



**Samantha Jones, DoTheMostGood Maryland Team**

**House Committee:** Judicial Proceedings

**Testimony on:** SB0581 - Action for Change of Name - Waiver of Publication Requirement

**Position:** Favorable

**Committee Hearing Date:** February 26, 2021

**Sponsored By:** Senator Hettleman

DoTheMostGood (DTMG) is a progressive grassroots organization with more than 2,500 members who live in a broad range of communities in Montgomery County, from Bethesda at the DC line north to Frederick and from Poolesville east to Silver Spring and Olney. DTMG supports legislation and activities that uplift all members of its communities.

DTMG supports SB0581 - Action for Change of Name - Waiver of Publication Requirement. This legislation would remove the harmful requirement to publish an individual's name change in a local, widely circulated newspaper.

Name change publication requirements disproportionately impact transgender, non-binary, and gender-expansive individuals. This is because requiring these individuals to publicize their name change puts them at high risk for interpersonal violence. While the current statute allows individuals seeking a name change to submit a waiver of publication notice before a Circuit Court Judge, waivers to publication are rarely granted. SB0581 would streamline the process, remove the administrative burden, and decrease the risk associated with changing an individual's name.

Many transgender, non-binary, and gender-expansive residents across Maryland have reported that their petition to waive publication has been denied. In many instances, these waivers were submitted for reasons of safety. In 2015, the National Center for Transgender Equality released a survey with around 28,000 transgender individuals responding.<sup>1</sup> Nearly one in 10 transgender individuals responded that they were physically attacked in the last year because of being transgender and transgender women of color were four times as likely as other transgender people to be attacked with a gun. 2020 saw the most violence against transgender individuals

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<sup>1</sup> 2015 U.S. Transgender Survey, <https://transequality.org/sites/default/files/docs/usts/USTS-Full-Report-Dec17.pdf>

than in any year prior. Given the unprecedented levels of hostility and violence towards transgender people, as well as non-binary and gender-expansive people, requiring those who seek a name change to publish their name change request, essentially outing themselves, in a local newspaper is unnecessarily dangerous.

Further, the publication requirement for name changes is no longer necessary given the original intent of the law. The publication requirement was originally established to give notice to creditors so that debtors could not evade their debts. However, debts are now tracked by Social Security Number, not by an individual's name. Further, creditors rely on modernized technology and datasets, rather than local newspapers, for accurate information on a debtor. The current requirement for publication in a local newspaper is also expensive and disproportionately impacts low-income residents. The cost of publication in Maryland can be as much as \$250.

The publication requirement is no longer necessary and is harmful to transgender, non-binary, and gender-expansive Marylanders. Out of consideration for the physical and mental health of transgender, non-binary, and gender-expansive Marylanders, DTMG supports SB0581 and urges a FAVORABLE report on this bill.

Respectfully submitted,

Samantha Jones  
Maryland Team, DoTheMostGood  
jones.a.samantha@gmail.com  
301-395-2722