

Checklist
Changing a Sex Marker on an Ohio Birth Record

The Probate Court may issue an order to change the sex marker on an Ohio birth record pursuant to the decision in *Ray v. McCloud*, S.D. Ohio No. 2:18-cv-00272, 2020 U.S. Dist. LEXIS 247732 (Dec. 16, 2020).

The process for changing a sex marker on a birth record is not a process to change a legal name or make any other change, alteration or correction to the birth record. Any requests for change of name or correction of other errors on a birth record must comply with the established legal processes for each action.

Filing Fee

Court Costs: \$58.00

Requirements

The birth record to be changed must be a certified State of Ohio Certification of Birth issued by the Office of Vital Statistics. Birth records from other states must be changed in the state of issuance.

A birth record change may be obtained in the Probate Court in the county:

- Where the birth occurred
- Where the person resides whose birth is being corrected, or
- Where the mother resided at time of birth

Required Documents for changing the sex marker on a Minor's birth record:

- Certified copy of birth record that is being corrected
- Application to Change Sex Marker on Birth Record
 - If one the parent's consents is missing, or the whereabouts of a parent are unknown, the Court may set the matter for a hearing, or order other service on the non-consenting parent as required by R.C. §3705.15 and Sup. R. 73
- Affidavit of Applicant
- Affidavit Regarding Birth Record Change
 - This must be executed by someone other than applicant who has personal knowledge of the individual who is the subject of the application
- Licensed Professional Statement Regarding Birth Record Change

Required Documents for changing the sex marker on an Adult's birth record:

- Photocopy of Driver's License or photo ID for Applicant
- Certified copy of birth record that is being corrected
- Application to Change Sex Marker on Birth Record
- Affidavit of Applicant
- Affidavit Regarding Birth Record Change
 - This must be executed by someone other than applicant who has personal knowledge of the individual who is the subject of the application
- Licensed Professional Statement Regarding Birth Record Change

Note: If an Order to change a birth Record is issued by this Court, it is the Applicant's responsibility to obtain an updated birth Record from the Ohio Department of Vital Statistics. The Court does not obtain a new birth Record for you.