

CALIFORNIA DEPARTMENT OF CHILD SUPPORT SERVICES

P.O. Box 419064, Rancho Cordova, CA 95741-9064



February 25, 2020

CSSP LETTER: 20-01

ALL IV-D DIRECTORS
 ALL COUNTY ADMINISTRATIVE OFFICERS
 ALL BOARDS OF SUPERVISORS

SUBJECT: GENDER AND NAME CHANGES

REFERENCE: HEALTH AND SAFETY CODE (HSC) SECTION 103425. This letter supersedes CSSP 19-06 GENDER AND NAME CHANGES.

PURPOSE: This letter provides policy to local child support agencies (LCSAs) for accepting gender and name changes.

POLICY:

Gender Change

An individual may provide and/or change their gender with the Department of Child Support Services (DCSS) at any time. LCSAs shall accept any change of an individual's gender to "male," "female," or "nonbinary" in DCSS' records as requested by the individual without the need for documentation or form completion. Gender changes may or may not be accompanied by a name change.

Name Change

A name change to the participant record in the child support enforcement system requires a government issued form of identification such as a driver's license or Social Security card with the new legal name. A name change is a significant change in a case participant's identifying information, and the LCSA shall request the appropriate verification regardless of whether it is accompanied by a gender change. LCSAs should continue to follow their existing local procedures regarding any changes to court captions.

BACKGROUND: Effective January 1, 2019, Senate Bill (SB) 179 amended HSC section 103426, requiring the State Registrar to issue, upon request and without a court order, new birth certificates to individuals born in California seeking to change their gender. Individuals must submit an application and affidavit stating the gender change is not being made for any fraudulent purpose. Per HSC section 103425, a person may elect

Reason for this Transmittal

- State Law, Regulation and/or Change
- Federal Law, Regulation Change
- Court Order or Settlement Change
- Clarification requested by One or More Counties
- Initiated by DCSS

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to file a petition with the court to seek a judgment to change their gender on their birth certificate. The judgment shall include an order that a new birth certificate be prepared for the person along with any change of name accomplished by the order. However, an individual may change their gender with DCSS without obtaining a new birth certificate, petitioning the court and obtaining a judgment.

ACTION: Each LCSA must make conforming changes to all materials, including county specific forms and outreach materials, to adhere to the provisions set forth by SB 179, the Gender Recognition Act. This includes but is not limited to adding a nonbinary gender option where applicable and removing gender specific pronouns, such as he/she or his/hers.

CONTACT: If you have any questions or concerns regarding this matter, please contact the Policy and Program Branch at (916) 464-5883.

Sincerely,

o/s

EMILY JERNIGAN
Interim Deputy Director
Child Support Services Division