

**IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH**

FORMS & INSTRUCTIONS FOR CHANGE OF SEX (MINOR) (ORS 33.460 and 33.410-420 & UTCR 9.320)

To use these forms, the applicant must be a resident of Multnomah County. Because the applicant is not yet 18 years old, the Court must appoint a “Guardian ad Litem” (guardian for purposes of the lawsuit). The “Guardian ad Litem” must be a suitable adult the minor knows, usually a parent. The Guardian ad Litem will need to come to the courthouse for hearings and other steps in the process.

CHANGING YOUR SEX

Changing the legal sex* of a minor is a simple court process involving four steps:

- 1) Having an adult appointed Guardian Ad Litem;
- 2) Posting a public notice of the proposed change in the Courthouse;
- 3) Appearing briefly before a Judge; and
- 4) Public posting of the change for the change to become official.

**NOTE: To order a legal sex change, the Judge must find that:*

- *The minor has undergone surgical, hormonal, or other treatment appropriate for that person for the purpose of gender transition, and*
- *Sexual reassignment has been completed.*

FORMS IN PACKETS

1. Application & Declaration For Appointment of Guardian Ad Litem in Sex Change Matter (FORM 1)
2. Order re: Appointment of Guardian Ad Litem (FORM 2)
3. Petition for Sex Change of Minor (FORM 3)
4. Notice of Sex Change Hearing (FORM 4)
5. Affidavit of Posting Notice of Sex Change Hearing (FORM 5)
6. General Judgment of Sex Change (Minor) (FORM 6)
7. Notice of General Judgment of Sex Change (FORM 7)
8. Affidavit of Posting Notice of Sex Change Judgment (FORM 8)

Notice to the other parent forms: One must be used.

9. Affidavit Supporting Waiver of Written Notice to Other Parent re: Sex Change of a Minor (optional) (FORM 9)
10. Consent of Parent or Guardian for Name Change of a Minor (optional) (FORM 10)
11. Proof of Mailing re: Petition and Notice of Sex Change Hearing (optional) (FORM 11)

FEES

The fee for the forms packet provided by the court is \$1.25. The court fee for filing a sex change petition is \$111.00. The charge for one certified copy of the General Judgment is \$5.00.

INSTRUCTIONS (for the Adult)

Please read all of the instructions carefully before you begin. DO NOT FILL OUT ALL THE FORMS AT ONCE. YOU WILL NEED TO COMPLETE THE FORMS AS YOU COMPLETE THE STEPS FOR THIS LEGAL ACTION. These are legal documents that must not contain mistakes. Do not alter the documents.

(First Visit To the Courthouse)

STEP 1. Preparing the Guardian Ad Litem forms.

- A.** Fill out the Application & Declaration for Appointment of Guardian ad Litem (Form 1).
 - i.** Sign Form 1 in front of a Family Law Clerk in room 211 of the Multnomah County Courthouse.
 - 1.** Bring one form of valid photo identification with you. For example, a **current**
 - a. state issued driver's license or identity card,
 - b. passport,
 - c. U.S. Military identification card,
 - d. Identification card issued by a federally recognized tribe, or
 - e. Any other government issued document containing your photograph, signature, and physical description.
- B.** Fill out the Order re: Appointment of Guardian Ad Litem (Form 2) **Please print clearly.**

STEP 2. See a judge at "ex parte" (court appearances on one person's request).

- A.** Check with Family Law (room 211) to determine which judge(s) are handling ex parte. Ex parte is held **Monday – Friday at 8:30-8:45 a.m. and 1:30-1:45 p.m.** **You cannot file your case until you have been appointed the child's Guardian Ad Litem** (Guardian for the purpose of the legal case).
- B.** Present Form 1 and Form 2 to the judge at ex parte for his/her signature.
 - i.** The judge will give you back your paperwork and instruct you to return to room 211 for further processing of the case.

STEP 3. Fill out the Petition

- A.** Fill out Form 3 – Petition for Sex Change of Minor
- B.** Go to the counter in room 211, present Forms 1, 2, and 3 and your photo identification.
- C. Sign Form 3 in front of the family law clerk.**
- D.** Ask the clerk to make you at least one copy of Form 3.
 - i.** If you are a parent of the minor, you will have to have the other parent served with a copy of Form 3 and Form 4.
 - 1.** If you are doing service by mail you will need two copies.
 - ii.** If you are not a parent of the minor you will have to have BOTH parents of the minor child served with a copy of Form 3 and Form 4.

STEP 4. File the Case

- A. Go to the cashier, in room 210 of the Multnomah County Courthouse. Pay the filing fee for the case.

STEP 5. Schedule a hearing date

- A. Fill out Form 4 – Notice of Sex Change Hearing, leaving the date and time of the hearing spaces blank.
- B. **Figure out when you can schedule a hearing in your case.** The hearing date for a minor sex change **MUST** be at least 30 days from the date of posting. You must have enough time to **have the other parent served AND for the other parent to have 30 days notice of the hearing.**
 - i. These hearings are **ALWAYS** on Friday mornings.
 - ii. Look at a calendar and figure out what Friday will work for you **AND** give you enough time to have the other parent served, giving them at least 30 days advance notice of the hearing.
 - 1. If you plan on doing service by mail, add three days for mailing, thus the hearing date must be at least 33 days from posting. ORCP 10C.
- C. **Go to the counter in room 211 and ask to schedule the hearing.** Make sure that the person who helps you is aware it is for a minor.
- D. **Add the date and time of the hearing to Form 4.**
- E. Ask the clerk to make you at least one copy of Form 4.
 - i. If you are a parent of the minor, you will have to have the other parent served with a copy of Form 3 and Form 4.
 - 1. If you are doing service by mail, you will need two copies.
 - ii. If you are not a parent of the minor you will have to have **BOTH** parents of the minor child served with a copy of Form 3 and Form 4.

STEP 6. Post notice of the sex change.

- A. Post the **completed** Form 4 on the “Identity Change Postings” bulletin board in room 211.
- B. You are done with the first trip to the courthouse. We will see you when you return for your hearing date.

STEP 7. Having the other Parent Served:

- A. **Exceptions to Service:** The other parent has a right to know what you are asking the court for regarding your minor child. There are two exceptions to having them formally served:
 - i. **They are willing to consent to the sex change – in this situation the consenting parent must sign and have notarized Form 10.**
 - ii. **A waiver of notice is appropriate in your case. See Form 9.**
 - 1. This only applies if the other parent has **NEVER** resided with the child **AND** has **NEVER** tried to contribute to the financial support of the child.
- B. **Service:** You now must decide how to have the other parent or legal guardian

served. **You** must provide proof of service to the court that the other parent or legal guardian has received copies of Forms 3 and 4.

i. Personal Service-

1. You **cannot** personally serve the other parent or legal guardian. The other parent or legal guardian must be served with a copy of Form 3 and 4.
2. **Service by Sheriff:** You may hire the Multnomah County Sheriff's office to do service for you if the other party lives in Multnomah County. They will charge you a fee of \$36 for this service. If the other parent or legal guardian lives in another county or state, you can contact the sheriff or similar office there, or hire a private process server.
3. **Third Party Service:** If you want to have a friend or acquaintance do service, your friend **MUST** be someone who is:
 - a. **NOT YOU**
 - b. At least 18 years old,
 - c. Not a party to the case,
 - d. Not an attorney on the case,
 - e. Not your employee, and
 - f. Must be a resident Oregon or of the state they are doing service in or Oregon.
4. Once service is complete it is your responsibility to ensure that proof of service is returned to the court, either by mail or bring it with you on the day of the hearing. Forms are available in room 211.

ii. Service by mail, Form 11.

1. You may also have a friend serve the other parent or legal guardian through mail service. This will work only if the other parent will sign for a return receipt request mailing. Have a friend mail two copies to the other parent or legal guardian, one regular first class mail, one return receipt requested. You should receive back a green (other color if mailing is international) postcard. That postcard must be attached to Form 11, which must be filled out by the person who did the mailing (not you). Bring this form (filled out) and the postcard with you on the date of the hearing.

(Second Visit to Courthouse on the Hearing Date)

STEP 8. Return to the Courthouse

- A. The morning of your hearing return to the courthouse at least ½ hour before your hearing time.
- B. Bring proof of service on the other parent or legal guardian, if this has not already been submitted to the court.
- C. Bring current photo identification.

- D. Bring Forms 5, 6, 7, and 8 with you to the court. Fill out, but do not sign these forms.

STEP 9. Before your hearing:

- A. Come to room 211 of the Multnomah County Courthouse.
- B. Remove Form 4 (NOTICE OF SEX CHANGE HEARING) from the bulletin board in room 211.
- C. Complete the AFFIDAVIT OF POSTING NOTICE OF SEX CHANGE HEARING (Form 5) and sign it in front of the Family Law Clerk in room 211.
- D. Complete the GENERAL JUDGMENT of SEX CHANGE (Form 6).
 - i. Leave the following spaces blank: Judge's signature line and date.
- E. Go to the counter in room 211 with Forms 4, 5, and 6 and your photo identification.
- F. The court clerk will tell you where to go for your hearing.

STEP 10. The Hearing:

- A. Take Forms 4, 5, and 6 to the court hearing. At the hearing, the Judge will decide whether there is any reason not to sign the judgment. After your court hearing, the judge will keep Forms 4, 5, and 6 and instruct you to return to room 211 to complete the process.

STEP 11. Finishing Steps:

- A. After your hearing, complete the NOTICE OF GENERAL JUDGMENT (Form 7).
- B. Post Form 7 on the small bulletin board in room 211. (The Board is clearly marked.)
- C. Fill out the AFFIDAVIT OF POSTING NOTICE OF SEX CHANGE JUDGMENT (Form 8). Sign this in front of the Family Law Clerk in room 211. The Family Law Clerk will keep Form 8 and file it with the court.

IF YOU WANT MORE THAN ONE COPY OF YOUR JUDGMENT, PAY THE COURT CASHIER FOR THEM. EACH CERTIFIED COPY IS \$5.00.

(After Leaving the Courthouse)

A certified copy of your General Judgment of Sex Change will be mailed to you within one week of your hearing.

You can use a certified copy of your General Judgment of Sex Change as official proof of identity changes for public agencies or as you might otherwise need.

Provide a copy to The Center for Health Statistics, P.O. Box 14050, Portland, OR 97239-0050, to change your birth certificate if you were born in Oregon. If you were born in another state, you will need to contact that state to find out that state's requirements. Oregon Vital Statistics website info is available at:

<http://public.health.oregon.gov/BirthDeathCertificates/ChangeVitalRecords/Pages/CourtOrderChangeSex.aspx>

FORM 1

IN THE CIRCUIT COURT OF THE STATE OF OREGON For Multnomah County

In the Matter of the Change of Sex of:

Case No. _____

Minor's Name: Last, First, Middle

APPLICATION & DECLARATION for APPOINTMENT OF GUARDIAN ad LITEM IN CHANGE OF SEX MATTER

Full Name of proposed Guardian ad Litem

APPLICATION

Under ORCP 27A or B, the above-named proposed Guardian ad Litem (or minor child at least 14 years of age) asks the Court to appoint a Guardian ad Litem for the Minor in this matter. This motion is supported by the declaration below.

DECLARATION

1. I am: *Check either "a" or "b" and fill out that section.*
 - a. A Minor, age 14 years or older. I am _____ years old. I am asking the court to appoint _____
Print name of person you want to be your Guardian in this case)
to be my Guardian ad Litem in this case.
 - b. The person asking to be appointed as the Guardian ad Litem for the Minor in this case. The minor is _____ years old.
2. The proposed Guardian ad Litem: *Check either "a" or "b" and fill out where appropriate.*
 - a. is a parent of the Minor.
 - b. is not a parent of a party. The proposed Guardian ad Litem knows (or is related to) the Minor in this way: _____

3. The proposed Guardian ad Litem is a suitable person to be appointed. The proposed Guardian ad Litem is also willing to serve as a Guardian ad Litem in this matter and has signed his/her agreement below.
4. The proposed Guardian ad Litem is at least 18 years of age.

Declaration re Truth of Statement: I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

Signature of Proposed Guardian ad Litem

Date

Signature of Minor (if age 14, 15, 16, or 17 years old)

Date

Certificate of Document Preparation. You are required to truthfully complete this certificate about the document you are filing with the court. Check all boxes that apply.

I selected this document for myself and I completed it without paid assistance.

I paid or will pay money to _____ for assistance in preparing this form.

Signature and Contact Information for Guardian ad Litem

Proposed Guardian Ad Litem, *Print Name* Telephone or Contact Telephone

Address or Contact Address

City / State / Zip

I certify that this is a true copy:

Signature

FORM 2

IN THE CIRCUIT COURT OF THE STATE OF OREGON For Multnomah County

In the Matter of the Change of Sex of:

Case No. _____

Minor's Name: Last, First, Middle

**ORDER RE: APPOINTMENT OF
GUARDIAN AD LITEM**

Full Name of proposed **Guardian ad Litem**

The appointment of the proposed Guardian ad Litem is:

Granted.

Denied.

Other:

_____.

DATED this _____ day of _____, 20 ____ .

Circuit Court Judge

FORM 3

IN THE CIRCUIT COURT OF THE STATE OF OREGON For Multnomah County

In the Matter of the Change of Sex of:

Case : _____

Minor's Name: Last, First, Middle

PETITION FOR SEX CHANGE of MINOR

Full Name of Guardian ad Litem

1. The Minor in this case is _____ year old.
2. The Minor lives in Multnomah County.
3. On behalf of the Minor, I request a General Judgment changing the Minor's sex from
[] male to female [] female to male.
4. *Both of the following statements must be true and checked:*
 - a. [] The Minor has undergone surgical, hormonal, or other treatment appropriate for the Minor for the purpose of gender transition. AND
 - b. [] Sexual reassignment has been completed.
5. The Minor [] was [] was not born in Oregon.
6. I also request that a hearing be scheduled with the court, concerning this Petition.

Petitioner's (Guardian ad Litem's) Signature

Address (or contact address)

City/State/Zip

Telephone Number

State of Oregon)
County of Multnomah) ss.

I, _____, being first sworn on oath, do hereby declare that I am the Petitioner and Guardian ad Litem in this case. I have read this Petition. The statements in the Petition are true.

Petitioner/Guardian ad Litem's Signature

Subscribed and sworn to before me this _____ day of _____, 20 ____ by

_____.

Court Clerk/Notary Public for Oregon
My commission expires: _____

FORM 4

IN THE CIRCUIT COURT OF THE STATE OF OREGON For Multnomah County

In the Matter of the Change of Sex of:

Case : _____

Minor's Name: Last, First, Middle

NOTICE OF SEX CHANGE HEARING

Full Name of Guardian ad Litem

Based upon the Petition filed in this case, this Court will consider the sex change request of the Minor on the _____ day of _____, 20 ____, at _____ a.m. in room 211 of the of the Multnomah County Courthouse, located at 1021 SW 4th Ave., Portland, Oregon.

This written notice of the time, place, and purpose of this hearing is being posted in a public place located in Multnomah County, Oregon, prior to the hearing, beginning on _____ (*today's date*), and ending on _____ (*date of hearing*).

This posting shall be filed as proof before the hearing.

Dated this _____ day of _____, 20 ____.

Signature of Petitioner /Guardian ad Litem

FORM 6

IN THE CIRCUIT COURT OF THE STATE OF OREGON For Multnomah County

In the Matter of the Change of Sex of:

Case : _____

Minor's Name: Last, First, Middle

**GENERAL JUDGMENT OF SEX
CHANGE (Minor)**

Full Name of Guardian ad Litem

Based on the Petition, and the court finding that proper notice to interested parties has been given; that the above-named Minor has undergone surgical, hormonal, or other treatment appropriate for the Minor for the purpose of gender transition; that sexual reassignment has been completed; and that no person has shown cause why the requested General Judgment should not be granted,

IT IS HEREBY ORDERED AND ADJUDGED:

The sex of _____ is hereby changed
Name - Last, First, Middle

from male to female female to male. Notice of this legal change shall be posted in a public place in Multnomah County as required by law.

This person was born in Oregon. The sex on the record of live birth maintained by the State Registrar for the Center for Health Statistics must be changed.

DATED this _____ day of _____, 20 ____ .

Circuit Court Judge

Name (Guardian ad Litem)

Address (or contact address)

City, State, Zip

Telephone

Number of Certified Copies of the Sex Change Judgment requested: _____

FORM 7

IN THE CIRCUIT COURT OF THE STATE OF OREGON For Multnomah County

In the Matter of the Change of Sex of:

Case : _____

Minor's Name: Last, First, Middle

**NOTICE OF GENERAL JUDGMENT OF
SEX CHANGE**

Full Name of Guardian ad Litem

TO ALL INTERESTED PERSONS:

This notice is posted to advise all persons that a General Judgment of Sex Change was signed in this case on the date below. This Judgment changed the Minor's sex under the law.

Date of posting: _____, 20 _____.

Signature of Petitioner/Guardian ad Litem

FORM 8

IN THE CIRCUIT COURT OF THE STATE OF OREGON For Multnomah County

In the Matter of the Change of Sex of:

Case : _____

Minor's Name: Last, First, Middle

**AFFIDAVIT OF POSTING NOTICE OF
SEX CHANGE JUDGMENT**

Full Name of Guardian ad Litem

STATE OF OREGON)
County of Multnomah) ss.

I, _____ being first duly sworn, do hereby declare:
Your Name

On _____ (date), I posted notice of the signing of the
General Judgment Regarding Sex Change in this case. I posted this notice on the Multnomah County
Courthouse Bulletin Board, located in room 211 on the second floor, at the following address: 1021
SW 4th Avenue, Portland, Oregon.

Signature of Petitioner/Guardian ad Litem

Subscribed and sworn to before me this _____ day of _____, 20 ____ by
_____.

Court Clerk/Notary Public for Oregon
My commission expires: _____

FORM 9

IN THE CIRCUIT COURT OF THE STATE OF OREGON For Multnomah County

In the Matter of the Change of Sex of:

Case : _____

Minor's Name: Last, First, Middle

**AFFIDAVIT SUPPORTING WAIVER OF
WRITTEN NOTICE TO OTHER PARENT
RE: SEX CHANGE OF MINOR**

Full Name of Guardian ad Litem

STATE OF OREGON)
County of Multnomah) ss.

I, _____ being first duly sworn, say:
Your Name

1. I am a parent of _____ (*name of child*), the minor child in this case.
2. The other parent of the minor child is: _____ (*name*).
3. I request a waiver of the requirement set forth in ORS 33.420(2) and SLR 8.155(2), which requires that I give written notice of this petition to change the minor's sex to the other parent or legal guardian. I make this request for the following reasons:
 - a. _____ The minor child has never resided with the parent named in paragraph 2 above,
AND
 - b. _____ The parent listed in paragraph 2 above has never contributed to nor attempted to contribute to, the financial support of this minor child.
4. Based on the above I have not given the other parent written notice of the petition for a change of sex of the minor.

By statute ONLY a parent may sign this form.

Signature of Parent

Subscribed and sworn to before me this _____ day of _____, 20 ____ by
_____.

Court Clerk/Notary Public for Oregon
My commission expires: _____

FORM 10

IN THE CIRCUIT COURT OF THE STATE OF OREGON For Multnomah County

In the Matter of the Change of Sex of:

Case : _____

Minor's Name: Last, First, Middle

**CONSENT OF OTHER PARENT OR
GUARDIAN TO SEX CHANGE OF MINOR**

Full Name of Guardian ad Litem

STATE OF OREGON)
County of Multnomah) ss.

I, _____ being first duly sworn, do hereby say:
Your Name

1. I am the _____ of the above named minor child.
(Relationship to the child)
2. I have received a copy of the Sex Change Petition and Notice of Sex Change Hearing in the above described case.
3. I hereby consent to the court ordering that the sex of the above named child is changed under the law.
4. I hereby waive all further notice in this proceeding.

Signature of Other Parent/Legal Guardian

Print Name

Subscribed and sworn to before me this _____ day of _____, 20 ____ by

_____.

Court Clerk/Notary Public for Oregon

My commission expires: _____

