

## *Chapter Eleven*

# **Becoming Theodore**

## *Spatial Legal Consciousness and Transgender Name Changes*

Theodore Davenport

**[11.0]** On February 17, 2016, transgender man Rowan Elijah Feldhaus attended a hearing in the Superior Court of Columbia County, Georgia, after filing a petition to change his legal name as part of his gender transition.<sup>1</sup> Feldhaus testified that he “had a 732 credit score, was not delinquent on any bills, had no criminal history and had no allegations of fraud in his past,” in addition to providing medical testimony from his therapist, who confirmed his gender dysphoria diagnosis. Yet, Superior Court judge David Roper denied his petition based on his personal disapproval of Feldhaus’s transition, and in the final petition denial, Roper even argued that name changes for transgender people are “a type of fraud upon the general public.”

**[11.1]** For many transgender and gender nonconforming (GNC) people, changing one’s given name is a major milestone in social transition. Julia Sinclair-Palm offers the following insight on the significance of trans renaming:

**[11.2]** Even before a child can talk, they are called into language through their identification with and internalization of [a] name. . . . Paradoxically, names have the power to represent and make us intelligible, and to render us strange and alienated both from our families and from social conventions. This meditation on names takes on significant urgency for trans people. Often, choosing a name is one of the first ways trans people begin to assume a different gender from the one they were assigned at birth. . . . The act of selecting a name separate from the one their parents assigned them, then, is central to identity formation, enacting simultaneously the pull back into the home and the push out into the world.<sup>2</sup>

Transgender people experience a myriad of challenges within legal systems. Critical trans legal scholarship has well explored how binary sex categories within legal administrations uniquely affect transgender people and shape legal consciousness around gender markers on identity documents.<sup>3</sup> Further, work on LGBT legal consciousness has almost exclusively focused on lesbian and gay legal challenges with partnership and parenting.<sup>4</sup> However, less work has explored how transgender people experience legal consciousness around names. In most places in the United States, the process for making a social name change legible to the state requires a court order, regardless of gender modality, or “how a person’s gender identity stands in relation to their gender assigned at birth.”<sup>5</sup> Obtaining a court-ordered name change is a more common and accessible legal signifier of gender transition than legally changing gender markers nearly everywhere in the United States. Yet, obtaining a court-ordered name change and subsequently changing names on identity documentation is still a confusing, expensive, time-consuming, and highly fragmented process. Particularly for a marginalized group affected by high rates of poverty and violence, I argue that trans spatial experiences of legal consciousness around names present unique challenges. Related issues include economic barriers, increased securitization, and gender transition performance limited to linear and binary ascriptions.

[11.3]

In this chapter, I ask how transgender people experience legal consciousness around names and name changes. I begin with a brief history of identification documents as a tool for racial surveillance in the United States. Then, I detail current legislation and scholarly work around gender markers as regards identification documents. After explaining the legal process for obtaining a court-ordered name change (and the unique barriers that exist for transgender people to obtain it), I explore my personal experiences as a trans person navigating the uniquely complex experience of legally changing names within the United States. This work draws from a rich history of trans scholars using autoethnographic methods to reclaim narratives. I am particularly inspired by Petra Doan, Dean Spade, and Susan Stryker, whose autoethnographic works seamlessly weave their life stories with deeper analyses of gender and space.<sup>6</sup>

[11.4]

## I. SITUATEDNESS

[11.5]

My experiences as a white, transmasculine, and binary-presenting U.S. citizen are central to the experiences I describe in this chapter. If need be, I have the privilege and luxury of modifying my body and habitus to fit within the bounds of what scholars like Evan Visonà have named “transnormativity,” or “narratives of transition [that] reinforce medical discourses of what it means to be trans and how to be trans.”<sup>7</sup> Salvador Vidal-Ortiz articulates

[11.6]

how, in rhetorically invoking trans women of color without including them in academic spaces, white academics reinscribe whiteness within trans studies.<sup>8</sup> Instead, I adopt the approach of critically evaluating my own whiteness and hope to make space for name experiences beyond whiteness. My work is also geographically situated within the legal context of the United States and thus may contribute to the geographic limitations of current scholarly work within trans studies.<sup>9</sup> Further, the legal landscape of gender identity legislation is changing rapidly in the United States. While detailed information around state laws is true as of the time of this writing, it may quickly become outdated as laws are updated to reflect increasing transgender legal consciousness. I anticipate that general arguments around the gendered nature of identification documents will remain relevant for some time after publication.

## [11.7] II. IDENTIFICATION DOCUMENTS AND SECURITIZATION

[11.8] Particularly in the United States, identification documents have a history as technology for racial surveillance. Cass Adair traces the Progressive era origin story behind driver's licensing requirements in the United States.<sup>10</sup> Adair analyzes how pro-licensing organizing was steeped in anti-Black and pro-eugenic cultural narratives, and the inclusion of racial categories on driver's licenses served as a mode for data collection and surveillance. While careful not to conflate the unique experiences of racialized and trans peoples, Adair observes that (particularly white) transgender activists rarely acknowledge how they draw upon racial legal consciousness when discussing the role that identification documents serve in transgender discrimination.

[11.9] Increasing securitization, particularly in the post-9/11 era, has led to social and often legal expectations that one must be ready to present legal identification at nearly all times. Populations perceived as security threats are subject to intense state surveillance, particularly people of color, immigrants, and trans/gender-nonconforming people.<sup>11</sup> Toby Beauchamp details how U.S. state security measures assume that nonnormative gender presentations constitute a form of deception.<sup>12</sup> Trans organizational responses to a Department of Homeland Security advisory, which explicitly named gender nonconformity as a basis for increased scrutiny, recommended "strategic visibility." This advisory included preemptive measures, such as bringing court-ordered name changes and any paperwork related to a gender change to the airport. Thus, trans/GNC people who do not wish to be visible, who lack suitable documentation of their transition, or who for other reasons cannot meet transnormative standards that would render their trans status understandable to security forces are understood as potential security threats when

identification documents do not match their visual appearance, chosen name, or preferred gender marker.

Beyond the threat of state violence, the expectation that one's identity must be verified by legal documentation extends to nearly all aspects of daily life. Access to employment, housing, social services, and education requires legal identification to prove one's safety vis-à-vis identification verification. Owning legal identification that reflects one's chosen name thereby increases access to formal institutions, improves personal safety, and allows one to participate in daily life.<sup>13</sup> This practice is supported by historical moments in trans rights. For example, Susan Stryker detailed how providing identity documentation with one's preferred name and gender allowed transgender people medically transitioning through Stanford University during the late 1960s to access essential opportunities, such as opening up bank accounts and accessing employment.<sup>14</sup>

[11.10]

### Gender Markers

[11.11]

An overwhelming amount of popular and academic discourse around transgender legal rights centers the role of gender markers within administrative systems. In *Invisible Lives* (2000), Vivian Namaste details how Québec, like many places in the United States, legally required proof of lower surgery in order to change gender markers on identity documents. In practice, this rule was applied unpredictably, based on the whims of an individual case worker, meaning that some transgender people undoubtedly "illegally" obtained access to their correct gender marker. However, for the majority assigned rule-abiding caseworkers, Namaste rightfully argues that this rule both misunderstood goals for gender transition and grossly overestimated the accessibility of lower surgery for a group who is systematically excluded from employment and denied transition health care.

[11.12]

While the process for changing gender markers on documents has since been simplified in Québec, this legal landscape remains highly fragmented, complex, and often antiquated in the United States.<sup>15</sup> Each individual identification document corresponds to a different set of requirements for updating a gender marker, and document requirements are inconsistent across geography. For example, changing gender markers on a driver's license from Massachusetts only requires the completion of a short form requesting a new gender designation, whereas a Louisiana license requires proof of surgery.<sup>16</sup> Transgender people born in Tennessee are outright forbidden from changing gender designations on birth certificates, whereas Idaho, Ohio, and Puerto Rico have instituted policies or practices that *de facto* forbid a change.<sup>17</sup> Other states like Texas technically allow (or do not explicitly forbid) a gender-designation change but make it prohibitively difficult so that it is practically impossible to obtain.<sup>18</sup> While many federal- and state-level documents

[11.13]

require proof of surgery to change a legal gender marker, the 2015 US Transgender Survey (USTS) found that only a quarter of all trans and non-binary people underwent transition-related surgery, whether due to financial inaccessibility or a lack of interest for surgery.

[11.14] Finally, states with allegedly progressive gender marker policies generally limit available gender markers to two or three options. An increasing number of states (such as Oregon, Arkansas, and Indiana) offer X as a gender marker option on select identity documentation.<sup>19</sup> X can be affirming for transgender, non-binary, intersex, or otherwise gender-nonconforming people who find that M or F markers do not adequately capture their gender or sex. Yet, the X gender marker is an imperfect solution to the complicated problem of existing outside a legally recognized gender binary. First, the X gender marker flattens all identities that fall outside the gender and/or sex binaries into a single category, serving as a proxy for “other.” Further, X immediately outs members of these vulnerable groups as falling outside the gender and/or sex binary, potentially rendering them more vulnerable to both state and personal violence. Finally, the X marker is currently offered only on a limited basis. Some states do not offer X as an option on all identity documentation, such as Washington, which allows for an X on birth certificates but not driver’s licenses. Such mismatches in documentation are tied to increased rates of administrative violence, as the gender-variant body is once again perceived as deceptive.<sup>20</sup>

[11.15] Administrative systems will never fully capture every possible gender identity, and they serve as a form of surveillance for trans and GNC populations. Many trans socio-legal scholars argued for eliminating gender markers on identity documents altogether. The reason given relates to how infrequently gender is (or rather, *should be*) relevant for daily life. Further, the mere inclusion of gender categories outside of *male* and *female* on legal documents does not indicate the absence of transphobia within legal systems. Particularly in spaces with a veneer of high security (such as airports), gender classification is arbitrarily enforced. Rarely does it in fact prevent fraud or security issues. Moreover, it mainly serves to discriminate individuals who do not fit into racialized gender norms.<sup>21</sup>

[11.16] Both easing requirements to change gender markers and eliminating gender markers on identity documentation are essential strategies toward improving daily life for transgender people. Because names are often implicitly gendered as male or female, the mere inclusion of legal names on identification documents presents additional challenges that cannot be easily alleviated via elimination.

## Legal Name Changes

[11.17]

In the United States, the process for legally changing one's name is highly fragmented. It depends on the individual's state (and sometimes county) of residence and the reason for the name change.<sup>22</sup> Name changes due to personal factors (which gender transition usually defers) generally require that one submit a petition to the Superior Court for the county of residence, pay court dues, and attend a name-change hearing. Some states require a wait time; others require that one publish one's name change petition in the local newspaper to allow for objections. Certain populations, including formerly or currently incarcerated people or those who have previously undergone a name change, are often subject to additional scrutiny and requirements during the legal name-change process.<sup>23</sup>

[11.18]

The 2015 USTS revealed that just over half of its 27,715 respondents owned any form of identification with their preferred name.<sup>24</sup> The report found that this figure varies wildly by document; for example, while 44 percent of those who wanted to change the name on a state ID/driver's license had done so, only 18 percent had changed their name on a birth certificate. Unsurprisingly, transgender people remain confronted by a number of barriers for obtaining court-ordered name changes and corresponding identification documents. Significantly, respondents were over twice as likely than the cisgender population to live in poverty. Half of USTS's respondents reported that their court-ordered name change cost between \$100 and \$499, and a frightening 10 percent reported that their name change cost more than \$500. Further, trans people, particularly women of color, are more likely to be currently or formerly incarcerated, and nineteen states place restrictions or additional requirements on name change petitions filed by someone with a criminal record, adding confusion to the petition process.<sup>25</sup> Finally, trans people often lack access to legal aid sensitive to their identities and needs—which was the very inspiration for Dean Spade's creation of the Sylvia Rivera Law Project.<sup>26</sup> Given how few trans people are able to consistently access legal documentation with their chosen name, there exists a theoretical need to understand how transgender people experience legal consciousness around their own names.

[11.19]

## III. AUTOETHNOGRAPHY

[11.20]

I draw from a rich history of queer and trans scholarship that uses autoethnography to situate personal experiences within broader cultural, geographic, and legal contexts. Petra Doan conceptualizes her spatial experiences as a trans woman as a "tyranny of gendered spaces" that require careful navigation.<sup>27</sup> Connecting Foucault's theorizing of governance to the gatekeeping of medical transition, Dean Spade draws from his personal experiences unsuc-

[11.21]

cessfully attempting to obtain letters from counselors for top surgery.<sup>28</sup> Perhaps most famously, Susan Stryker reclaims “transgender rage” and the transgender body as monstrous in a textual adaptation of a 1993 conference performance piece that reflects and theorizes around her complex emotions following the birth of her lover’s child.<sup>29</sup> I am indebted to these scholars’ willingness to be vulnerable, among countless others not named here.

[11.22] Moreover, Stacy Holman Jones and Tony Adams beautifully articulate that autoethnography, like queer theory, “open[s] up definitional boundaries” by embracing fluidity, instability, and a politic of change.<sup>30</sup> Jones and Adams note that the permanency of autobiographical texts creates the illusion of a fixed and singular self. Likewise, this chapter represents an incomplete snapshot of how I relate to *myself* vis-à-vis legal consciousness around my name.

[11.23] For some personal historical context: I first began socially transitioning and using my new name, Theodore, in the summer of 2017, when I was living in a small city in my home state of Georgia. Later that year, I began medically transitioning while not fully *out* as trans in my daily life. I was accepted into graduate school and moved to the state of Washington the following summer. Throughout this time period, I wrote about my experiences via detailed journal entries, which now constitute my field notes.

[11.24] **Why Not Georgia?**

[11.25] Choosing not to change my name legally after beginning my social transition was a painful decision centered around several financial, legal, and social barriers. First, like one-third of trans people who report not attempting to change their legal name. I had a low annual income and simply did not have the capacity to pay the legal name-change fee of several hundred dollars.<sup>31</sup> Later, I learned that courts sometimes grant fee waivers regarding name changes to low-income petitioners, although the application process is quite opaque and not mentioned on my state or county websites. Moreover, Rowan Felhaus’s name-change case was also fresh in my mind during this time. While only about 1 percent of all attempted court-ordered name changes for trans people are denied, the notoriety around this case contributed to my anxiety toward attempting my name change in Georgia.<sup>32</sup>

[11.26] Second, I believed that legally changing my name at that time could have severely compromised my livelihood. Georgia does not have antidiscrimination laws that recognize gender identity or sexual orientation as protected categories.<sup>33</sup> Thus, coming out as transgender publicly could have resulted in myriad negative consequences for which I would have no legal recourse. I personally knew of transgender people forced out of their housing after coming out or being outed. While I had a good rapport with my property manager, I had no way of knowing whether she would understand, let alone accept, my transition. Allegedly LGBT-friendly property managers in my city often

used this notoriety as a marketing tactic, reminiscent of strategies financiers employ to drive rent costs in urban gayborhoods.<sup>34</sup> Since Georgia is a right-to-work state without employment protections for transgender people, I also could have lost my job without legal recourse, as I was living outside of the only city in Georgia with broad antidiscrimination protections for transgender people.<sup>35</sup>

Finally, legal name changes in Georgia require advertising the name change petition in the local county newspaper once weekly for a month with “a statement admitting the right of anyone interested to object to your name change.”<sup>36</sup> As if gender transition was not already an exercise in vulnerability, the prospect of announcing my name change intent via the county newspaper in anticipation of objection struck me as a horrifyingly draconian requirement. Like most trans people, I certainly had people in my life who would disapprove of my name change. Why should they have any avenue to object to my name change?

[11.27]

### All Rise: Courtroom Jitters

[11.28]

Three months after moving to Washington, I walked into a small courthouse wearing a gingham button-down shirt, comically small oxford shoes from the boy’s section, and a nearly fresh haircut. I am worried that the judge will not take my name change seriously if I do not present myself and act as masculine as possible. So just for that day, I ditch my smudged eyeliner and practice speaking through my diaphragm to deepen my tinny voice. My partner, who accidentally tries to bring a pocketknife through the security metal detector, returns to the car to put his would-be weapon away while I shyly walk up to the court’s main desk. I am relieved when the person running the desk does not respond visibly to the paperwork I submit, and I am told that I can be seen in the next civil court hearing, which would be in about half an hour. Great!

[11.29]

The judge quietly peers down at his paperwork for a minute, looks up, and announces, “It looks like we have a name change today! If that’s you, could you come up to speak with me privately, please?” I was deeply relieved that he did not announce my birth name but irrationally worried I am somehow in trouble. My heart pounding loudly, I trip over my shoes in my haste to get to the podium. Clearly sensing my anxiety, the judge tells me to take a deep breath once I finally arrive. He smiles and slowly asks me several questions. He calls me “sir” and “young man.” It becomes clear to me that I am not the first trans person he granted a name change to. I find this realization calms me. Our interaction takes fifteen minutes, and I leave the courthouse later that day with a certified copy of my name change. Success!

[11.30]



**[11.31] The Perils of Public Existence**

**[11.32]** In late October 2018, two of my close friends married and honeymooned in Washington. They stopped to visit me and my partner in Seattle, and we suggested a restaurant for dinner. The place was busier than usual, and the host asked if we wanted to sit at the bar instead of waiting for a table. We readily agreed.

**[11.33]** We put in drink orders, and I asked for just a water. (It was a weekday, after all!) The bartender immediately asked for ID. Although Washington State Department of Licensing assured me that the temporary driver's license with my new name would permit me to order alcohol, prior personal experience proved otherwise, and bartenders had most often asked me to present both my hole-punched license with my old name and my temporary paper license with the new name. I showed both to the bartender, still a little confused about why I was asked for ID to order water.

**[11.34]** The smile slid off her face, and her confusion was quickly replaced by a scowl. "The name isn't even the same on these," she snapped. I tried to explain how *that was the whole point*, and I had a new license on the way because of a name change. Previously, people checked my license and made snarky comments, but this was the first time my identity was questioned so intensely. The bartender refused to accept either ID, instructing me to leave the bar. I insisted that I had no intention to drink alcohol and remarked that I did not carry additional identification. The bartender begrudgingly let me stay seated at the bar on the condition that I not tell other wait staff she had let me do so. I felt exceptionally embarrassed by the encounter; after all, this was supposed to be a celebratory event for our newly married friends. We took our food to go and quickly left.

**[11.35]** Later, I learned about Washington's complicated legislation about the age allowing someone to sit at a bar. Rules depend on whether an establishment is classified as a food counter, liquor bar, or a service bar.<sup>37</sup> After this encounter, I began to carry most of my legal documentation. In fact, I used my passport with my previous name to order drinks and for other identity-verification purposes as I waited for my new license to arrive. This strategy generated some strange looks from bartenders, who were likely unaccustomed to patrons using passports as ID. I simply hoped that I looked enough like the unsmiling woman with a bob haircut and unfashionably orange button-down in my passport photo to avoid further questioning.

**[11.36]** What I remember most after this incident is that, after all the uproar at the restaurant's bar, *I was allowed to stay*. In an attempt to make myself more palatable to bewildered ID checkers, I ironically took on strategic visibility to position myself as a trans person "deserving" of existing in spaces: *Here is my ID—do you need to see my name change paperwork? I don't want one of your establishment's fun cocktails, only a water, thanks. I don't want to*

*cause trouble.* As Sarat famously argues, the law is “all over” and permeates everyday spaces, even environments that are not directly under the surveillance of the state.<sup>38</sup> While my identification was scrutinized in this space, some combination of my whiteness and masculinity-as-assertiveness perhaps unwittingly convinced the bartender to overlook what she understood to be suspect identification credentials, a “kindness” she may not have afforded me had I not fit the transnormative ideal.

#### IV. CONCLUSION

[11.37]

Although it’s been more than a year since I received my court-ordered name change, I still have not successfully updated my name on all identity documentation. I recognize that without matching documentation, I am at increased risk for discrimination and violence. Regardless, the fatigue and financial exhaustion of changing my name became overwhelming quickly. Each institution required a different set of documentation, forms, fees, and uncomfortable phone calls that required me to out myself. Occasionally, “helpful” employees aimed to “correct” my mistake when they could not conceive of *Theodore* as a legitimate progression from my feminine birth name. After experiencing the process firsthand, I understood why only 11 percent of USTS respondents had their preferred name and gender on all their records.<sup>39</sup>

[11.38]

I assumed erroneously that Washington’s trans-friendly laws meant that changing my legal name would be safer in Washington than in Georgia. In retrospect, I did not adequately question what “safety” meant in this context. When I decided to wait to change my name legally until I moved from Georgia to Washington, I failed to realize several ironies. First, proving discrimination under antidiscrimination measures is extremely difficult to do. Drawing from Critical Race Theory, Dean Spade argues that these laws grossly misunderstand discrimination through a victim-perpetrator model or those who perpetrate acts of violence based on hatred and fear, rather than stemming from systemic oppression.<sup>40</sup> Minor micro aggressions, such as those I experienced in the restaurant, while mortifying and humiliating, do not meet legal criteria for discrimination. Such incidents are not likely to be addressed by legal frameworks that punish perpetrators. Second, even if I experienced an act of discrimination that met the required criteria, I did not have the means to hire a lawyer and, as Spade notes, I would not likely win in court anyway.<sup>41</sup> Yet, other safety concerns, such as potential violence through the publication of my name in the newspaper, still haunt my imagination. In both states, obtaining my court-ordered name change still required hundreds of dollars and a public performance of my gender expression in front of a judge with the power to deny my petition.

[11.39]

[11.40] Relatedly, Kylar Broadus notes how emphasizing legal rights discourse as a main avenue for change often limits other political imaginaries.<sup>42</sup> Also, Broadus invokes Patricia Williams in arguing that legal rights serve an important symbolic role in reconceptualizing marginalized peoples as fully human. The complexity around the role of legal rights for trans people was highlighted by scholars, such as Spade, who argues for strategic legal rights interventions that help increase living conditions for the entire trans population, rather than those who already fit the transnormative mold.<sup>43</sup> Further, Isaac West well conceptualizes this complexity via an “impure transgender politics” which moves beyond an unwavering (and often paralyzing) commitment to Left political ideals. Rather, it recognizes multiple modes of transgender politics that may find opportunities in existing systems and legislation.<sup>44</sup>

[11.41] In a modern world where identification documents are a prerequisite to exist in public spaces, trans people must be able to access documentation that reflects their chosen name. I therefore suggest the following strategic interventions to complement a politic that recognizes the problematic, racialized history of identification requirements.

[11.42] First, lowering the high costs of legally changing one’s name via the U.S. court system would greatly help to increase access to proper identification for trans people. As noted earlier, over a third of trans people in the United States have not attempted to change their name due to financial constraints.<sup>45</sup> This figure is hardly surprising when two-thirds of USTS respondents report their legal name change cost between \$100 and over \$2,000. Reducing or eliminating this cost would particularly benefit trans people, who have an increased likelihood of being impoverished.

[11.43] Second, states should consider eliminating unnecessary name-change requirements that disproportionately affect or harm transgender people. Placing additional restrictions or requirements on people with a criminal history bolsters the prison-industrial complex. Barring this population from accessing documentation that reflects their chosen name severely restricts their ability to participate in daily life. Removing such name-change restrictions can legitimize transgender inmates’ requests for prison staff to use their chosen name and can increase access to daily life for those formerly incarcerated.

[11.44] Finally, while petition-publication requirements like those in Georgia are somewhat uncommon, the Movement Advancement Project reports that around 16 percent of LGBT people live in states with this requirement.<sup>46</sup> Requiring public announcement of one’s intent to legally change names in anticipation of potential objection portends disaster for trans people, who are more likely in fraught personal relationships. Significantly, name-change publications place transgender people who wish to remain stealth (i.e., not

out as trans) at particular risk. Legal name changes should not be subject to public scrutiny and approval to be legitimized.

A long-term solution for addressing inequities in the legal name-change process in the United States may involve decoupling name changes from civil courts altogether. Several countries, such as the United Kingdom, use deed polls to render name changes visible to legal systems.<sup>47</sup> In the UK, a name-change deed poll costs a maximum of £36, a significantly lower amount than most court-ordered name changes in the United States.

While gender markers are a core component of transgender administrative violence, scholars and activists risk neglecting other issues trans people face vis-à-vis bureaucratic systems. As demonstrated through this work, transgender people like me, Rowan Feldhaus, and countless others tend to experience significant frustration and harm around attempting to change legal names. Addressing the unnecessarily complex and expensive legal name-change systems within the United States (and countries with similar processes) would allow transgender people greater access to documentation that reflects their chosen name. This would result in increased access to daily life while still allowing for robust critiques of a state which increasingly relies on identification technologies as a form of gendered and racialized social control.

## NOTES

1. Littrell and Levasseur, "In Re Feldhaus."
2. Sinclair-Palm, "What's in a Name?," 5–6.
3. Sally Engle Merry defines *legal consciousness* as "the ways people understand and use law . . . [how] people conceive of the 'natural' and normal way of doing things, their habitual patterns of talk and action, and their commonsense understanding of the world" (Merry, *Getting Justice and Getting Even*, 5). See also: Spade, *Normal Life*.
4. Hull, "Legal Consciousness in Marginalized Groups."
5. Ashley, "'Trans' Is My Gender Modality: A Modest Terminological Proposal," 1.
6. Doan, "The Tyranny of Gendered Spaces."
7. Vipond, "Resisting Transnormativity."
8. Vidal-Ortiz, "Whiteness."
9. Aizura et al., "Introduction: Decolonizing the Transgender Imaginary."
10. Adair, "Licensing Citizenship."
11. Ferguson, *The Rise of Big Data Policing*; Stuesse and Coleman, "Automobility, Immobility, Altermobility"; and Beauchamp, "Artful Concealment and Strategic Visibility."
12. Beauchamp, "Artful Concealment and Strategic Visibility."
13. Spade, *Normal Life*.
14. Stryker, *Transgender History*, 99.
15. Gouvernement du Québec, "Change of Sex Designation."
16. Movement Advancement Project, "Equality Maps: Identity Document Laws and Policies."
17. Lambda Legal, "FAQ about Identity Documents."
18. Transgender Law Center, "State-by-State Overview: Rules for Changing Gender Markers on Birth Certificates."
19. Movement Advancement Project, "Equality Maps: Identity Document Laws and Policies."

**DRAFT**

*Becoming Theodore*

- [11n20] 20. Spade, *Normal Life*, 77–80.  
[11n21] 21. Currah and Mulqueen, “Securitizing Gender.”  
[11n22] 22. Streissguth, “Steps to Legally Change Your Name.”  
[11n23] 23. Movement Advancement Project, “Equality Maps: Identity Document Laws and Policies.”  
[11n24] 24. James et al., “The Report of the 2015 U.S. Transgender Survey.”  
[11n25] 25. Movement Advancement Project, “Equality Maps: Identity Document Laws and Policies.”  
[11n26] 26. Spade, *Normal Life*.  
[11n27] 27. Doan, “The Tyranny of Gendered Spaces.”  
[11n28] 28. Spade, “Mutilating Gender.”  
[11n29] 29. Stryker, “My Words to Victor Frankenstein.”  
[11n30] 30. Jones and Adams, “Autoethnography Is a Queer Method,” 199.  
[11n31] 31. James et al., “The Report of the 2015 U.S. Transgender Survey.”  
[11n32] 32. Ibid.  
[11n33] 33. Human Rights Campaign, “HRC Georgia.”  
[11n34] 34. Bell and Binnie, “Authenticating Queer Space.”  
[11n35] 35. City of Atlanta, “Atlanta, GA: LGBTQ.”  
[11n36] 36. State of Georgia, “Name Changes.”  
[11n37] 37. Washington State Legislature, “WAC 314-02-014: What Is a Food Counter?”  
[11n38] 38. Sarat, “The Law Is All Over.”  
[11n39] 39. James et al., “The Report of the 2015 U.S. Transgender Survey.”  
[11n40] 40. Spade, *Normal Life*.  
[11n41] 41. Ibid., 41.  
[11n42] 42. Broadus, “The Evolution of Employment Discrimination Protections for Transgender People.”  
[11n43] 43. Spade, *Normal Life*, 91.  
[11n44] 44. West, *Transforming Citizenships*, 163–94.  
[11n45] 45. James et al., “The Report of the 2015 U.S. Transgender Survey.”  
[11n46] 46. Movement Advancement Project, “Equality Maps: Identity Document Laws and Policies.”  
[11n47] 47. Government of the United Kingdom, “Change Your Name by Deed Poll.”

[11.48]

**BIBLIOGRAPHY**

- [11.49] Adair, Cassius. “Licensing Citizenship: Anti-Blackness, Identification Documents, and Transgender Studies.” *American Quarterly* 71, no. 2 (July 6, 2019): 569–94. <https://doi.org/10.1353/aq.2019.0043>.  
[11.50] Aizura, Aren Z., Trystan Cotten, Carsten/Carla Balzer/LaGata, Marcia Ochoa, and Salvador Vidal-Ortiz. “Introduction: Decolonizing the Transgender Imaginary.” *TSQ: Transgender Studies Quarterly* 1, no. 3 (August 1, 2014): 308–19. <https://doi.org/10.1215/23289252-2685606>.  
[11.51] Ashley, Florence. “‘Trans’ Is My Gender Modality: A Modest Terminological Proposal.” In *Trans Bodies, Trans Selves*, edited by Laura Erickson-Schroth, 2nd ed. Oxford: Oxford University Press, forthcoming.  
[11.52] Beauchamp, Toby. “Artful Concealment and Strategic Visibility: Transgender Bodies and U.S. State Surveillance after 9/11.” *Surveillance & Society* 6, no. 4 (June 26, 2009): 356–66. <https://doi.org/10.24908/ss.v6i4.3267>.  
[11.53] Bell, David, and Jon Binnie. “Authenticating Queer Space: Citizenship, Urbanism and Governance.” *Urban Studies* 41, no. 9 (August 1, 2004): 1807–20. <https://doi.org/10.1080/0042098042000243165>.  
[11.54] Broadus, Kylar. “The Evolution of Employment Discrimination Protections for Transgender People.” In *Transgender Rights*, edited by Paisley Currah, Richard Juang, and Shannon Price Minter, 93–101. Minneapolis: University of Minnesota Press, 2006.

- City of Atlanta. "Atlanta, GA: LGBTQ." City of Atlanta, GA, 2019. <https://www.atlantaga.gov/government/mayor-s-office/executive-offices/office-of-equity-diversity-and-inclusion/lgbtq>. [11.55]
- Currah, Paisley, and Tara Mulqueen. "Securitizing Gender: Identity, Biometrics, and Transgender Bodies at the Airport." *Social Research: An International Quarterly* 78, no. 2 (2011): 557–82. [11.56]
- Doan, Petra. "The Tyranny of Gendered Spaces—Reflections from Beyond the Gender Dichotomy." *Gender, Place & Culture* 17, no. 5 (August 25, 2010): 635. <https://doi.org/10.1080/0966369X.2010.503121>. [11.57]
- Ferguson, Andrew G. *The Rise of Big Data Policing: Surveillance, Race, and the Future of Law Enforcement*. New York: NYU Press, 2017. [11.58]
- Gouvernement du Québec. "Change of Sex Designation." Directeur de l'état civil, June 13, 2016. <http://www.etatcivil.gouv.qc.ca/en/change-sexe.html#rrq-b>. [11.59]
- Government of the United Kingdom. "Change Your Name by Deed Poll." Gov.UK. Accessed September 20, 2019. <https://www.gov.uk/change-name-deed-poll>. [11.60]
- Hull, Kathleen E. "Legal Consciousness in Marginalized Groups: The Case of LGBT People." *Law & Social Inquiry* 41, no. 3 (2016): 551–72. <https://doi.org/10.1111/lsi.12190>. [11.61]
- Human Rights Campaign. "HRC Georgia." Human Rights Campaign, 2019. <https://www.hrc.org/local-issues/georgia/>. [11.62]
- James, Sandy E., Jody Herman, Susan Rankin, Mara Keisling, Lisa Mottet, and Anafi Ma'ayan. "The Report of the 2015 U.S. Transgender Survey." Washington, DC: National Center for Transgender Equality, 2016. <https://transequality.org/sites/default/files/docs/usts/USTS-Full-Report-Dec17.pdf>. [11.63]
- Jones, Stacy Holman, and Tony E. Adams. "Autoethnography Is a Queer Method." In *Queer Methods and Methodologies*, edited by Kath Browne and Catherine Nash, 2nd ed., 195–214. New York: Routledge, 2016. <https://doi.org/10.4324/9781315603223-13>. [11.64]
- Lambda Legal. "FAQ about Identity Documents." Lambda Legal, 2019. <https://www.lambdalegal.org/know-your-rights/article/trans-identity-document-faq>. [11.65]
- Littrell, Beth, and M. Dru Levasseur. "In Re Feldhaus." Initial Brief of Appellant. State of Georgia: Court of Appeals, June 9, 2016. [https://www.lambdalegal.org/sites/default/files/feldhaus\\_ga\\_20160609\\_initial-brief-of-appellant.pdf](https://www.lambdalegal.org/sites/default/files/feldhaus_ga_20160609_initial-brief-of-appellant.pdf). [11.66]
- Merry, Sally Engle. *Getting Justice and Getting Even: Legal Consciousness among Working-Class Americans*. Chicago: University of Chicago Press, 1990. [11.67]
- Movement Advancement Project. "Equality Maps: Identity Document Laws and Policies." 2019. [http://www.lgbtmap.org/equality-maps/identity\\_document\\_laws](http://www.lgbtmap.org/equality-maps/identity_document_laws). [11.68]
- Namaste, Viviane. *Invisible Lives: The Erasure of Transsexual and Transgendered People*. Chicago: University of Chicago Press, 2000. [11.69]
- Sarat, Austin. "The Law Is All Over: Power, Resistance and the Legal Consciousness of the Welfare Poor." *Yale Journal of Law & the Humanities* 2 (1990): 343–80. [11.70]
- Sinclair-Palm, Julia Helen. "What's in a Name? Trans Youths' Experiences of Re-Naming," October 28, 2016. <https://yorkspace.library.yorku.ca/xmlui/handle/10315/33434>. [11.71]
- Spade, Dean. "Mutilating Gender." In *The Transgender Studies Reader*, 331–48. New York: Routledge, 2013. [11.72]
- . *Normal Life: Administrative Violence, Critical Trans Politics, and the Limits of Law*. Vol. 2. Durham, NC: Duke University Press, 2015. [11.73]
- State of Georgia. "Name Changes." Georgia.gov, March 16, 2012. <https://georgia.gov/popular-topic/name-changes>. [11.74]
- Streissguth, Tom. "Steps to Legally Change Your Name." Legal Zoom. Accessed September 19, 2019. <https://info.legalzoom.com/steps-legally-change-name-20369.html>. [11.75]
- Stryker, Susan. "My Words to Victor Frankenstein above the Village of Chamounix: Performing Transgender Rage." In *The Transgender Studies Reader*, edited by Susan Stryker and Stephen Whittle, 1:244–56. New York: Routledge, 2013. [11.76]
- . *Transgender History*. 2nd ed. New York: Seal Press, 2017. [11.77]
- Suesse, Angela, and Mathew Coleman. "Automobility, Immobility, Altermobility: Surviving and Resisting the Intensification of Immigrant Policing." *City & Society* 26, no. 1 (April 1, 2014): 51–72. <https://doi.org/10.1111/ciso.12034>. [11.78]

**DRAFT**

*Becoming Theodore*

- [11.79] Transgender Law Center. "State-by-State Overview: Rules for Changing Gender Markers on Birth Certificates." Oakland, CA: Transgender Law Center, April 2017.
- [11.80] Vidal-Ortiz, Salvador. "Whiteness." *TSQ: Transgender Studies Quarterly* 1, no. 1–2 (May 1, 2014): 264–66. <https://doi.org/10.1215/23289252-2400217>.
- [11.81] Vipond, Evan. "Resisting Transnormativity: Challenging the Medicalization and Regulation of Trans Bodies." *Theory in Action; Fair Lawn* 8, no. 2 (April 2015): 21–44.
- [11.82] Washington State Legislature. "WAC 314-02-014: What Is a Food Counter, a Liquor Bar, and a Service Bar and Are Minors Allowed in These Areas?" Washington State Legislature, November 24, 2005. <https://apps.leg.wa.gov/wac/default.aspx?cite=314-02-014>.
- [11.83] West, Isaac. *Transforming Citizenships: Transgender Articulations of the Law*. New York: NYU Press, 2013.