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**SUPERIOR COURT
WHATCOM COUNTY, WASHINGTON**

In re the Petition of:
SMITH, JANE
(LAST NAME, FIRST NAME)

Petitioner,

NO: _____

PETITION FOR ORDER
RECOGNIZING CHANGE OF
GENDER AND GENDER MARKER

**PETITION FOR ORDER RECOGNIZING CHANGE OF GENDER AND
GENDER MARKER**

I. RELIEF REQUESTED

COMES NOW, JANE SMITH petitioning the court for the entry
of an order recognizing the change to the Petitioner's gender and gender marker from
MALE to FEMALE for the purpose of amending identity related documents.

II. STATEMENT OF FACTS

The Petitioner states the following under the penalty of perjury:

1. Petitioner is of legal age and sound mind to present this petition.
2. Petitioner was born on 02/01/1987.
3. Petitioner was born in SUMAS, WA.
4. The Petitioner has received medical treatment for gender dysphoria and does not identify with the gender assigned at birth.
5. The current gender and gender marker of the Petitioner are no longer appropriate for the lived experience of the Petitioner.

- 1 6. The Petitioner has met the standards of Washington state for a change of gender.
- 2 7. The Petitioner has included a medical letter attesting to this gender change treatment.
- 3 8. The Petitioner is a resident of WHATCOM COUNTY.
- 4 9. The Petitioner received a name change order on 01/01/19 in WHATCOM
5 County District Court changing the Petitioner's legal name from
6 JOSEPH JAMES SMITH to
7 JANE ANN SMITH.
- 8 10. The Petitioner is not required to register as a sex offender.
- 9 11. The Petitioner is not an offender under the jurisdiction of the Department of
10 Corrections.
- 11 12. The Petitioner declares this petition is not made for any illegal or fraudulent purpose.
- 12 13. The Petitioner declares this petition will not be detrimental to the interests of
13 anyone else.

13 **III. STATEMENT OF ISSUES**

14 At issue is whether the Court should grant the Petitioner an Order recognizing the
15 medical change of gender and gender marker of the Petitioner.

16 **IV: EVIDENCE RELIED UPON**

17 This Petition relies upon the evidence included in the Statement of Facts made by the
18 Petitioner and the information included in the medical letter provided by the
19 Petitioner.

20 **V. AUTHORITY AND ARGUMENT**

21 1. Authority to Grant Gender Marker Change: RCW 2.08.010 empowers the
22 Washington Superior Courts to have jurisdiction to hear "such special cases and
23 proceedings as are not otherwise provided for" for the residents of the county in
24 which they preside. This hearing is this type of special case which is not
25 otherwise provided for in the state rules. Washington state primarily addresses
26 gender and gender marker changes through administrative processes with the Department
27 of Licensing. To update gender identity information on a state issued ID, a person must
28 provide a medical certification and update form to the Department of Licensing. To
update gender on a birth certificate, a person must complete a form from Vital Statistics.

1 The acceptable administrative standard for gender change in Washington state is a
2 certification from a medical provider or counselor that the person has undergone
3 appropriate clinical treatment for a change of gender. The Petitioner has completed all
4 necessary treatment to qualify for a gender change under these administrative
5 procedures.

6
7 A court order is not needed in Washington for a resident to receive a change of
8 gender and gender marker. However, in the situation of the Petitioner, obtaining such a
9 court order would further facilitate the Petitioner's ability to obtain corrected identity
10 related documents which require such an Order as well as a corrected Passport. Local
11 Superior Court Judges are the only authority which can issue such Gender Change
12 Recognition Orders.

13 2. No Prohibition: Washington law does not prohibit the court from issuing an order
14 which recognizes a Petitioner's change of gender and gender marker.

15
16 **I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE**
17 **OF WASHINGTON THAT THE FOREGOING STATEMENTS IN THIS PETITION**
18 **ARE TRUE AND CORRECT.**

19 Signed at SUMAS, WA, on JUNE 1, 2019.

20
21 JANE SMITH

22 Petitioner Signature

23 JANE SMITH

24 Petitioner Printed Name

25 Received: _____

26 Court Clerk

27 123456 7TH Av

28 SUMAS, WA

98295

Petitioner's Address

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**SUPERIOR COURT
WHATCOM COUNTY, WASHINGTON**

In re the Petition of:

SMITH, JANE

Petitioner,

NO: _____

ORDER RECOGNIZING CHANGE
OF GENDER AND GENDER
MARKER FOR VITAL RECORDS
AMENDMENT

ORDER RECOGNIZING CHANGE OF GENDER AND GENDER MARKER

On this date, the petition of JANE SMITH is presented, and the Court, from the petition filed herein, the testimony given, and other proof before the Court, finds:

The petitioner has shown reasonable cause for the issuance of an order recognizing a change of sex, gender and gender marker for vital records amendment.

IT IS THEREFORE ORDERED that the sex, gender and gender marker of JANE SMITH be henceforth changed from “MALE” to “FEMALE” and “M” to “F.”

IT IS FURTHER ORDERED that the petition filed here in and this order be entered by the Clerk upon the record of this Court.

Dated: _____

JUDGE/COMMISSIONER