

July 29, 2025

Joint Commission on the Judiciary

Testimony of Fenway Health in Support of S.1045, An Act Protecting Personal Security

Dear Senate Chair Edwards, House Chair Day, Senate Vice Chair Eldridge, House Vice Chair Fluker-Reid, and the Joint Committee on the Judiciary:

I am Sean Cahill, Director of Health Policy Research at the Fenway Institute, writing on behalf of Fenway Health in Boston in strong support of Bill S.1045, An Act Protecting Personal Security. This bill is straightforward and important. It makes legal name changes safer and more private—especially for people at risk of stalking, harassment, or discrimination—by removing the requirement to publish name changes in a newspaper and by making it easier to keep private name change records for people at risk of discrimination and violence.

Rooted in the LGBTQIA+ community and racial justice, Fenway Health provides and advocates for compassionate, equitable healthcare, research, and education —empowering people from all walks of life to live, love, and thrive freely. Of Fenway Health’s 35,000 patients, about 6,000 are transgender and nonbinary. This legislation is especially important for transgender and gender diverse people, who experience disproportionate violence victimization¹ and discrimination.²

The ability to change a name is vitally important to many people in the Commonwealth. The ability to use one’s accurate name and to choose one’s name is a long-recognized right. See *Secretary of the Commonwealth v. City Clerk of Lowell*, 373 Mass. 178, 190 (1977). The name change statute, which is used to get a legal decree of name change, is not meant to restrict a person’s right to name change but instead to help in securing an official record of name change. A legal name change is important for the ability of people to thrive and access employment, housing, and benefits.

The legal name change process in Massachusetts is outdated and burdensome. There are two key points that require updating so that people can more fairly access legal name change. This bill addresses both of them.

Publication: Massachusetts still requires publication of name change in a newspaper. This is expensive and time-consuming, and it subjects many to bias and discrimination. Furthermore, publication in a newspaper is not used anymore to track name change by institutions such as

¹ Human Rights Campaign. *The Epidemic of Violence Against the Transgender & Gender-Expansive Community in the U.S.: The 2024 Report*. Washington, DC: HRC. November 2024. <https://reports.hrc.org/an-epidemic-of-violence-2024>

² Smith C, Norris H. *The LGBTQI+ Community Reported High Rates of Discrimination in 2024*. Washington, DC: Center for American Progress. March 12, 2025. <https://www.americanprogress.org/article/the-lgbtqi-community-reported-high-rates-of-discrimination-in-2024/>

credit agencies. This bill removes the publication requirement. Numerous states, including Illinois, Maine, New York, and Rhode Island, have already abolished the publication requirement as outdated, unnecessary, and harmful.

Privacy of records: Massachusetts still keeps name change records public. For some, including transgender people and survivors of domestic violence, public name change records subject them to discrimination and violence. Individuals can file a motion to impound their records, but these motions are time-consuming and difficult, and the impoundment standard is very high. This bill would make it easier for individuals to keep their name change records private.

As the largest provider of transgender health care in New England, Fenway Health believes that this legislation would improve important social determinants of health affecting transgender people. It would increase safety and privacy. It would protect the identity of survivors of abuse and violence.

This straightforward bill would make the legal name change process in Massachusetts more consistent, fair, and safe. We strongly urge you to report S.1045 favorably out of committee. Should you have any questions, please do not hesitate to contact me at scahill@fenwayhealth.org. Thank you.

Sincerely,

Sean Cahill, PhD
Director, Health Policy Research
The Fenway Institute