

# Marriage Equality and Transgender People

WHAT THE SUPREME COURT RULING ON THE FREEDOM TO MARRY MEANS FOR TRANSGENDER PEOPLE

## About Us

### **NATIONAL CENTER FOR TRANSGENDER EQUALITY:**

NCTE is the nation's leading social justice advocacy organization winning life-saving change for transgender people. NCTE is devoted to ending discrimination and violence against transgender people through education and advocacy on national issues of importance to transgender people.

### **GAY & LESBIAN ADVOCATES & DEFENDERS**

Through strategic litigation, public policy advocacy, and education, Gay & Lesbian Advocates & Defenders works in New England and nationally to create a just society free of discrimination based on gender identity, HIV status, and sexual orientation.

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*The Supreme Court has struck down all remaining laws limiting the right to marry based on gender. This means that in every state and territory of the US, couples should soon be able to marry whether they are the same or different genders, and have their marriages recognized throughout the country.*

### **What does this mean for transgender people's right to marry and for our families?**

Because of the Supreme Court's ruling, states may no longer restrict marriage based on gender. This means that whatever your gender, and regardless of whether state officials recognized your gender, this should not affect your ability to marry.

While this ruling is a major victory that will benefit many families, transgender people and their families continue to face many challenges—including barriers to recognition of parent-child relationships and other types of family relationships. NCTE and GLAD will continue to advocate for recognition and support for all kinds of families.

### **My partner and I can now marry in our state, but local/state officials will not provide a marriage license that reflects our gender(s). What should we do?**

Many states will only have marriage licenses and certificates with *Bride* and *Groom* language. Even where different forms are available, officials may insist that a person be listed according to their current ID documents. While this can be upsetting and can even out people in some situations, it does not affect the validity of your marriage. State and national LGBT advocacy groups are working hard to press states to provide gender neutral forms or forms with varied gender options.

### **If I transition after marrying, or move to a state where my gender is not recognized, will my marriage be affected?**

No. Regardless of what gender a state thinks you are, or whether you transition, a valid marriage continues to be valid absent a divorce or the death of a spouse. Because the state may no longer restrict marriage based on gender, a change in what gender you are recognized to be does not affect an existing marriage. That means if you transition, it will not affect your marriage or any related federal or state benefits.



Credit: Maureen Cotton Photography  
Courtesy: Robbie Samuels

### **What does this ruling mean for the LGBT movement?**

This is a major step forward legally, politically, and culturally for lesbian, gay, bisexual, and transgender (LGBT) people and our families. Of course, there are still a tremendous amount of work to do to ensure fairness, opportunity, health and well-being for LGBT people. NCTE's recently updated *Blueprint for Equality* includes more than 100 policy changes at the federal level alone that are still needed to improve trans people's lives. This Supreme Court ruling is a victory that adds to the momentum behind our work.

