and privacy, please press the Clear This Form button after you have printed the form.

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ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: Matthew R. Kuizaki FIRM NAME: Inland Counties Legal Services STREET ADDRESS: 1040 Iowa Ave, Suite 109 CITY: Riverside TELEPHONE NO.: 951.320.7516 E-MAIL ADDRESS: mkuizaki@icls.org ATTORNEY FOR (name): Nicholas Alan Smith	STATE BAR NUMBER: 286795 STATE: CA ZIP CODE: 92507 FAX NO.: 951.398.7377	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Bernardino STREET ADDRESS: 247 W 3rd Street MAILING ADDRESS: 247 W 3rd Street CITY AND ZIP CODE: San Bernardino, CA92415 BRANCH NAME: San Bernardino District - Civil Division		
PETITION OF (name of each petitioner): Nicholas Alan Smith		
FOR CHANGE OF NAME		
ORDER TO SHOW CAUSE—CHANGE OF NAME TO CONFORM TO GENDER IDENTITY		CASE NUMBER:

TO ALL INTERESTED PERSONS:

1. Petitioner (name): Nicholas Alan Smith filed a petition with this court for a decree changing name as follows:

<u>Present name</u>	<u>Proposed name</u>
a. Nicholas Alan Smith	to Elaine Nichole Smith
b.	to
c.	to
d.	to

2. THE COURT ORDERS that any person objecting to the name changes described above must file a written objection that includes the reasons for the objection **within six weeks of the date this order is issued**. If no written objection is timely filed, the court will grant the petition without a hearing.

3. A hearing date may be set only if an objection is timely filed and shows good cause for opposing the name change. Objections based solely on concerns that the proposed change is not the person's actual gender identity or gender assigned at birth do not constitute good cause. (See Code Civ. Proc., § 1277.5(c).)

NOTE: When a petition has been filed to change the name of a minor to conform to gender identity and the petition does not include the signatures of both living parents, the petition and this order to show cause must be served on the parent who did not sign the petition, under Code of Civil Procedure section 413.10, 414.10, or 415.40, within 30 days from the date on which the order is made by the court.

Date:

JUDGE OF THE SUPERIOR COURT

For your protection and privacy, please press the Clear This Form button after you have printed the form.

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ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: Matthew R. Kuqizaki FIRM NAME: Inland Counties Legal Services STREET ADDRESS: 1040 Iowa Ave. Suite 109 CITY: Riverside STATE: CA ZIP CODE: 92507 TELEPHONE NO.: 951.320.7516 FAX NO.: 951.398.7377 E-MAIL ADDRESS: mkuqizaki@icls.org ATTORNEY FOR (name): Nicholas Alan Smith	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Bernardino STREET ADDRESS: 247 W 3rd Street MAILING ADDRESS: 247 W 3rd Street CITY AND ZIP CODE: San Bernardino, CA 92415 BRANCH NAME: San Bernardino District - Civil Division	
PETITION OF (name): Nicholas Alan Smith	
ORDER RECOGNIZING CHANGE OF GENDER AND SEX IDENTIFIER <input checked="" type="checkbox"/> AND FOR NAME CHANGE <input checked="" type="checkbox"/> AND FOR ISSUANCE OF NEW CERTIFICATES	CASE NUMBER:

1. The petition was duly considered
- a. at the hearing on (date): _____ in Department: _____ of the above-entitled court.
- b. without hearing.

THE COURT FINDS

2. a. Petitioner is a California resident or seeks a change to a California birth certificate or marriage license and certificate.
 b. All notices required by law have been given.
 c. No objections to the petition were made.
 d. Objections to the petition were made by (name): _____
3. The petition included a **request for change of name** for the person described in item 10.
- a. The person whose name is to be changed
 is not is required to register as a sex offender under Penal Code section 290.
 This determination was made by using CLETS/CJIS based on information provided to the clerk of the court by a local law enforcement agency.
- b. A certified copy of a court decree changing petitioner's name was attached to the petition.
4. The petition included a **request to order a new birth certificate for one or more minor children of petitioner.**
5. The petition included a **request to order a new birth certificate for one or more adult children of petitioner**, and (check one)
- a. each request for a new birth certificate for an adult child on form NC-311 contains the signature of the adult child agreeing to the reissuance of their birth certificate.
- b. the court was satisfied that the following adult child or children who did not sign form NC-311 are either deceased or incapable of providing a signature:
- Full Name: _____ Date of Birth: _____
 Full Name: _____ Date of Birth: _____
6. The petition included a **request for an order for the issuance of a new marriage certificate**, for a marriage on (date): _____, with a change of designation of the petitioner as bride, groom, or having neither box checked and (check one)
- a. the spouse who shares the marriage certificate with the petitioner has agreed to the issuance of a new marriage license and certificate OR the court is satisfied that the spouse is deceased or incapable of providing a signature.
- b. the petition did not include the agreement of the spouse who shares the marriage license and certificate with the petitioner. An order directing the spouse to make known any objection to the changes requested on the marriage license and certificate or confidential marriage license and certificate by filing a written objection, which includes any reasons why the requested changes would be fraudulent, was issued and served.

PETITION OF (<i>name</i>):	CASE NUMBER:
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7. The court is satisfied that all the allegations in the petition are true and sufficient and that the petition should be granted.
8. Other findings (*if any*):

THE COURT ORDERS

9. The gender and sex identifier of petitioner has been changed to female male nonbinary.

THE COURT FURTHER ORDERS

10. The name of (*present name*): Nicholas Alan Smith
- a. is changed to (*new name*): Elaine Nicole Smith
- b. was previously changed by court decree to (*name*):

11. A new birth certificate must be issued reflecting the change of gender and sex identifier described in item 9 and change of name described in item 10.

If petitioner was born in California, a certified copy of this order shall be filed by the petitioner within 30 days with the State Registrar. When the State Registrar receives a certified copy of this order and payment of the applicable fees, the State Registrar shall establish for the petitioner a new birth certificate reflecting the gender of the petitioner as it has been altered and any change of name specified in this order.

12. A new birth certificate for the following child or children of the petitioner must be issued reflecting petitioner's change of gender and sex identifier described in item 9 and change of name described in item 10.

Full Name: _____	Date of Birth: _____
Full Name: _____	Date of Birth: _____
Full Name: _____	Date of Birth: _____
Full Name: _____	Date of Birth: _____

If petitioner's child or children were born in California, a certified copy of this order shall be filed by the petitioner within 30 days with the State Registrar. When the State Registrar receives a certified copy of this order and payment of the applicable fees, the State Registrar shall establish for each child a new birth certificate reflecting the gender of the petitioner as it has been altered and any change of name specified in this order.

13. The marriage license and certificate for petitioner and (*name of spouse*): _____ issued on (*date*): _____ in (*county*): _____ must be reissued with a change of designation of the petitioner to bride groom neither bride nor groom and change of name as described in item 10.

If the original marriage license and certificate were **confidential** and issued within this state, a certified copy of this order shall be filed by the petitioner within 30 days with the county clerk in the county where the confidential marriage license and certificate were issued. When the county clerk receives a certified copy of this order with an application and payment of applicable fees, the county clerk shall issue a confidential marriage license and certificate for the petitioner.

If the original marriage license and certificate were **not** confidential and issued within this state, a certified copy of this order shall be filed by the petitioner within 30 days with the State Registrar. When the State Registrar receives a certified copy of this order with an application and payment of applicable fees, the State Registrar shall issue a marriage license and certificate for the petitioner.

14. Other orders:

Date: _____ JUDICIAL OFFICER _____

ORDER RECOGNIZING CHANGE OF GENDER AND SEX IDENTIFIER, FOR NAME CHANGE, AND FOR ISSUANCE OF NEW CERTIFICATES

For your protection and privacy, please press the Clear This Form button after you have printed the form.

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If you are getting public benefits, are a low-income person, or do not have enough income to pay for your household's basic needs and your court fees, you may use this form to ask the court to waive your court fees. The court may order you to answer questions about your finances. If the court waives the fees, you may still have to pay later if:

- You cannot give the court proof of your eligibility,
- Your financial situation improves during this case, or
- You settle your civil case for **\$10,000** or more. The trial court that waives your fees will have a lien on any such settlement in the amount of the waived fees and costs. The court may also charge you any collection costs.

Clerk stamps date here when form is filed.

Fill in court name and street address:

Superior Court of California, County of

Fill in case number and name:

Case Number:

Case Name:

1 Your Information (person asking the court to waive the fees):

Name: Nicholas Alan Smith
 Street or mailing address: 1234 South Street, Unit 105
 City: San Bernardino State: CA Zip: 92407
 Phone: 925.555.5555

2 Your Job, if you have one (job title): _____

Name of employer: _____
 Employer's address: _____

3 Your Lawyer, if you have one (name, firm or affiliation, address, phone number, and State Bar number):

Matthew R. Kugizaki, Inland Counties Legal Services, 1040 Iowa Ave, Suite 109 Riverside CA 92507, State Bar No _____

a. The lawyer has agreed to advance all or a portion of your fees or costs (check one): Yes No

b. (If yes, your lawyer must sign here) Lawyer's signature: _____

If your lawyer is not providing legal-aid type services based on your low income, you may have to go to a hearing to explain why you are asking the court to waive the fees.

4 What court's fees or costs are you asking to be waived?

- Superior Court (See *Information Sheet on Waiver of Superior Court Fees and Costs* (form FW-001-INFO).)
- Supreme Court, Court of Appeal, or Appellate Division of Superior Court (See *Information Sheet on Waiver of Appellate Court Fees* (form APP-015/FW-015-INFO).)

5 Why are you asking the court to waive your court fees?

a. I receive (check all that apply; see form FW-001-INFO for definitions):

- Food Stamps Supp. Sec. Inc. SSP Medi-Cal County Relief/Gen. Assist. IHSS
- CalWORKS or Tribal TANF CAPI WIC Unemployment

b. My gross monthly household income (before deductions for taxes) is less than the amount listed below. (If you check 5b, you must fill out 7, 8, and 9 on page 2 of this form.)

Family Size	Family Income	Family Size	Family Income	Family Size	Family Income	If more than 6 people at home, add \$856.67 for each extra person.
1	\$2,430.00	3	\$4,143.34	5	\$5,856.67	
2	\$3,286.67	4	\$5,000.00	6	\$6,713.34	

c. I do not have enough income to pay for my household's basic needs and the court fees. I ask the court to: (check one and you **must** fill out page 2):

- waive all court fees and costs
- waive some of the court fees
- let me make payments over time


6 Check here if you asked the court to waive your court fees for this case in the last six months.

(If your previous request is reasonably available, please attach it to this form and check here):

I declare under penalty of perjury under the laws of the State of California that the information I have provided on this form and all attachments is true and correct.

Date: 09/12/2023

Nicholas Alan Smith
 Print your name here


 Sign here



Case Number: _____

Your name: _____

If you checked 5a on page 1, do not fill out below. If you checked 5b, fill out questions 7, 8, and 9 only. If you checked 5c, you **must** fill out this entire page. If you need more space, attach form MC-025 or attach a sheet of paper and write Financial Information and your name and case number at the top.

7 Check here if your income changes a lot from month to month. If it does, complete the form based on your average income for the past 12 months.

8 Your Gross Monthly Income

a. List the source and amount of any income you get each month, including: wages or other income from work before deductions, spousal/child support, retirement, social security, disability, unemployment, military basic allowance for quarters (BAQ), veterans payments, dividends, interest, trust income, annuities, net business or rental income, reimbursement for job-related expenses, gambling or lottery winnings, etc.

- (1) _____ \$ _____
(2) _____ \$ _____
(3) _____ \$ _____
(4) _____ \$ _____

b. Your total monthly income: \$ _____

9 Household Income

a. List the income of all other persons living in your home who depend in whole or in part on you for support, or on whom you depend in whole or in part for support.

Table with columns: Name, Age, Relationship, Gross Monthly Income. Rows (1) through (4) with blank lines for entry.

b. Total monthly income of persons above: \$ _____

Total monthly income and household income (8b plus 9b): \$ _____

To list any other facts you want the court to know, such as unusual medical expenses, etc., attach form MC-025 or attach a sheet of paper and write Financial Information and your name and case number at the top.

Check here if you attach another page.

Important! If your financial situation or ability to pay court fees improves, you must notify the court within five days on form FW-010.

10 Your Money and Property

- a. Cash \$ _____
b. All financial accounts (List bank name and amount):
(1) _____ \$ _____
(2) _____ \$ _____
(3) _____ \$ _____

Table for cars, boats, and other vehicles with columns: Make / Year, Fair Market Value, How Much You Still Owe. Rows (1) through (3).

Table for real estate with columns: Address, Fair Market Value, How Much You Still Owe. Rows (1) through (2).

Table for other personal property with columns: Describe, Fair Market Value, How Much You Still Owe. Rows (1) through (2).

11 Your Monthly Deductions and Expenses

- a. List any payroll deductions and the monthly amount below:
(1) _____ \$ _____
(2) _____ \$ _____
(3) _____ \$ _____
(4) _____ \$ _____
b. Rent or house payment & maintenance \$ _____
c. Food and household supplies \$ _____
d. Utilities and telephone \$ _____
e. Clothing \$ _____
f. Laundry and cleaning \$ _____
g. Medical and dental expenses \$ _____
h. Insurance (life, health, accident, etc.) \$ _____
i. School, child care \$ _____
j. Child, spousal support (another marriage) \$ _____
k. Transportation, gas, auto repair and insurance \$ _____
l. Installment payments (list each below):
Paid to:
(1) _____ \$ _____
(2) _____ \$ _____
(3) _____ \$ _____
m. Wages/earnings withheld by court order \$ _____
n. Any other monthly expenses (list each below):
Paid to: How Much?
(1) _____ \$ _____
(2) _____ \$ _____
(3) _____ \$ _____

Total monthly expenses (add 11a - 11n above): \$ _____

**Order on Court Fee Waiver
(Superior Court)**

Clerk stamps date here when form is filed.

Fill in court name and street address:

Superior Court of California, County of

Fill in case number and name:

Case Number:

Case Name:

1 Person who asked the court to waive court fees:

Name: Nicholas Alan Smith
Street or mailing address: 1234 South Street, Unit 105
City: San Bernardino State: CA Zip: 92407

2 Lawyer, if person in 1 has one (name, firm name, address, phone number, e-mail, and State Bar number):

Matthew R. Kugizaki, State Bar No. 286795
Inland Counties Legal Services
1040 Iowa Ave, Suite 109 Riverside CA 92507

3 A request to waive court fees was filed on (date): _____

The court made a previous fee waiver order in this case on (date): _____

Read this form carefully. All checked boxes are court orders.

Notice: The court may order you to answer questions about your finances and later order you to pay back the waived fees. If this happens and you do not pay, the court can make you pay the fees and also charge you collection fees. If there is a change in your financial circumstances during this case that increases your ability to pay fees and costs, you must notify the trial court within five days. (Use form FW-010.) If you win your case, the trial court may order the other side to pay the fees. If you settle your civil case for **\$10,000** or more, the trial court will have a lien on the settlement in the amount of the waived fees. The trial court may not dismiss the case until the lien is paid.

4 After reviewing your: *Request to Waive Court Fees* *Request to Waive Additional Court Fees*
the court makes the following orders:

a. The court **grants** your request, as follows:

(1) **Fee Waiver.** The court grants your request and waives your court fees and costs listed below. (*Cal. Rules of Court, rules 3.55 and 8.818.*) You do not have to pay the court fees for the following:

- Filing papers in superior court
- Making copies and certifying copies
- Sheriff's fee to give notice
- Reporter's fee for attendance at hearing or trial, if the court is not electronically recording the proceeding and you request that the court provide an official reporter
- Assessment for court investigations under Probate Code section 1513, 1826, or 1851
- Preparing, certifying, copying, and sending the clerk's transcript on appeal
- Holding in trust the deposit for a reporter's transcript on appeal under rule 8.130 or 8.834
- Making a transcript or copy of an official electronic recording under rule 8.835
- Court fee for phone hearing
- Giving notice and certificates
- Sending papers to another court department

(2) **Additional Fee Waiver.** The court grants your request and waives your additional superior court fees and costs that are checked below. (*Cal. Rules of Court, rule 3.56.*) You do not have to pay for the checked items.

- Jury fees and expenses
- Fees for a peace officer to testify in court
- Fees for court-appointed experts
- Court-appointed interpreter fees for a witness
- Other (specify): _____

Your name: _____

Case Number: _____

b. The court **denies** your fee waiver request because:

Warning! If you miss the deadline below, the court cannot process your request for hearing or the court papers you filed with your original request. If the papers were a notice of appeal, the appeal may be dismissed.

(1) Your request is incomplete. You have **10 days** after the clerk gives notice of this Order (see date of service on next page) to:

- Pay your fees and costs, or
- File a new revised request that includes the incomplete items listed:
 - Below On Attachment 4b(1)

(2) The information you provided on the request shows that you are not eligible for the fee waiver you requested for the reasons stated: Below On Attachment 4b(2)

The court has enclosed a blank *Request for Hearing About Court Fee Waiver Order (Superior Court)* (form FW-006). You have **10 days** after the clerk gives notice of this order (see date of service below) to:

- Pay your fees and costs in full or the amount listed in c below, or
- Ask for a hearing in order to show the court more information. (*Use form FW-006 to request hearing.*)

c. (1) The court needs more information to decide whether to grant your request. You must go to court on the date on page 3. The hearing will be about the questions regarding your eligibility that are stated:

Below On Attachment 4c(1)

(2) Bring the items of proof to support your request, if reasonably available, that are listed:

Below On Attachment 4c(2)

This is a Court Order.

Your name: _____

Case Number: _____

Name and address of court if different from above:

Hearing Date

Date: _____ Time: _____
Dept.: _____ Room: _____

Warning! If item c(1) is checked, and you do not go to court on your hearing date, the judge will deny your request to waive court fees, and you will have 10 days to pay your fees. If you miss that deadline, the court cannot process the court papers you filed with your request. If the papers were a notice of appeal, the appeal may be dismissed.

Date: _____

Signature of (check one): Judicial Officer Clerk, Deputy

Request for Accommodations



Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office for *Request for Accommodations by Persons With Disabilities and Response* (form MC-410). (Civ. Code, § 54.8.)

Clerk's Certificate of Service

I certify that I am not involved in this case and (check one):

- I handed a copy of this Order to the party and attorney, if any, listed in ① and ②, at the court, on the date below.
- This order was mailed first class, postage paid, to the party and attorney, if any, at the addresses listed in ① and ②, from (city): _____, California, on the date below.
- A certificate of mailing is attached.

Date: _____

Clerk, by _____, Deputy
Name: _____

This is a Court Order.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

- | | |
|--------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> BANNING 311 E. Ramsey St., Banning, CA 92220 | <input type="checkbox"/> MURRIETA 30755-D Auld Rd., Suite 1226, Murrieta, CA 92563 |
| <input type="checkbox"/> BLYTHE 265 N. Broadway, Blythe, CA 92225 | <input type="checkbox"/> PALM SPRINGS 3255 E. Tahquitz Canyon Way, Palm Springs, CA 92262 |
| <input type="checkbox"/> CORONA 505 S. Buena Vista, Rm. 201, Corona, CA 92882 | <input checked="" type="checkbox"/> RIVERSIDE 4050 Main St., Riverside, CA 92501 |
| <input type="checkbox"/> MORENO VALLEY 13800 Heacock St., Ste. D201,
Moreno Valley, CA 92553 | |

RI-CI032

<small>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar Number and Address)</small> Matthew R. Kugizaki, SNB 286795 Inland Counties Legal Services 1040 Iowa Ave, Suite 109 Riverside, CA 92507 TELEPHONE NO: 951.320.7516 FAX NO. (Optional): 951.398.7377 E-MAIL ADDRESS (Optional): mkugizaki@icls.org ATTORNEY FOR (Name): Nicholas Alan Smith	<small>FOR COURT USE ONLY</small>
PLAINTIFF/PETITIONER: Nicholas Alan Smith	
DEFENDANT/RESPONDENT:	CASE NUMBER:
CERTIFICATE OF COUNSEL	

The undersigned certifies that this matter should be tried or heard in the court identified above for the reasons specified below:

- The action arose in the zip code of: 92507

- The action concerns real property located in the zip code of: _____

- The Defendant resides in the zip code of: _____

For more information on where actions should be filed in the Riverside County Superior Courts, please refer to Local Rule 3115 at www.riverside.courts.ca.gov.

I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date 09/12/2023

Matthew R. Kugizaki
(TYPE OR PRINT NAME OF ATTORNEY PARTY MAKING DECLARATION)

▶ _____
(SIGNATURE)

Attorney or Party Without An Attorney (Name, State Bar No. & Address) Matthew R. Kugizaki, SBN 286795 Inland Counties Legal Services, 1040 Iowa Ave, Suite 109, Riverside CA 92507 Telephone: 951.320.7516	<i>FOR COURT USE ONLY</i>
NAME OF COURT: SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO STREET ADDRESS: MAILING 247 W 3rd Street ADDRESS: CITY, STATE ZIP: 247 W 3rd Street DISTRICT NAME: San Bernardino District - Civil Division	
IN THE NAME CHANGE OF: Nicholas Alan Smith	
DECLARATION OF PETITIONER AND REQUEST FOR RECORDS CHECK (APPLICANT/PETITIONER THE AGE OF 14 OR OLDER)	CASE NUMBER

I, Nicholas Alan Smith, declare under penalty of perjury that I am not under the jurisdiction of the Department of Corrections nor am I required to register as a sex offender pursuant to Section 290 of the Penal Code.

Date: 09/12/2023

(Sign Your Name Here), Petitioner

TO: CLETS Operator for _____ District.

REQUEST FOR CRIMINAL RECORDS CHECK

Pursuant to CCP 1279.5. Please conduct a criminal records check for the following individual:

CLETS

CJIS

Applicant Name: Nicholas Alan Smith

Date of Birth: 01/01/2000 SSN: 123-40-5678

MALE

FEMALE

Please forward results to the Civil Calendar Department at the above district.

DECLARATION OF PETITIONER AND REQUEST FOR RECORDS CHECK (APPLICANT/PETITIONER THE AGE OF 14 OR OLDER)

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO

In re: Nicholas Alan Smith

Case No.: _____

vs.

CERTIFICATE OF ASSIGNMENT

A civil action or proceeding presented for filing must be accompanied by this Certificate. If the ground is the residence of a party, name and residence shall be stated.

The undersigned declares that the above-entitled matter is filed for proceedings in the Civil Division of San Benardino District of the Superior Court under Rule 131 and General Order of this court for the checked reason:

- General Collection

Nature of Action Ground

- 1. Adoption
2. Conservator
3. Contract
4. Equity
5. Eminent Domain
6. Family Law
7. Guardianship
8. Harassment
9. Mandate
10. Name Change
11. Personal Injury
12. Personal Property
13. Probate
14. Prohibition
15. Review
16. Title to Real Property
17. Transferred Action
18. Unlawful Detainer
19. Domestic Violence
20. Other
21. THIS FILING WOULD NORMALLY FALL WITHIN JURISDICTION OF SUPERIOR COURT

The address of the accident, performance, party, detention, place of business, or other factor which qualifies this case for filing in the above-designed district is:

Petitioner - Nicholas Alan Smith 1234 South Street, Unit 105
NAME - INDICATE TITLE OR OTHER QUALIFYING FACTOR ADDRESS

San Bernardino CA 92407
CITY STATE ZIP CODE

I declare, under penalty of perjury, that the foregoing is true and correct and that this declaration was executed on 09/12/2023 at San Bernardino, California.

Signature of Attorney/Party