



Sealing and Removing Public Name Change Records

A Step-by-Step Guide

This guide provides a thorough plan for sealing name change records and removing them from public databases, ensuring privacy and safety for transgender minors and their families. California's **AB 233** streamlines this process and enhances legal protections.

Overview

Purpose: Protect your child's privacy by sealing name change records and removing them from public and private databases.

What to Expect:

- Legal filings, court appearances, and follow-up with agencies and private companies.
- Proactive monitoring to ensure compliance.

Why This Matters: Public records can expose transgender individuals to discrimination or harm. Removing and sealing records ensures safety and peace of mind.

Step 1: Preparing to File a Motion to Seal Records

Court Requirements for Documents

- **Paper Size:** 8.5 x 11 inches, one-sided.

- **Paper Quality:** Opaque, unglazed, white paper, at least 20 lbs.
- **Font:** Times New Roman, Arial, or Courier; no smaller than 12-point.
- **Margins:** Follow standard court formatting; check local court rules.
- **Copies:** At least three copies—one for the court, one for personal records, and one backup.

Information to Include in the Motion

Use a motion template like this one: [Motion Template](#) .

Include:

- Parent(s) and child’s legal names, addresses, and contact details.
- Case number or reference to the original name change filing.
- A clear request to seal the record.

Facts to Establish in Your Motion

- **Overriding Interest:** Demonstrate that the safety and privacy of your child outweigh the public’s right to access the record.
- **Substantial Probability of Prejudice:** Show that your child’s safety or well-being could be harmed if the record remains public.
- **Narrow Tailoring:** Explain that sealing the record is limited to protecting your child and does not impact broader legal or public interests.
- **No Less Restrictive Means:** Argue that no other option exists to safeguard your child’s privacy effectively.

Filing the Motion

- **File with the Clerk:** Submit the motion and pay any required fees.
- **Serve Notice:** Deliver a copy of the motion to any necessary parties, such as an ex-spouse.
- **Schedule the Hearing:** Request to be added to the judge’s calendar.

Step 2: Filing an Ex Parte Application (Optional for Urgency)

If immediate action is required:

1. Prepare a concise application emphasizing the urgency.
2. File the application and request an expedited hearing (typically within 1–2 days).
3. Present evidence during the hearing to justify immediate sealing of records.

Step 3: Notify State and Local Agencies

After the sealing order is granted, notify the following agencies:

1. **California DMV:** Update IDs and driver's licenses (dmv.ca.gov).
2. **Vital Records Office:** Amend birth certificates (cdph.ca.gov).
3. **County Superior Court Clerk:** Ensure case details are sealed.
4. **County Recorder:** Verify removal from property records.
5. **Registrar of Voters:** Update voter registration (sos.ca.gov).
6. **California DOJ:** Confirm sealed status in law enforcement databases (oag.ca.gov).

Step 4: Removing Records from Online Public Record Aggregators

Steps for Removal

1. **Identify Platforms:** Locate public record websites that may have your child's information.
2. **Submit Removal Requests:** Use the platforms' opt-out processes. Examples:
 - [TruthFinder](#)
 - [BeenVerified](#)
 - [Spokeo](#)
 - [Instant Checkmate](#)
 - [Intelius](#)
3. **Provide Documentation:** Submit the sealed court order, redacting unnecessary details.
4. **Follow Up:** Confirm removal and document all communications.

Using Professional Services

- **DeleteMe:** Offers ongoing removal of personal data.
- **OneRep:** Focuses on removing information from data brokers.
- **Aura** or **PrivacyBee:** Provide comprehensive privacy management solutions.

Step 5: Monitoring and Maintenance

- **Set Alerts:** Use Google Alerts to track mentions of your child's name online.

- **Revisit Records:** Periodically check platforms to confirm compliance.
- **Legal Enforcement:** If compliance issues arise, consult an attorney to take further action.

Post-Sealing Checklist

- Motion filed and approved by the court.
- Notifications sent to state and local agencies.
- Removal requests completed for public record aggregators.
- Regular monitoring systems in place.

Additional Resources

1. **Advocacy Organizations:**
 - [TransFamily Support Services](#)
 - [National Center for Transgender Equality](#)
2. **Legal Assistance:**
 - [Lambda Legal](#)
 - Local pro bono legal aid services.
3. **Data Removal Tools:**
 - [DeleteMe](#)
 - [OneRep](#)

AB 233 and Its Importance

California's **AB 233** streamlines the process by allowing parents of transgender minors to file name change petitions confidentially. To learn more click [AB 223](#)