



I. **INTRODUCTION**

This guide provides an outline for residents of New Mexico who wish to change their name and/or gender marker on identity documents and other records. Listed below are the most common steps taken to make these changes in New Mexico.

II. CHANGING YOUR NAME IN NEW MEXICO

This section is designed to walk you through the process of successfully obtaining court documentation of your name. Note: If the name change is for a minor younger than 14, an adult petitioner who is the parent or legal guardian of the minor must prepare and file the name change. In addition to the requirements below, you must have proper and reasonable cause for the requested name change.)

STEP 1: Prepare the “Petition for Change of Name.”

- See the end of this section for a sample Petition for Change of Name
- Be sure to complete the petition carefully and truthfully.
- Notarize your signature on the petition. (County clerks are often notaries and will likely be able to do this for you when you file.)
- For the reason for the name change, you can say, “This is my preferred name, and I wish to obtain proper identification,” or “This is my name of common usage.”

STEP 2: File the “Petition for Change of Name” with the clerk of the District Court.

- **IF UNDER 14:**
 - i. An adult petitioner who is the parent or legal guardian of the minor must prepare and file the name change.
 - ii. Must have proper and reasonable cause for the requested name change.
- **IF OVER 14:**
 - i. You can prepare and file the name change.
 - ii. No proper and reasonable cause for the requested name change is necessary.
- You must file in the District Court where you reside. For a list of district court locations, see [here](#)
- You must have lived within the State of New Mexico and the County in which you will be filing your application for at least six months (bring proof of address, such as a lease or utility bill).
- Your signature must be notarized on the petition, so bring proof of identity such as a driver’s license, passport, or birth certificate.
- The filing fee is \$132.00. If you can’t afford the fee, see below for how to request a waiver of fees.
- **Requesting a Waiver of the Filing Fee:** If you cannot afford the filing fee for the Petition for Name Change, you can request that the judge allow for free or reduced filing. To request this, complete the Application for Free Process and Affidavit of Indigency and provide it at your hearing before the judge. A generic form is found [here](#).

STEP 3: The clerk will assign your case to a judge. Proceed to the judge’s office and request a hearing date from the judge’s administrative assistant.

- Ask the clerk at the court what the process is to obtain a hearing date and proceed as directed.
- The request should be made in writing
- When you leave the court, you should have the following:
 - i. A copy of the signed petition for name change.
 - ii. A copy of a notice of hearing.
 - iii. The date you are to return for your hearing.

STEP 4: Return to the Court on the date written in the Order and Notice of Final Hearing provided by the Court

- Return to the court and explain that you are requesting a name change. On the day of your hearing, get to the assigned judge's office 15 minutes early. If you are late, the case may be dismissed. Check in with the judge's secretary.
- A hearing is set because it is required by statute, but an actual courtroom hearing may not occur. Sometimes you may just wait until after your hearing time has passed, and then the secretary will take the documents to the judge. A judge may hold a hearing in the judge's chambers or the courtroom, asking why you want to change your name.
- Provide the judge with an "Order" to sign

STEP 5: File the Order for Change of Name with the clerk of the Court.

- When you file, ask the clerk for certified copies of the order. You may want to get multiple certified copies of your name change order, because when you are updating your name on various records, some places will accept a photocopy of the order, but others may require a certified copy. You can always return to the court for more certified copies if needed.
- The fee for a certified copy is \$1.50 per page.

STEP 6: File the Order for Change of Name with the County Clerk.

- See here for a list of county clerk locations:
<https://www.sos.nm.gov/voting-and-elections/voter-information-portal-nmvote-org/count-y-clerk-information/>
- Filing with the County Clerk records the name change in the state records. The County Clerk charges a recording fee of \$7.00 for the first page and \$2.00 for every page thereafter. The fee must be paid. A judge cannot reduce or forgive this fee.

STEP 7: Once you receive your signed Court Order for Name Change, you use that court order to update your legal name on all other records and documents.

III. CHANGING YOUR NAME AND GENDER WITH THE SOCIAL SECURITY ADMINISTRATION

This section is designed to walk you through the process of successfully updating your name and gender marker in your Social Security Records. Note that your Social Security Card only lists your name and Social Security Number – not your gender. However, the Social Security Administration maintains information in its computer records on everyone who has a Social Security Number, including name, gender, and date of birth, so this section also describes how to update the gender listed in your Social Security Records.

NOTE: As of January 1, 2025, you can only change your name with Social Security, not your gender marker.

STEP 1: Prepare Documents

Updating Your Legal Name with Social Security

To update your legal name in your Social Security Records (including on your Social Security Card), you will need to complete and submit the following documents:

1. Application for Social Security Card (available at SSA office, at <https://www.ssa.gov/forms/ss-5.pdf> that includes your changed name;
2. Certified copy of the Court Order for Change of Name;
3. An unexpired identification document, such as a driver's license, state-issued identity card, or U.S. Passport (it is okay if your ID document includes your former name); and
4. Proof of U.S. citizenship or lawful immigration status, such as a passport, birth certificate, or immigration documentation.

STEP 2: Submit Documents

- You may mail in your completed application to your local Social Security Administration Office or apply in person. Note that any documents you mail in will be returned.
- To locate your nearest Social Security Administration Office, please visit: <https://secure.ssa.gov/ICON/main.jsp>
- There is no fee to update your Social Security Records or receive a new Social Security Card.
- Your new Social Security Card will be mailed to the address you provided, and your Social Security Records will be updated in accordance with the information provided in your application and supported by acceptable documents.

IV. CHANGING YOUR NAME AND GENDER WITH THE NEW MEXICO DEPARTMENT OF MOTOR VEHICLES (DMV)

If you are changing BOTH your NAME and GENDER marker on your driver's license, it is most efficient to change them at the SAME TIME at the DMV. However, you are not required to change both at the same time.

1. Changing Your Name with the DMV

NOTE: This is the process for individuals with an existing New Mexico driver's license. If you are applying for a New Mexico driver's license for the first time, please follow all documentation requirements on the New Mexico DMV website

<https://www.mvd.newmexico.gov/wp-content/uploads/2022/01/RevisedStandardacceptabledocs1.3.22.pdf> to show proof of identity.

- Bring the following to the DMV:
 - Your current driver's license or ID card;
 - If the driver's license or ID card does not list the current address, bring proof of address, such as a lease.
 - A certified copy of your Order for Change of Name from the court; and
 - EITHER your newly issued Social Security card reflecting your new name OR an SSA printout reflecting your name change.

The DMV will change your name and will mail your ID to the address you have on file (P.O. Boxes not accepted). The fee is \$18 for a four-year license or \$34 for an eight-year license. Those over 75 years old are not charged to renew their license. The fee for surrendering an out-of-state license includes an additional one-time \$15 fee to pay for a DWI records check.

2. Changing Your Gender Marker with the DMV

In order to change your gender on your NM driver's license or to request a new driver's license requesting a change of designation from that shown on your current identification documents, you must complete and submit a Gender Designation Change Request Form to the DMV Service Center. The form can be found here:

<https://realfile.tax.newmexico.gov/mvd10237.pdf>

Part I of the Gender Designation Form must be completed by the applicant and notarized.

V. CHANGING YOUR NAME AND GENDER ON YOUR U.S. PASSPORT

This section is designed to walk you through the process of successfully updating your name on your Passport. As of November 6, 2025, you can no longer change your gender marker on your passport.

Updating Your Legal Name on an Existing Valid Passport

When you already have a valid Passport, you may submit a *Passport Renewal Application* to change your legal name on the passport by mail. You will need to complete and submit:

1. A *Passport Renewal Application* ([Form DS-82](#)) (*Follow all written instructions as indicated in the application.*)
2. Your most recent Passport (book or card)
3. A recent color photograph 2x2 inches in size (*See instructions to the application for further specific information and guidelines for your photo. It is important that your photo comply with these requirements, or your application may be rejected.*)
4. Order for Name Change (certified copy showing a seal and officiate/judge signature)
5. Fee (*See the Department of State fee schedule for costs:*
<https://travel.state.gov/content/travel/en/passports/how-apply/fees.html>)

Updating Your Legal Name and Gender Marker on an Existing Valid Passport or Getting a Passport for the First Time

If you are applying to change your gender marker, submitting a passport application for the first time, or applying for a passport when your old passport has expired, you must apply in person. To locate your local Passport Acceptance Facility, please visit: <http://iafdb.travel.state.gov/>. You will need to complete and submit:

1. *Application for U.S. Passport* ([Form DS-11](#))
2. Proof of U.S. Citizenship (such as a previous U.S. Passport, certified Birth Certificate, Certificate of Naturalization, or Report of Birth Abroad)
3. Proof of Identity that contains your signature and photograph that is “a good likeness to you” (such as a previous U.S. Passport, a Driver’s License, a Certificate of Naturalization, Military Identification, or a Government Employee Identification Card)
4. A recent color photograph 2x2 inches in size (*See instructions to the application for further specific information and guidelines for your photo. It is important that your photo comply with these requirements, or your application may be rejected.*)
5. Order for Name Change (certified copy showing a seal and officiate/judge signature)
6. A letter from your Physician confirming your gender transition (*The requirements for this letter are listed below.*)
7. Fee (*See the Department of State fee schedule for costs:*
<https://travel.state.gov/content/travel/en/passports/how-apply/fees.html>)

VI. SELECTIVE SERVICE REGISTRATION

1. Female to male individuals:

If you were designated female at birth, you do not have to register with the Selective Service, even if you have had surgery. However, if you are applying for federal financial aid, grants, loans, or other benefits as a male, you may be asked to provide proof that you are exempt from the Selective Service. To obtain such proof, you should request a Status Information Letter (SIL) from the Selective Service.

To request a SIL that shows you are exempt, you can either download a SIL request form from the Selective Service website <https://www.sss.gov/> or call them at 1-888-655-1825. The SIL request form requires female to male individuals to identify as such and attach a copy of a birth certificate showing the birth-assigned sex. If the gender marker on your birth certificate has been changed, attach any documentation you have to that effect. This service is free, and the exemption letter you will receive does not specify why you are exempt, so it will not force you to ‘out’ yourself in any other application process. Once you receive your SIL, keep it in your files.

2. Male to female individuals:

If you were designated male at birth, you must register for the Selective Service if you are between the ages of 18 and 26, even if you have had surgery. You may register online at <https://www.sss.gov/>, or you may complete and mail a “mail-back” registration form available at any post office. In the unlikely event that the draft is resumed and you receive an order to report for examination or induction, you may file a claim for exemption from service.

While you do not need to notify the Selective Service of a change in gender, **you are obligated to inform them of a change in name.** To notify the Selective Service of your name change, you must fill out Form SSS 2 (technically a change of address form), available at your local post office. You must attach a certified copy of the court order changing your name.

VII. CHANGING NAME AND GENDER ON A BIRTH CERTIFICATE

1. Birth Certificate Issued in a State Other than New Mexico

- **Name Change:** Most states will allow you to change the name on the birth certificate upon presentation of a court order recognizing the name change. Some states will issue new birth certificates, while others will issue an “amended” birth certificate, which reflects the old and new names. Note that some states will NOT accept a court order from another state to change one’s name (e.g., Louisiana requires the individual to file for a name change in Louisiana regardless of where you live now).
- **Gender Change:** Most, but not all, states will allow you to change the gender marker on the birth certificate upon presentation of a court order recognizing the gender change. Some states will issue new birth certificates, while others will issue an “amended” birth certificate, which reflects the previous and updated gender markers. Some states require proof of surgery, and some do not. States that will NOT change the gender marker on a birth certificate include Idaho and Tennessee.

For more information on the process for updating birth certificates from states other than New Mexico, consult the ID Document Center:
www.transequality.org/documents.

2. Birth Certificates Issued in New Mexico

- **Name Change:** If you have obtained a court order recognizing your change of name, you may present this to the New Mexico Department of Vital Records and request a new birth certificate. To apply for an amended birth certificate, you must submit:
 - a birth certificate request form
 (<http://archive.vitalrecordsnm.org/Forms/BirthSearchApplication-EN.pdf>)
 - a certified copy of the court-ordered name change
 - any applicable fees (the change fee is \$10, and each copy of the birth certificate is \$10).
 - Located at 1105 S. St. Francis Drive, Santa Fe, NM 87502.
- **Gender Change:** New Mexico Department of Vital Records will issue an amended birth certificate upon receipt of [this](#) form, filled out and notarized. To apply for an amended birth certificate, you must submit:
 - a birth certificate request form
<https://www.nmhealth.org/about/erd/bvrhs/vrp/birth/>
 - a certified copy of the court-ordered name change
 - any applicable fees (the change fee is \$10, and each copy of the birth certificate is \$10).