PETITONER LEGAL NAME **NUMBER:**   **DIV. “** **”**

 **1ST JUDICIAL DISTRICT COURT**

**VERSUS**

 **PARISH OF CADDO**

DEVIN GEORGE, In his capacity as **STATE OF LOUISIANA**

Louisiana State Registrar and

Vital Records Custodian

**FILED:**

 **DEPUTY CLERK**

**TRIAL MEMORANDUM IN SUPPORT OF PETITION FOR ISSUANCE OF NEW**

**BIRTH CERTIFICATE**

This memorandum is submitted, through undersigned counsel, on behalf of PETITIONER LEGAL NAME as petitioner herein. Mr. PETITIONER’s Petition prays for two forms of relief: First, that this Honorable Court order the correction of Mr. PETITIONER’s sex marker on his Louisiana birth certificate, and second, that this Honorable Court issue an order requiring the issuance of a new Louisiana birth record reflecting Mr. PEITIONER’s correct sex marker.

Mr. PETITIONER, as a transgender man, requests that his birth certificate be corrected to accurately reflect his sex designation. Louisiana Revised Statute 40:62 governs this action and Mr. PETITIONER has satisfied the requirements thereof. Mr. Petitioner has brought this action in the 1st Judicial District as Mr. Petitioner, a resident of Union Parish, was born in Caddo Parish. Mr. Petitioner has named as defendant Devin George, in his capacity as State Registrar and Director of Louisiana Office of Vital Records, and has perfected service of process upon same. Mr. George has filed responsive pleadings on or about January 10, 2017.

Mr. PETITIONER has spent a little over a decade receiving the appropriate psychosocial and physiological care needed for his transition to become a fully functioning man. See, attached Exhibit A sworn affidavit provided in lieu of testimony. As part of this transition, Mr. PETITIONER sought mental health support during which time he was identified as suffering gender dysphoria as the appropriate and medically acceptable diagnosis under the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition. See, attached Exhibit B excerpt from Management of Gender Dysphoria: A Multidisciplinary Approach. See also, attached Exhibit C sworn statement from Dr. NUMBER 1, licensed psychologist of Oakland, California and Exhibit D sworn statement from Dr. NUMBER 2, licensed psychologist of Fayetteville, Arkansas.

Having been identified as exhibiting gender dysphoria, Mr. PETITIONER began hormone replacement therapy (HRT) as an appropriate clinical intervention to help alleviate his dysphoria and assist Mr. PETITIONER in more fully aligning his gender identity and gender expression. Mr. PETITIONER continues that therapy presently under the supervision of DOCTOR 3, APRN, FNP-C, nurse practitioner with GOCARE Community Health Center of West Monroe, Louisiana. See also, attached Exhibit E excerpt from Standards of Care from the World Professional Association for Transgender Health.

In furtherance of his clinical intervention, Mr. PETITIONER was given approval by a psychotherapist to pursue surgical intervention to alleviate his gender dysphoria. Mr. PETITIONER underwent permanent and irreversible gender reassignment surgery (also known as sex reassignment surgery) on July 12, 2017. See, attached Exhibit F sworn statement from Dr. DOCTOR 4, MD. This surgical intervention did permanently alter the anatomical structure of Mr. PETITIONER such that he is now fully functioning within the male gender. In all other respects, Mr. PETITIONER lives his daily life as male. Mr. PETITIONER has a Louisiana state driver’s license identifying him as male. See attached Exhibit G (redacted).

Mr. PETITIONER submits that the steps he has taken to receive appropriate clinical care and surgical intervention satisfies the requirements of LA RS 40:62 insofar as Mr. PETITIONER has received the appropriate medical diagnosis permitted under the current DSM-V, and Mr. PETITIONER has undergone irreversible surgery resulting in Mr. PETITIONER’s anatomical sex as male. Thus, his Louisiana birth certificate reflect an erroneous sex marker and must be corrected.

Mr. PETITIONER submits that the factual basis as submitted herein, and within the entirety of the record of this matter, does support and demonstrate a satisfaction of all relevant legal requirements for the issuance of a new and corrected birth certificate to be issued by the Louisiana Department of Vital Records reflecting Mr. PETITIONER’s correct sex designation: male. Mr. PETITIONER does therefore pray that this Honorable Court deem this evidence good and sufficient and issue such order as will result in the issuance of a new Louisiana birth certificate as prayed for herein.

Respectfully submitted,

SIGNATURE BLOCK

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing pleading has been served on all parties or counsel of record on the \_\_ day of September, 2020 by U.S. mail postage prepaid, facsimile transmission, electronic mail, and/or hand delivery.

ATTORNEY