

TLDEF Challenges Discriminatory PA Law Banning People with Felonies from Obtaining Name Changes

PA law keeps transgender women with past convictions from legally changing their names to align with who they are.



Philadelphia and Pittsburgh, PA – Today, the Transgender Legal Defense & Education Fund (TLDEF) and co-counsel Reed Smith filed name change petitions in Philadelphia and Pittsburgh on behalf of three transgender women of color – Chauntey Mo’Nique Porter, Monae Alvarado, and Priscylla Renee Von Noaker – who are currently banned from obtaining legal name changes because they have felony convictions in their pasts.

“Every time I need to show my ID for any reason or go on a job interview, I am forced to explain who I am and why my name on my ID is different from my true name. This puts me in danger, causes me to lose opportunities, and doesn’t allow me to live fully as myself,” said **Chauntey Mo’Nique Porter (she/her)**, a petitioner. “I am currently engaged to the love of my life, but I will not walk down the aisle until I can have my name – Chauntey Mo’Nique Porter – on my marriage license.”

Currently, Pennsylvania’s name change statute bars people with certain felony convictions from ever changing their names in court at any point in their lives. People with other felony convictions cannot change their names in court until at least two years have passed after they have finished probation, parole, or other sentence. In addition to the name change petitions, attorneys filed a brief asking the court to strike down the bar because it is inconsistent with Pennsylvania’s constitution and an expert declaration outlining the harms of restricting transgender people from legally changing their names.

“At work, everyone can see my legal name, which makes it incredibly hard to make and keep friends at work,” said **Monae Alvarado (she/her)**, a petitioner. “I was able to change my last name when I got married, and yet I cannot change my first name to reflect who I truly am. It makes no sense. And it’s incredibly painful for me.”

[Transgender women of color with criminal convictions already struggle to find work and housing](#)—the wrong name on their IDs makes that struggle even harder, and doesn’t help anyone. It can even put their lives at risk. So far in 2021 alone, at least four transgender people have been murdered in Pennsylvania.

“Pennsylvania’s law is cruel and unnecessary,” said Gabriel Arkles (he/him), TLDEF’s Senior Counsel. “It robs people of the right to define who they are and protect their privacy. Many other states allow people with criminal convictions to change their names, as does Pennsylvania when it comes to marriage-related name changes. Court-ordered name changes do not interfere with the state’s ability to keep track of people, and they can literally save the lives of transgender people.”

The wrong name on ID can also lead to misgendering, which can have severe mental health implications for transgender and non-binary people. Ayden Scheim, an epidemiologist and expert in the cases, explained a name change may, “reduce likelihood of depression, anxiety, and suicide attempts.”

TLDEF's Name Change Project assisted more than 550 people to legally change their names in 2020. For many transgender people, securing a legal name change is an important step toward making their legal identities match their lived experience. A lack of appropriate identity documents can deter people from applying for jobs, school, and public benefits, and can lead to discrimination.

"Reed Smith is proud to continue working with the Transgender Legal Defense & Education Fund to challenge an unjust statute that prevents people from being recognized by their true names," said Luke Debevec, Partner at Reed Smith.

Documentation:

- [2021.09.27 REDACTED Porter Petition for a Name Change](#)
 - [2021.09.27 REDACTED Porter Affidavit](#)
 - [2021.09.27 REDACTED Signed Affidavit – Noaker](#)
 - [2021.09.27 REDACTED Von Noaker Brief for Name Change Challenge](#)
 - [2021.09.27 REDACTED Noaker Petition for a name change](#)
 - [2021.09.27 REDACTED Alvarado Brief In Support of Name Change Petition](#)
 - [2021.09.27 REDACTED Alvarado Petition for Change of Name](#)
 - [2021.09.27 Expert Declaration of Ayden Scheim Ph.D with CV](#)
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About TLDEF:

Transgender Legal Defense & Education Fund 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 tldef.org.

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