

**Process: Does the state require a court order or can you go directly to the vital records agency to amend the gender marker on a birth certificate?**

*20 states and DC utilize an administrative process:*

Arizona, California, Connecticut, District of Columbia, Florida, Hawaii, Illinois, Iowa, Kansas, Kentucky, Massachusetts, Maine, Michigan, Nebraska, New Jersey, New Mexico, New York, North Carolina, North Dakota, Rhode Island, and Washington

*21 states require a court order:*

Alabama, Alaska, Arkansas, Colorado, Delaware, Georgia, Indiana, Louisiana, Maryland, Missouri, Mississippi, Montana, New Hampshire, Nevada, Oregon, South Dakota, Utah, Virginia, Vermont, Wisconsin, and Wyoming

*3 states use either a court order or an administrative process:*

Minnesota, Pennsylvania, and West Virginia

*4 states have unclear procedures:*

Ohio, Oklahoma, South Carolina, and Texas

*2 states do not allow amendments of the gender marker on a birth certificate:*

Idaho and Tennessee

**Standard: Does the state require proof of surgery?**

*6 states and DC have the modernized standard of “appropriate” treatment for the individual – with no proof of surgery:*

California, District of Columbia, New York State, Oregon, Rhode Island, Vermont, Washington

*19 states require proof of surgery in the statute:*

Alabama, Arizona, Arkansas, Colorado, Delaware, Georgia, Hawaii, Illinois, Kentucky, Louisiana, Maryland, Michigan, Missouri, Massachusetts, Nebraska, New Jersey, New Mexico, North Carolina, and Wisconsin.

*7 states require proof of surgery by written policy or actual practice by the agency:*

Florida, Montana, Iowa, Connecticut, Maine, North Dakota, and Virginia.

*16 states have no specific direction or clear practice and the judge or policy official determines:*

Alaska, Indiana, Kansas, Minnesota, Mississippi, Nevada, New Hampshire, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Texas, Utah, West Virginia, and Wyoming.

*2 states do not allow amendments of the gender marker on a birth certificate:*

Idaho and Tennessee