

APPENDIX H

DOCUMENTS

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CHANGING NAME AND GENDER ON YOUR PILOT'S LICENSE

****From FEMINET (at 408-335-4387 a recording will give you the BBS phone number)*

Changing Name and Gender on Your Pilot's License

If you have an existing pilot's license ("Airman Certificate") then the FAA can reissue your license with a new name and gender following a sex change. You do not need to be current or have a valid medical certificate. You must have an interview with an FAA inspector and at minimum present:

- (1) your old certificate;
- (2) an affidavit (or court order) for your name change;
- (3) an affidavit from a physician (preferably the doctor that performed your surgery) stating your current sex; and
- (4) you might also need a court order stating your gender change or your current gender.

Once you have satisfied the inspector, he sends in your old certificate, Form 8710-1 requesting reissue, and copies of your documentation. When and if the request is approved the inspector will issue you a "Temporary Airman Certificate" which is good for 120 days. You should then receive your reissued certificate in the mail.

The court order stating your gender can present a problem. The inspector I worked with accepted a copy of the California DMV form DL 328 (Rev 7/88) Medical Information Authorization (Name and Gender Change) and photocopies of my old and new driver's license in lieu of the court order. I might also add that I was completely open and cooperative, showing him everything from my name/gender change file and doing everything he asked. This inspector was:

B. C. (Chuck) Burns
FAA Flight Standards District Office
1250 Aviation Ave, Suite 295
San Jose, CA 95110-1119
(408) 291-7681

Inspector Burns also cautioned that the medical certificate could be a problem. The flight surgeon will ask if you have had surgery or take medication. If you answer "Yes, a sex change"

and/or "Estrogen" (ie., say you are transsexual) then you may also have to be examined by any number of psychiatrists and can expect at least six months of bureaucratic hassle. Be forewarned.

The following is quoted from FAA regulations concerning name and gender change on an existing pilot certificate; Volume 2, Page 1-48 & 1-49, Paragraph 13, 8700.1 CHG 8

13. EXCHANGE OF VALID PILOT CERTIFICATES.

A. Field Reissuance. Valid pilot certificates and ratings may be reissued or exchanged by inspectors in the field in accordance with the following.

(1) A certificate issued or last reissued on or after July 1, 1945 may be reissued by applying on FAA Form 8710-1. The dates of valid pilot certificates are found in FAR # 61.11.

⋮

C. Changes to Personal Data. A person applying for any change to the personal data on their pilot certificate must present, to an FAA inspector, appropriate documentation acceptable to the Administrator which substantiates the validity of the requested change. The purpose of this documentation is to preclude reissuance of an invalid pilot certificate.

(1) The following items typify the kind of changes that require such documentation:

- o Change of name
- o Change of nationality
- o Change of sex
- o Change in date of birth

(2) The applicant should fill out FAA form 8710-1 for reissuance.

(3) After examining and verifying the documentation, the inspector issues FAA Form 8060-4, reflecting the appropriate change. The inspector fills out the "Inspector's Report" section on the application and forwards the application, the superseded certificate, and a copy of the temporary certificate to AVN-460.

D. Change of Sex. For a change of sex on an airman certificate, the original copies of two documents must be provided to the certifying inspector. After examining and verifying these

documents, the inspector photocopies the documents and attaches the photocopies to Form 8710-1. In Block I, under "Other," the inspector notes "sex change reissue." The file is then forwarded to AVN-460 for processing. The required documents are:

(1) a court order, issued by a court of the U.S. or its territories, stating that the individual has changed his/her gender to _____, or a court order stating that the individual's gender is _____; and

(2) a physician's statement clearly indicating that the individual is physically the gender noted on the court order.

UPDATING YOUR PASSPORT

****From FEMINET (at 408-335-4387 a recording will give you the BBS phone number)*

Department of State
Washington, D. C. 20520
In reply refer to:
PT/LS
August 18, 1978

Ms. Joanna M. Clark
Director, Legal Research Division
Renaissance [THIS ORGANIZATION CLOSED IN 1986]

Dear Ms. Clark:

I refer to your July 20 letter to the Passport Office.

When an applicant has changed his/her name, the passport will be issued in that name if the applicant presents a court order changing the name. When the applicant has not obtained a court ordered name change, a passport will be issued in the assumed name only when the applicant submits the following:

- a) Affidavits executed by two or more persons attesting that they have known the applicant by both names and that the applicant has used the assumed name exclusively for at least the past 5 years;
- b) Documentary evidence such as school records, military records, employment records, tax records, or other public records; and
- c) Identification in the assumed name only.

A transsexual who meets either of the above requirements may have a passport issued in a new name.

In addition, a transsexual may have the sex designation in the passport changed from that indicated on the birth evidence provided the applicant submits a doctor's letter which states that the applicant is a post-operative transsexual or a pre-operative transsexual who is in the final stages of treatment prior to surgery. If the applicant is post-operative, a full validity passport will be issued. If the applicant is pre-operative, a passport valid for one year will be issued. Unless a pre-operative applicant shows extenuating circumstances, a passport will not be extended until the applicant submits a doctor's letter stating that the surgery has been performed. The reason for this is, as stated above, a pre-operative applicant must be in the final stages of treatment prior to surgery before a passport will be issued with the new sex designated therein.

This policy is based on 22 U.S.C. 211a which grants the Secretary authority to issue passports "under such rules as the President shall designate . . .".

Executive Order No. 11295, 31 Federal Register 10603 (1966) designated the Secretary to exercise authority conferred upon by the President by Section 211a. In addition, 22 U.S.C. 2658 provides that "the Secretary of State may promulgate such rules and regulations as may be necessary to carry out the functions . . . vested in the Secretary of State . . .".

Based on the above authority, the Secretary has promulgated rules and regulations pertaining to the issuance of United States passports. Title 22, Code of Federal Regulations, Section 51.24 concerns the issuance of passports to individuals who have changed their names. A copy of the passport regulations is enclosed for your convenience.

There is no regulation which specifically deals with the sex designation in the passport. Our policy

explained above is based on the fact that the passport is a document of identity as well as citizenship and is highly regarded as such both domestically and abroad. Accordingly, the passport must be issued with data which best identifies the bearer. We believe that a pre-operative transsexual whose treatment has progressed to the final stages prior to surgery can, in most cases, be better identified by the new sex. The passport is limited in validity to one year because, until surgery is completed, issuance with the new sex designation is an accommodation.

I hope this information is of assistance to you.

Sincerely,

Michele E. Truitt
Acting Chief
Legal Division
Passport Office

by: Robert W. Knott
Attorney Advisor

Contents of letter verified 22 April 1988 by William B. Wharton, Director, Office of Citizenship Appeals and Legal Assistance, Department of State, Washington, D.C. 20520. Contents of letter reverified 14 July 1989 by Bonnie Lea-Brown, Attorney Adviser, on behalf of William B. Wharton, Director, Office of Citizenship Appeals and Legal Assistance, Department of State, Washington, D.C. 20520.

Court Ordered Change of Sex

Legal Authority

A change of sex and name is authorized by statute and is governed by Oregon Revised Statute § 33.460 (1981)

33.460 Jurisdiction; grounds; procedure. (1) A court that has jurisdiction to determine an application for change of name of person under ORS 33.410 and 33.420 may order a legal change of sex and grant a certificate indicating the change of sex to a person whose sex has been changed by surgical procedure.

(2) The court may order a legal change of sex and grant the certificate in the same manner as that provided for change of name of a person under ORS 33.410 and 33.420.

(3) If a person applies for a change of name under ORS 33.410 and 33.420 at the time the person applies for a legal change of sex under this section, the court may order change of name and legal change of sex at the same time and in the same proceeding.

Procedure

You must present a copy of a letter from the doctor who performed the SRS at the same time that you submit the other forms to the court. The forms to use are attached to this report.

1) Fill out the "Petition for Change of Sex" and the "Order to Give Notice and Appear and Show Cause" forms. Take them to the court clerk in your local county courthouse. You will need about \$60.00 but it varies from county to county.

2) After you have filed the paperwork and paid the fees you will be given a court date. TIP call ahead and find out what days your court does name changes and show up with your paperwork on that day and you will not have to come back for a separate court appearance.

3) Go to the Court room you were assigned and hand your papers to the court clerk. She will give them back to you and put you on the list of people to be called forward.

4) When you are called the judge will ask you a few questions and will usually sign the order right there.

5) Ask the clerks at the filing window where you should post the order and also get them to file the order for you.

6) Post the order where you have been instructed, usually a bulletin board in the basement.

7) Come back in two weeks and remove the notice and go to the clerks window with the "Affidavit-Proof of Posting Change of Sex Notice of Hearing", "Notice of Change of Sex Hearing", "Change of Sex Decree", "Notice of Change of Sex Decree" and the "Court Order for Change of Sex", all filled out and the posting.

8) You will again be given a court date and time. TIP go exactly two weeks from your last court date and you will probably go in the same day.

9) Go to the Court room you were assigned and hand your papers to the court clerk. She will give them back to you and put you on the list of people to be called forward.

10) When you are called the judge will ask you a few questions and will usually sign the decree right there.

11) Take all your paperwork back to the clerk's window and file the paperwork there. TIP get a couple of certified copies of the Court Order at this time.

12) Then take the "Notice of Change of Sex Decree" back to the same place you posted the last notice and leave it there for the time period the clerk told you to. The time period varies with each county but expect it to be one to two weeks.

13) Go back at the end of the allotted time period and retrieve your notice and go to the clerks window again and file the "Affidavit-Posting Notice of Change of Sex".

14) The nice clerk will stamp your paperwork and you may will have completed all the paperwork you need to have an official court ordered change of sex.

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IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF _____

In the Matter of the Change of Sex of:)	
)	
Jane Doe,)	Case No.
)	_____
Petitioner,)	
)	PETITION FOR CHANGE OF SEX
from)	(1)
)	
MALE TO FEMALE,)	
)	

Pursuant to O.R.S. 33.460 petitioner requests a Decree changing petitioner's sex as set forth in the title of this Petition, and also requests an order scheduling a hearing concerning this sex change petition. This sex change is not requested for any purpose inconsistent with the public interest.

SIGNATURE OF PETITIONER

STATE OF OREGON, County of _____.

I, Jane Doe, being first sworn on oath, depose and say that I am the petitioner in this case. I have read the preceding petition, know its contents, and believe it true. _____

SIGNATURE OF PETITIONER

Subscribed and sworn to before me this ____ day of _____, 19 ____.

Notary Public for Oregon

My commission expires _____

Jane Doe (petitioner)
123 Anywhere St.
Hometown, OR 97000

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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF _____

In the Matter of the Change of Sex of:)
Jane Doe,) Case No.)
Petitioner,) _____)
from) ORDER TO GIVE NOTICE AND APPEAR)
AND SHOW CAUSE (1A))
MALE TO FEMALE,)

Based upon the petition filed in this cause for a change of sex, it is hereby ORDERED:

A hearing upon this matter shall be held on _____, 199__, at ____ o'clock__ M. in Room
_____ of the _____ County Courthouse, _____, Oregon; and it is

FURTHER ORDERED that all persons having an interest in the change of sex requested in the petition shall
appear at the hearing and/or file written objections prior to the hearing to show cause, if any there be, why petitioner's
request should not be granted, and it is

FURTHER ORDERED that public notice of this petition and terms of this order shall be posted in a public
place for a period of at least fourteen days in this county prior to the hearing.

DATED _____, 199__ .

Submitted by: _____
Judge

////

Jane Doe (petitioner)
123 Anywhere St.
Hometown, OR 97000

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IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF _____

In the Matter of the Change of Sex of:

Jane Doe,

Petitioner,

from

MALE TO FEMALE,

)
)
) Case No.
) _____

) AFFIDAVIT-PROOF OF POSTING CHANGE OF
) SEX NOTICE OF HEARING

I, _____ being first duly sworn, say that in accordance with
law, a written notice including the time, day, place and sub ect of the hearing ordered in this matter was posted by me
in a public place, namely

_____ in _____, Oregon, and there remained posted for
at least fourteen days beginning _____, 199____,
and ending _____, 199____. A copy of the notice posted is attached.

SIGNATURE OF PETITIONER

Subscribed and sworn to before me this _____ day of _____, 19____.

Notary Public for Oregon
My commission expires _____

Jane Doe (petitioner)
123 Anywhere St.
Hometown, OR 97000

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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF _____

In the Matter of the Change of Sex of:)
Jane Doe,) Case No.)
Petitioner,) _____)
from) CHANGE OF SEX DECREE)
MALE TO FEMALE,) (4))
)

The Court is satisfied that Petitioner's request for change of sex ought to be granted. Therefore, it is hereby

ORDERED AND DECREED:

The sex of _____ hereby is changed to _____. Notice of this change
of sex shall be posted in a public place in this county, for a period of _____ days.

Judge

////

Submitted by:
Jane Doe (petitioner)
123 Anywhere St.
Hometown, OR 97000

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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF _____

In the Matter of the Change of Sex of:)
Jane Doe,) Case No. _____
Petitioner,)
from) NOTICE OF CHANGE OF SEX DECREE
MALE TO FEMALE,) (5)

A decree was entered in the above cause on _____, 199, changing petitioner's sex as set forth in the title of this instrument.

SIGNATURE OF PETITIONER

Date of Posting _____, 199____.
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///
Submitted by:

Jane Doe (petitioner)
123 Anywhere St.
Hometown, OR 97000

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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF _____

In the Matter of the Change of Sex of:

Jane Doe,

Petitioner,

from

MALE TO FEMALE,

I, _____, being first duly sworn, say that in accordance with law, a written notice of the change of sex decreed by this Court on _____, 199 ____, and ending _____, 199 ____, a copy of the notice that was posted is attached.

Subscribed and sworn to before me this _____ day of _____, 199 ____.

Notary Public for Oregon

My commission expires _____

Submitted by:

Jane Doe (petitioner)
123 Anywhere St.
Hometown, OR 97000

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IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF _____

In the Matter of the Change of Sex of:)	
)	
Jane Doe,)	Case No.
)	_____
Petitioner,)	
)	CERTIFICATE OF
from)	CHANGE OF SEX
)	
MALE TO FEMALE,)	

THIS IS TO CERTIFY THAT ON THE ____ DAY OF _____ 199____, AN ORDER AND DECREE WAS ENTERED IN THE ABOVE ENTITLED COURT, CHANGING THE SEX OF JANE DOE FROM MALE TO FEMALE, EFFECTIVE THE ____ DAY OF _____ 199____. AS PROVIDED FOR BY THE LAWS OF THE STATE OF OREGON.

IN TESTIMONY WHEREOF, I HAVE SET HEREUNTO MY HAND AND AFFIXED THE SEAL OF SAID COURT THIS ____ DAY OF _____, 199____.

COUNTY CIRCUIT COURT

BY

Amendment of Birth Certificate

Legal Authority

Statutory authority and regulation for a change of **name** and **sex** designation of an Oregon birth certificate is found in Oregon Revised Statute 432.290(1) and (5).

(1) A certificate or report registered under this chapter may be amended only in accordance with this chapter and rules adopted pursuant thereto to protect the integrity and accuracy of vital records.

(5) Upon receipt of a certified copy of an order of a court of competent jurisdiction indicating that the sex of an individual born in this state has been changed by surgical procedure and, if applicable, that such individual's name has been changed by court order, the certificate of birth of such individual shall be amended as prescribed by rule of the state registrar.

The regulatory authority for a change of name and sex designation of an Oregon birth certificate is found in Oregon Administrative Rules 333-11-061.

- Requires a court order from the court of any state
- Name can be changed at the same time
- Results in a new certificate being issued
- There is no special form to be used

Procedure

Application is made by affidavit setting forth:

- Information to identify the certificate
- The incorrect data as it is listed on the certificate
- The correct data as it should appear
- A certified copy of the court order changing your name and sex

The affidavit is mailed, along with the certified copy of the court order, to the State Registrar's office addressed as follows:

Oregon Health Division
Center for Health Statistics
P.O. Box 14050
Portland, OR 97214-0005

The phone number is (503) 731-4354

The fax number is (503) 731-4084

Birth Certificate Items

333-11-060 [HB 18, f. 2-26-46;
Repealed by HB 169,
f. & ef. 10-16-63]

Amendment of Vital Records

333-11-061 (1) Amendment of Minor Errors on Birth Certificates During the First Year. Amendment of obvious errors, transposition of letters in words of common knowledge, or omissions may be made by the State Registrar within one year after the date of birth either upon the State Registrar's observation or query or upon request of a person with a direct and tangible interest in the certificate as defined in OAR 333-11-096. The certificate shall not be marked "Amended".

(2) All Other Amendments. Unless otherwise provided in these regulations or in the statute, all other amendments to vital records shall be supported by:

(a) An affidavit setting forth:

(A) Information to identify the certificate;

(B) The incorrect data as it is listed on the certificate;

(C) The correct data as it should appear.

(b) One or more items of documentary evidence which support the alleged facts and which were established at least five years prior to the date of application for amendment or within seven years of the date of the event;

(c) The State Registrar shall evaluate the evidence submitted in support of any amendment, and when the State Registrar finds reason to doubt its validity or adequacy the amendment may be rejected and the applicant advised of the reasons for this action.

(3) Who May Apply:

(a) To amend a birth certificate, application may be made by one of the parents, the guardian, the registrant if 18 years of age or over, or the individual responsible for filing the certificate;

(b) To amend a death certificate, application may be made by the next of kin or the funeral director or person acting as such who signed the death certificate. Applications to amend the medical certification of cause of death shall be made only by the physician who signed the medical certification or the medical examiner;

(c) To amend certificates of marriage and reports of dissolution of marriage a signed statement must be received from the custodian of the official record from which the report or certificate was prepared, stating in what manner such record has been amended. Those items appearing on the dissolution of marriage record which are not a part of the dissolution of marriage decree may be amended either upon query by the State Registrar or application of the parties to the dissolution of marriage or their legal representatives.

(4) Amendment of Registrant's Given Names on Birth Certificates Within the First Year. Until the registrant reaches the age of one year given names may be amended upon written request of:

(a) Both parents; or

(b) The mother in the case of a child born out of wedlock; or

(c) The father in the case of the death or incapacity of the mother; or

(d) The mother in the case of the death or incapacity of the father; or

OREGON ADMINISTRATIVE RULES
CHAPTER 333, DIVISION 11 — HEALTH DIVISION

(e) The guardian or agency having legal custody of the registrant;

(f) After one year from the date of birth the provisions of section (2) of this rule must be followed to amend a given name if the name was entered incorrectly on the birth certificate. A legal change of name order must be submitted from a court of competent jurisdiction to change a given name after one year from date of birth.

(5) Addition of Given Names on Birth Certificates. Until the registrant's seventh birthday, given names, for a child whose birth was recorded without given names, may be added to the certificate upon written request of:

(a) Both parents; or

(b) The mother in the case of a child born out of wedlock; or

(c) The father in the case of the death or incapacity of the mother; or

(d) The mother in the case of the death or incapacity of the father; or

(e) The guardian or agency having legal custody of the registrant;

(f) After seven years the provisions of section (2) of this rule must be followed to add a given name.

(6) Medical Items. All items of a medical nature may be amended only upon receipt of a signed statement from those persons responsible for the completion of such items. The State Registrar may require documentary evidence to substantiate the requested amendment.

(7) Amendment of the Same Item More Than Once. Once an amendment of a non-medical item is made on a vital record, that item shall not be amended again except upon receipt of a court order from a court of competent jurisdiction.

(8) Methods of Amending Certificates. Certificates of birth, death, and marriage and reports of dissolution of marriage may be amended by the State Registrar in the following manner:

(a) Preparing a new certificate showing the correct information when the State Registrar deems that the nature of the amendment so requires:

(A) The new certificate shall be prepared on the form used for registering current events at the time of amendment. Except as provided elsewhere in these regulations, the item number of the entry that was amended shall be identified on the new certificate;

(B) In all cases, the new certificate shall show the date the amendment was made and be given the same state file number as the existing certificate. Signatures appearing on the existing certificate shall be typed on the new certificate.

(b) Completing the item in any case where the item was left blank on the existing certificate;

(c) Drawing a single line through the item to be amended and inserting the correct data immediately above or to the side thereof. The line drawn through the original entry shall not obliterate such entry;

(d) Completing a special form for attachment to the original record. Such form shall include the incorrect information as it appears on the original certificate, the correct information as it should appear, an abstract of the documentation used to support the amendment, and sufficient information about the registrant to link the special form to the original record. When a copy of the original record

is issued, a copy of the amendment must be attached;

(e) A certificate of birth amended pursuant to the provisions of ORS 432.290(5) shall be amended by preparing a new certificate. The item numbers of the entries that were amended shall not, however, be identified on the new certificate or on any certified copies that may be issued of that certificate;

(f) In all cases, there shall be inserted on the certificate a statement identifying the affidavit and documentary evidence used as proof of the correct facts, the date the amendment was made, and the initials of the person making the change. As required by statute or regulation, the certificate shall be marked "Amended".

Stat. Auth.: ORS Ch. 432

Hist.: HB 169, f. & ef. 10-16-63; HD 24-1981, f. & ef. 11-17-81; HD 2-1985, f. & ef. 2-19-85

Given Name

333-11-065 [HB 18, f. 2-26-46;
Repealed by HB 169,
f. & ef. 10-16-63]

Amendments Six Months After Birth or Death

333-11-066 [HB 169, f. & ef. 10-16-63;
Repealed by HD 24-1981,
f. & ef. 11-17-81]

Infants of Unknown Parentage; Foundling Registration

333-11-067 The report for an infant of unknown parentage shall be registered on a regular certificate of live birth and shall:

(1) Have "foundling" plainly marked in the top margin of the certificate;

(2) Show the required facts as determined by approximation and have parentage data left blank;

(3) Show the signature and title of the custodian in lieu of the attendant. When a report has been placed in a special file as provided by ORS 432.430(4), the State Registrar may inspect such information for purposes of properly administering the vital statistics program.

Stat. Auth.: ORS Ch. 432

Hist.: HD 24-1981, f. & ef. 11-17-81

Death Certificate Items

333-11-070 [HB 18, f. 2-26-46;
Repealed by HB 169,
f. & ef. 10-16-63]

Delayed Birth Registration

333-11-071 [HB 169, f. & ef. 10-16-63;
Repealed by HD 24-1981,
f. & ef. 11-17-81]

Death Registration

333-11-072 (1) Acceptance of Incomplete Death Certificate. If all the information necessary to complete a death certificate is not available within the time prescribed for filing of the certificate, the funeral director shall file the certificate completed with all information that is available. In all cases the medical certification must be signed by the person responsible for such certification. If the cause of death is unknown or undetermined, the

competent jurisdiction or as provided by rule of the state registrar.

(3) Upon receipt of a report of an amended decree of adoption, the certificate of birth shall be amended as provided by rule of the state registrar.

(4) Upon receipt of a report or decree of annulment of adoption, the original certificate of birth shall be restored to its place in the files and the adoption certificate and evidence shall not be subject to inspection except upon order of a court of competent jurisdiction or as provided by rule of the state registrar.

(5) If no certificate of birth is on file for the person for whom a new birth certificate is to be established under this section, and the date and place of birth have not been determined in the adoption or paternity proceedings, a delayed certificate of birth shall be filed with the state registrar as provided in ORS 432.140 and 432.142, before a new certificate of birth is established. The new birth certificate shall be prepared on the delayed birth certificate form.

(6) When a new certificate of birth is established by the state registrar, all copies of the original certificate of birth in the custody of any other custodian of vital records in this state shall be sealed from inspection or forwarded to the state registrar as the state registrar shall direct. [1983 c.709 §11a]

432.255 [Repealed by 1983 c.709 §45]

432.260 [Amended by 1981 c.6 §1; repealed by 1983 c.709 §45]

432.265 [Repealed by 1983 c.709 §45]

432.270 [Repealed by 1983 c.709 §45]

432.275 [Repealed by 1983 c.709 §45]

432.280 [Repealed by 1983 c.709 §45]

432.290 Amendment of birth certificate. (1) A certificate or report registered under this chapter may be amended only in accordance with this chapter and rules adopted pursuant thereto to protect the integrity and accuracy of vital records.

(2) A certificate or report that is amended under this section shall be marked "Amended," except as otherwise provided in this section. The date of amendment and a summary description of the evidence submitted in support of the amendment shall be indorsed on or made a part of the record. The state registrar by rule shall prescribe the conditions under which additions or minor corrections may be made to certificates or records within one year after the date of the event without the certificate or record being marked "Amended."

(3) Upon written request of both parents and receipt of a sworn acknowledgment of paternity signed by both parents of a child

born out of wedlock, the state registrar shall amend the certificate of birth to show such paternity if paternity is not already shown on the certificate of birth. Such certificate shall not be marked "Amended."

(4) Upon receipt of a certified copy of an order of a court of competent jurisdiction changing the name of a person born in this state and upon request of such person or if the person is a minor or incompetent, the parents, guardian or legal representative of the person, the state registrar shall amend the certificate of birth to show the new name.

(5) Upon receipt of a certified copy of an order of a court of competent jurisdiction indicating that the sex of an individual born in this state has been changed by surgical procedure and, if applicable, that such individual's name has been changed by court order, the certificate of birth of such individual shall be amended as prescribed by rule of the state registrar.

(6) When an applicant does not submit the minimum documentation required by rule of the state registrar for amending a vital record or when the state registrar has reasonable cause to question the validity or adequacy of the applicant's sworn statements or the documentary evidence, and if the deficiencies are not corrected, the state registrar shall not amend the vital record and shall advise the applicant of the reason for this action and shall further advise the applicant of the right of appeal under ORS 183.480 and 183.484.

(7) When a certificate or report is amended under this section, the state registrar shall report the amendment to any other custodians of the vital record and their record shall be amended accordingly. [1981 c.221 §3; 1983 c.709 §18]

DETERMINATION OF DEATH

432.300 Determination of death. (1) A person is dead if the person has sustained either:

(a) Irreversible cessation of circulatory and respiratory functions; or

(b) Irreversible cessation of all functions of the entire brain, including the brain stem.

(2) A determination of whether the conditions described in subsection (1)(a) or (b) of this section have occurred must be made in accordance with accepted medical standards.

(3) This section shall be applied and construed to effectuate its general purpose to make uniform the law with respect to the subject of this section among states enacting it.

Driver's Licenses

Legal Authority

Regulatory authority for changing the sex on a driver's license is covered under the Oregon Department of Motor Vehicles Driver License Manual procedure number 18-05. The procedure will allow you to get your sex changed without having surgery.

Procedure

You must present a letter from one of the "approved" physicians or clinics (see attachment). The letter must state that you have either had surgery or are living full time in the desired gender. If you are getting a change of name at the same time you do not need a court order changing your name but it helps immeasurably. All that is needed to change your name is proof of your age (you must be over 21) and something with your new name on it.

The cost is \$11.00 for a new driver's license.

There are only eight "approved" therapists and seven of them are in Portland; the eighth is in Eugene. The Department of Motor Vehicles is a stickler for using the "approved" therapists so make sure you get your letter from one of them.

SUBJECT		PAGE	EFFECTIVE DATE	NUMBER
CHANGE OF SEX		1 OF 3	11-25-92	18-05
AUTHOR	APPROVAL	▼ SUPERSEDES ▼		
mau	<i>Michael A. Vignone</i>	1 OF 2	12-02-91	19-09

POLICY

The sex designation shown on permits, licenses, or identification cards may be changed for persons who have undergone sex change surgery or transsexuals undergoing gender reassignment therapy with a qualified therapist. The person must present documentation from a physician or clinic attesting to performed sex change surgery or a letter from a qualified therapist (see page 3 of 3 for list of therapists) attesting to the person living full-time as the desired gender as part of gender reassignment therapy. (Exception: No verification is necessary if change is to correct a typographical error on the current permit, license, or identification card.) The notation "Change of Sex" will be entered in the "Reason for Duplicate" space.

If the applicant has both a driver license and an identification card, the change can be made only on the driver license.

The \$11 duplicate fee is charged to issue a new license showing the sex designation change. If the change is made in conjunction with a renewal, only the renewal fee is due.

If a name change is also being made, the applicant must present required proofs of identity (one proof in previous name, and one proof in new name). The letter from the therapist attesting to the person living full-time in the desired gender may be accepted as proof of the new name if the new name information is included in the letter.

The person will retain the license number previously assigned.

PROCEDURE

1. View documentation from physician or clinic attesting to the performed sex change surgery or attesting to the person living full-time in the desired gender.

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CHANGE OF SEX		2 OF 3	11-25-92	18-05
AUTHOR	APPROVAL	▼ SUPERSEDES ▼		
mau	<i>Michael A. Vry</i>	2 OF 2	10-01-86	19-09

If a change of name is also being made, verify applicant's proof of age and/or identity. Proof must be submitted in both the previous name and the new name.

2. Return the documentation to applicant.
3. Process as a duplicate or renewal as appropriate.
4. Correct sex designation in "Sex" field.
5. Obtain previous license if available.
6. Have applicant check camera card for accuracy, complete upper half of camera card, and sign it. (Applicant is to sign in two spaces -- once on the upper half of the application and once in the "signature" space on the camera card.)
7. Collect fee if applicable.
8. Conduct photo process.
9. Issue photo-license.

The following therapists are qualified to issue letters of documentation as required in this procedure. These therapists are qualified because they follow the Harry Benjamin Standard of Care as defined by the Harry S. Benjamin International Gender Dysphoria Association Standards of Care.

DRIVER LICENSE MANUAL

SUBJECT		PAGE	EFFECTIVE DATE	NUMBER
CHANGE OF SEX		3 OF 3	02-10-93	18-05
AUTHOR	APPROVAL		SUPERSEDES	
mau/ cmo	<i>Michael A. Kopy</i>	3 OF 3	11-25-92	19-09
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