

TLDEF and Empire Justice Center Celebrate Signing of New York’s Gender Recognition Act



(NEW YORK, NY - June 24, 2021) - Today, the Transgender Legal Defense & Education Fund (TLDEF) and the Empire Justice Center celebrated the signing of the NYS Gender Recognition Act (S. 4402/A. 5465) into law by Governor Andrew Cuomo. The Gender Recognition Act is a comprehensive law that has created streamlined and privacy-protective processes for transgender and nonbinary New Yorkers to update and obtain accurate identification documents.

“We are thrilled to know that after years of advocacy, transgender and nonbinary people in New York now finally have many more of the critical protections we need. The Gender Recognition Act makes updating ID documents easier and less expensive by removing both the requirement for a doctor’s note to change gender markers and the publishing requirement for court-ordered name changes” said **Charlie Arrowood** (they/them), TLDEF’s Name Change Project Counsel. “Having accurate ID documents that reflect who you are is critical for the health and safety of transgender and nonbinary New Yorkers.”

As organizations providing direct legal services to transgender and nonbinary New Yorkers, TLDEF and the Empire Justice Center worked with a robust coalition of more than twenty different transgender, LGBTQ, civil legal, and civil rights advocacy organizations to identify the myriad problems transgender and nonbinary people faced when seeking to update identity documents. They worked together with legislators to propose solutions, which have been adopted in the NYS Gender Recognition Act, which was signed into law today.

“This is a landmark bill for trans and nonbinary communities, taking issues that have long been tackled piecemeal - birth certificates, driver’s licenses, name changes, X gender markers - and pulling all these disparate pieces together into one comprehensive solution. There is still more work to be done, but the NYS Gender Recognition Act gives New York a fantastic foundation from which to move forward,” said **Eoghann Renfro** (he/him), Empire Justice Center’s Policy & Communications Manager. “We are grateful to Senator Hoylman and Assembly member O’Donnell for their leadership as sponsors of the NYS Gender Recognition Act, as well as Assembly members Jessica González-Rojas and Harry Bronson for their support, and former Assembly member Ortiz for his prior championship of the bill. We thank Governor Cuomo for signing this important bill into law. This bill is not just about securing documents that reflect our identities as transgender, nonbinary, or intersex people, it’s about securing our safety, our housing, our education, our health – in all the situations and places where that little ID card or scrap of paper is between us and what we need to survive and thrive.”

In addition, TLDEF Name Change Project client Sander Saba, a nonbinary transgender New Yorker seeking an “X” gender marker on their New York state driver’s license, agreed to put a hold on their lawsuit, brought by Lambda Legal, in exchange for Governor Cuomo agreeing to update the State’s legacy computer system to be able to issue state ID cards and official driver’s licenses with X gender markers by May 24, 2022.

For transgender, nonbinary, and intersex New Yorkers, there have been a multitude of financial, logistical, and safety-related barriers to updating documents with the correct name and gender. According to the [U.S. Transgender Survey](#), 88% of trans New Yorkers have not been able to update all of their identity documents, and 63% have not been able to update any of these documents. Mismatching ID documents leave transgender and nonbinary New Yorkers open to discrimination in employment, housing, education, travel, and health care.

The NYS Gender Recognition Act removes many of the barriers that transgender, nonbinary, and intersex New Yorkers have experienced in obtaining and updating accurate birth certificates, marriage certificates, driver's licenses, and court-ordered name changes. It does this through the statutory creation of an X gender marker option for New York State-issued birth certificates and driver's licenses, the implementation of a self-attestation standard for recognizing gender identity, removal of the requirement to publish in a newspaper for a court-ordered name change, addition of a requirement for justification for judicial notifications, and a host of other improvements. For more on what the law does, see the [Joint Memo of Support](#) for the NYS Gender Recognition Act, signed by the Gender Recognition Act Coalition, a group of more than 20 organizations led by TLDEF and the Empire Justice Center.

The Gender Recognition Act Coalition includes the Brooklyn Law School LGBT Advocacy Clinic, Gender Equality New York, Inc (GENY), GMHC, Lambda Legal, Latino Justice PRLDEF, Legal Services Staff Association, LSSA 2320, The LGBT Community Center, Make the Road New York, Law Office of Milo Primeaux, New York Civil Liberties Union (NYCLU), New York Legal Assistance Group, LGBTQ Law Project, New York State Gender Diversity Coalition (NYSGDC), New York Transgender Advocacy Group (NYTAG), Peter Cicchino Youth Project of the Urban Justice Center, Sylvia Rivera Law Project, Transgender Law Center, the TransLatinx Network, and feedback and support from nonbinary and intersex advocate Toby Adams and advocates from InterACT Advocates for Intersex Youth.

About TLDEF and Empire Justice Center:

TLDEF is committed to ending discrimination based upon gender identity and expression and to achieving equality for transgender people through public education, test-case litigation, direct legal services, and public policy efforts. To learn more about TLDEF's work, visit tldf.org.

Empire Justice Center is a multi-issue, multi-strategy, public interest law firm focused on changing the "systems" within which poor and low-income families live. Empire Justice protects and strengthens the legal rights of people in New York State who are poor, disabled or disenfranchised through: systems change advocacy, training and support to other advocates and organizations, and high quality direct civil legal representation. Empire Justice has offices in Albany, Rochester, Yonkers, White Plains and Central Islip on Long Island. To learn more about Empire Justice Center's work, visit empirejustice.org.

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