

INSTRUCTIONS FOR FILING PETITION FOR RECOGNITION OF CHANGE OF GENDER AND FOR ISSUANCE OF NEW BIRTH CERTIFICATE

(This instruction page is for the information of petitioner seeking a court order. It is not part of the petition and does not need to be filed.)

1. Where to File

The petition for a court order recognizing a change of gender and for the issuance of a new birth certificate reflecting that change may be filed in the superior court of any county in California. **Note that if you were born in California you do not need to file this petition or obtain a court order in order for the State Registrar to issue a new birth certificate reflecting a change of gender.** See Health and Safety Code section 103426. You may make the request directly to the State Registrar at the California Department of Public Health. (See contact information below.)

2. Who May File

This petition form may only be used by individuals 18 years old or older. (Minors must use form NC-500.) If you were born in California, you may file the order you receive with the State Registrar and obtain a new birth certificate.

3. What Forms Are Required

You will need an original and a copy of each of the following documents:

- a. *Petition for Recognition of Change of Gender and for Issuance of New Birth Certificate* (form NC-300)
- b. *Order Recognizing Change of Gender and for Issuance of New Birth Certificate* (form NC-330)
- c. *Civil Case Cover Sheet* (form CM-010)

In addition, if you have already obtained a decree of change of name, attach a certified copy of the decree to the petition.

4. Filing

Prepare an original *Civil Case Cover Sheet* (form CM-010). Complete the original petition and file that form and the *Civil Case Cover Sheet* with the clerk of the court and obtain a filed-endorsed copy of the petition. A filing fee will be charged unless you qualify for a fee waiver. (If you want to apply for a fee waiver, see *Request to Waive Court Fees* (form FW-001) and *Information Sheet on Waiver of Superior Court Fees and Costs* (form FW-001–INFO).)

5. Court Hearing

A hearing date will only be set if timely objections have been filed. If there is a hearing, you will be sent a notice by the court. Bring copies of all documents to the hearing. If the judge grants the petition, the judge will sign the original order and decree. Bring copies of all documents to the hearing. If the judge grants the petition, the judge will sign the *Order Recognizing Change of Gender and for Issuance of New Birth Certificate* (form NC-330).

If there are no timely objections filed, the court will grant the petition and sign the order without a hearing.

6. New Birth Certificate

If you were born in California, to obtain a new birth certificate reflecting the change of gender, file a certified copy of the order within 30 days with the State Registrar and pay the applicable fees. You may write or contact the State Registrar at:

**California Department of Public Health
Vital Records – MS 5103
P.O. Box 997410
Sacramento, CA 95899-7410
Phone: 916-445-2684
Website: www.cdph.ca.gov**

Local courts may supplement these instructions. Check with the court to determine whether supplemental information is available. For instance, the court may provide you with additional written information identifying the department that handles these petitions and the times when petitions are heard.