

# Kansas Legal Services

A non-profit law firm and community education organization helping low and moderate income people in Kansas



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## All About Making a Gender Marker Change in Kansas

This page will help you understand the process for doing a gender marker change in Kansas, and what forms you must file to change your birth certificate.

You must complete and sign this **affidavit** and have it notarized, requesting a change in gender marker on your birth certificate.

Use one of the following as evidence of gender change:

1. Passport with the updated gender marker; OR
2. Driver's license with the updated gender marker (valid state-issued ID from Kansas Driver's License Bureau also accepted); OR
3. Certification issued by a healthcare professional or mental health professional with whom the person has a doctor-patient relationship stating that based on his or her professional opinion the true gender identity of the applicant and that it is expected that this will continue to be the gender with which the applicant will identify in the future.

You also must complete and sign this **application** to Amend a Kansas Birth Certificate. Include a copy of the front and back of your legal photo ID, a check or money order (NOT CASH) payable to Kansas Vital Statistics (\$15 for the change; \$15 for each certified copy), and a self-addressed stamped envelope.

Applications should be submitted in person or by mail to:

*Kansas Office of Vital Statistics  
1000 SW Jackson, Suite 120  
Topeka, KS 66612-2221*

The Office of Vital Statistics will mail you back a copy of your birth certificate with the amended gender marker.

## **Frequently Asked Questions about Kansas Gender Marker**

# Change.

## Who should I contact if I have questions about the gender marker change process?

You can call the Birth Certificate Amendment Unit Supervisor, Kansas Office of Vital Statistics at 785-296-1438.

## What steps should I take after changing my birth certificate gender marker?

If you have a passport and/or driver's license, and your gender marker on these documents does not currently align with your gender identity, you can have your gender marker changed on these documents.

The **National Center for Transgender Equality (NCTE)** has a comprehensive guide for changing your gender marker on a U.S. passport: <https://transequality.org/know-your-rights/passports>.

The Kansas Department of Motor Vehicles has a comprehensive guide for changing your gender marker on a driver's license and other state-issued IDs. You can find this information here: [http://transascity.org/files/Kansas\\_Gender\\_Reclass\\_Memo\\_051011.pdf](http://transascity.org/files/Kansas_Gender_Reclass_Memo_051011.pdf).

The **NCTE** has a step-by-step guide on the Kansas ID gender marker change process as well: <https://transequality.org/documents/state/kansas>.

## What should I do if I was not born in Kansas, and my birth certificate is in another state?

If your birth certificate is not issued by Kansas, you should research your state's gender marker change requirements and follow the procedure outlined by their laws.

The **NCTE** has a comprehensive guide to the gender marker change procedure in each state: <https://transequality.org/documents>.

## On the Application to Amend a Kansas Birth Certificate, what should I write under "Reason for Request?"

"Personal reasons" is enough reason for gender marker change. This document will not become a public record.

## **If I am only applying to amend my gender marker, do I need to fill out the entire “Birth Information on Legal Certificate” section of the Application?**

Yes. This information is required to locate your birth certificate.

## **If I am a minor requesting a name change, does my legal guardian have to approve and sign off on my gender marker change?**

Yes. The legal guardian should sign the application on behalf of the minor requesting a name change and provide a copy of their state-issued ID. The minor requesting a name change should sign the affidavit.

## **Where I can find a notary public to notarize my affidavit?**

- You can go to any post office and have your affidavit notarized by one of their notary publics, at a small cost.
- Many banks have notary publics at no or small cost to their customers.
- If you are a college student, your university may have a legal services student who is a notary public.

## **Will my birth certificate now read “Amended Birth Certificate?”**

Yes, your birth certificate will say “Amended Birth Certificate” in the upper left-hand corner. This is true for any change of a birth certificate. This amendment notification will look the same for both name changes and gender marker changes.

## **Will my birth certificate become a public record once it is amended?**

No. The Office of Vital Statistics is not an Open Records office, and your birth certificate and amendment are not public records.

## **What gender markers are available on Kansas birth certificates?**

Only “female” and “male” gender markers are available on Kansas birth certificates. Kansas currently does not recognize a third gender marker, like “x,” on birth certificates.

## **Does my application have to be mailed, or can I submit it in person?**

You can submit your application in person or by mail. If in person, visit the Office of Vital

Statistics at 1000 SW Jackson, Topeka, KS Suite 120. Ask for the amendment division, where you will submit your application materials.

## **Where can I look for more information about gender marker changes in Kansas?**

The **NCTE** has a comprehensive guide to gender marker and name changes in every state. Here's the website for Kansas: <https://transequality.org/documents/state/kansas>.

The Kansas Department of Health and Environment houses information for the Office of Vital Statistics. You can visit them here:

[http://www.kdheks.gov/vital/amendments\\_and\\_corrections.html](http://www.kdheks.gov/vital/amendments_and_corrections.html).

## **When should I expect to hear back about my birth certificate amendment?**

As of Fall 2019, the Kansas Office of Vital Statistics says an amendment should take from 3-5 weeks, depending on the request volume.

Here is a handout of the [Frequently Asked Questions](#) and other information.

Thanks to Ellen Bertels and Delaney Hiegert, law students at the University of Kansas, who developed this material. We are honored that they have chosen to use Kansas Legal Services website to share this information across Kansas. Also thanks to Meredith Schnug, Associate Director, Legal Aid Clinic, KU School of Law.

 [Affidavit.pdf](#)

 [Application.pdf](#)

 [Gender Marker Change Information.pdf](#)

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