

# Milton & Charlotte Kramer Law Clinic: Gender Marker & Name Change Clinic

## Maggie Leever, JD/MPH

### Case Western Reserve University

#### Practicum Background

**Where:** Milton & Charlotte Kramer Law Clinic  
Located within Case Western Reserve University School of Law  
**Clinic Group:** Human Trafficking Law Project

The Human Trafficking Clinic focuses on both prevention strategies for those at risk for human trafficking and remedial strategies for human trafficking survivors.

#### Some of the risk factors associated with human trafficking are:

- Housing Instability
- Financial Instability
- Discrimination due to gender identity & sexual orientation
- Immigration status
- Lack of social support
- Reduced access to Physical & Mental healthcare

#### Public Health Problem

##### Housing Instability

Trans persons are at a much higher risk for human trafficking than their cisgender counterparts.

- 30% of trans adults have experienced homelessness in their lives and 12% experienced homelessness in the past year **due to their gender identity.**
- By correcting forms of identification to match how a person is presenting themselves or identifying themselves, we can reduce the number of people that are forcibly outed as gender nonconforming when showing their ID for housing or employment purposes.

##### Employment Discrimination

Finding safe, steady work is difficult. Due to discrimination in many jobs and industries, trans persons often have no choice but to turn to alternative ways to make money — which can include drugs, commercial sex, and other criminalized work.

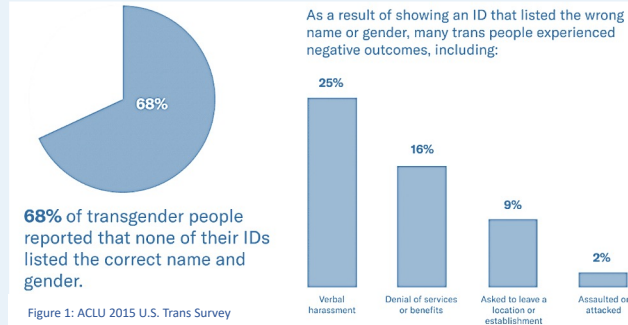
- 20% of trans people work in the underground economy.
- 41% of workers have experienced physical assault during this work.
- In the commercial sex industry, trans persons are **3X** more likely to be attacked than cisgender persons in the same industry.

##### Mental Health

The trans population also suffers widespread issues with mental health due to stigma, discrimination, and additional life & legal barriers.

- 39% of trans adults experienced significant emotional and mental distress within the past month
- 40% of trans adults have attempted suicide in the past, while the national average for attempted suicide is around 4.6%

► **Legal gender affirmation was significantly associated with lower reports of depression, anxiety, somatization, global psychiatric distress.**



Client Name (Printed): \_\_\_\_\_ First \_\_\_\_\_ Middle \_\_\_\_\_ Last \_\_\_\_\_  
Client Name (English): \_\_\_\_\_ First \_\_\_\_\_ Middle \_\_\_\_\_ Last \_\_\_\_\_

**Checklist for Gender Marker and Name Change in Cuyahoga County**  
When you have finished, please place this in the back of the client's paper work.

Birth Date: \_\_\_\_\_

Additional Documents Needed:

- ☐ Request Forming from TransOhio
- ☐ Licensed Professional Statement
- ☐ Photo ID
- ☐ Certified Copy of Birth Certificate
- ☐ Proof of Residency in Cuyahoga for 90 days
- ☐ Ready to be Correction of Birth Record
- ☐ Ready to be Name Change

Student Name: \_\_\_\_\_

Student Name: \_\_\_\_\_

**Name Change**

- ☐ Application for Change of Name
- ☐ Birth Certificate Information Form
- ☐ Affidavit
- ☐ Copy of official photo ID
- ☐ Certified Copy of Birth Certificate
- ☐ Proof of Residency in Cuyahoga for 90 days
- ☐ Copy of Birth Certificate
- ☐ Funds
- ☐ Background Check Release
- ☐ Release of Information

**Gender Marker**

- ☐ Application for Correction of Birth Record
- ☐ Licensed Professional Statement
- ☐ Certified Copy of Birth Certificate
- ☐ Funds
- ☐ Release of Information

Case Western Documents

- ☐ Release
- ☐ Release of Information

Thank you to host

Figure 2: Checklist to complete in each client interview



Figure 3 & 4: Filing in Cuyahoga County & Summit County Probate Court



#### Deliverables

Clients Interviewed: **35**  
Name Change Applications Completed: **30**  
Correction of Birth Records Completed: **10**

Counties Filed In: **6\***  
Name Changes Filed: **15\***  
Corr. of Birth Record Filed: **5\***

**\*Filing currently in progress (March – May)**

#### Activities & Process

##### Preparation:

1. Advertise event to local hospitals and outreach centers.
2. Legal research on each county's filing requirements .
3. Compile client information.
4. Recruit & train 1L volunteers.
5. Prepare individual client folders .

##### Day of:

1. Assign each student to clients as they arrive.
2. Check all applications prior to printing.
3. Direct each volunteer and client to the notary table.
4. Collect all required documents for court filing.

##### Post Event:

1. Double check all requirements by county before filing for individuals.
2. Sort folders by county to take to file.
3. File in applicable probate court as individual clients become ready.

#### Objectives

1. Reduce barriers to application process
  - Provide clients with ID and Birth Certificate vouchers though **Equality Ohio.**
  - Provide clients with finding through **Trans Ohio.**
  - Complete all needed parts of the applications in one day.
  - Provide on site access to Notary .
1. Complete applications for 20 clients during event
2. File all applications in court by May 1<sup>st</sup>.

#### Acknowledgements

Lauren Benninger, Certified Legal Intern  
Maya Simek, Attorney  
Law Clinic Employees & Law Student Volunteers  
Trans Ohio  
Equality Ohio

#### References

- A., & A. (2020, February 12). *Unique Obstacles Put Transgender People At Risk of Trafficking* - Polaris. Polaris - Polaris Works to Reshape the Systems That Allow for Sex and Labor Trafficking in North America and Operates the U.S. National Human Trafficking Hotline. <https://polarisproject.org/blog/2017/03/unique-obstacles-put-transgender-people-at-risk-of-trafficking/>
- Restar, A., Jin, H., Breslow, A. S., Reisner, S. L., Mimiaga, M. J., Cahill, S., & Hughto, J. M. W. (2020, August 1). *Legal gender marker and name change is associated with lower negative emotional response to gender-based mistreatment and improve mental health outcomes among trans populations*. SSM-Population Health; Elsevier BV. <https://doi.org/10.1016/j.ssmph.2020.100595>
- They The People: Accurate Gender Markers for All | American Civil Liberties Union. (2021, August 23). American Civil Liberties Union. <https://www.aclu.org/news/topic/they-the-people-accurate-gender-markers-for-all>