



Georgia appeals court orders transgender name changes

Local judge denied changes, saying they'd confuse people

ATLANTA-NEWS By **Bill Rankin** - The Atlanta Journal-Constitution



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Rowan Feldhaus stands outside the Justice Center & Courthouse Annex where a judge denied him a name change. Curtis Compton / ccompton@ajc.com

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The Georgia Court of Appeals on Friday overruled an east Georgia judge who refused to allow two transgender men to change their names, contending it would “confuse and mislead” the public.

But the unanimous opinion returned the case to Superior Court Judge David Roper in Columbia County with instructions that he change the men’s names. Roper is the judge who had ruled against the men.

The ruling granted legal victories to Delphine Renee Baumert, who may now change his name to Andrew Norman Baumert, and to Rebecca Elizabeth Feldhaus, who will now be named Rowan Elijah Feldhaus.

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“It’s amazing,” Baumert, 21, said shortly after hearing the news. “It’s an emotional day.”

Baumert, a Georgia State University student seeking a master’s degree in chemistry, said he was “sad, upset, angry” when Roper turned him down. “It lingered for a few days, but then I decided to become an activist about it,” he said.

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With help from Lambda Legal, the civil rights group that advocates for LGBT rights, the two men appealed Roper’s decision.

Roper had said he disapproved of Feldhaus’ petition because his name choice was too masculine and could be misleading.

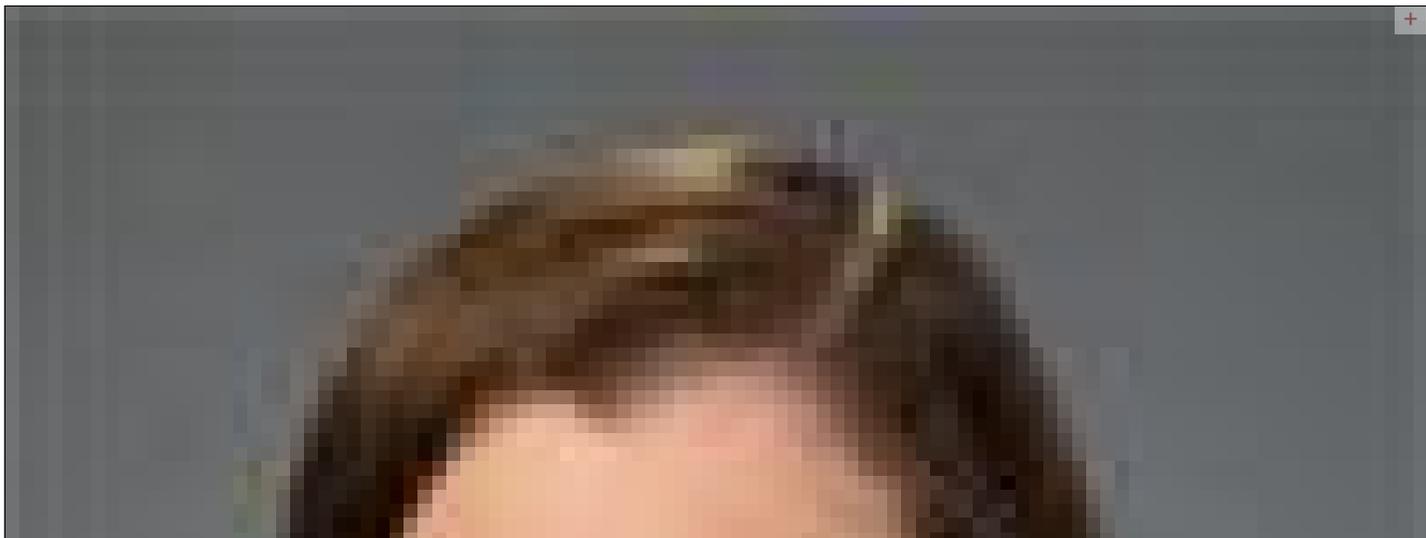
“I don’t know anybody named Elijah who’s female,” Roper said, according to a transcript of the hearing. “I’m not going to do that. I’ve never heard of that. And I know who Elijah was — one of the greatest men that ever lived.”

On Friday, Feldhaus, 25, said he was overwhelmed by the appeals court’s decision.

“I’m beyond happy this is finally done, that there’s precedent over this, regardless of whether you’re trans or not,” said Feldhaus, who attends Augusta University as a sociology major. “I hope it helps everybody.”

Feldhaus said he was hurt when Roper said he and Baumart were trying to commit a fraud when they asked for their names to be changed.

“We weren’t trying to defraud anybody,” Feldhaus said. “We were being our true selves.”





Appeals Court Judge Elizabeth Branch

The appeals court had scheduled oral arguments in the case for next month. But the three judges who were set to hear the case apparently decided that would not be necessary and issued the opinion on Friday.

Their ruling, written by Appeals Court Judge Elizabeth Branch, noted there is “nothing in the law prohibiting a person from taking or assuming another name, so long as he does not assume a name for the purpose of defrauding other persons through a mistake of identity.”

As for Feldhaus and Baumert, Branch wrote, “There was no evidence before the trial court to authorize a conclusion that either of them were acting with any improper motive against any specific person.” For this reason, Roper abused his discretion when denying the men’s requests, she wrote.

Branch was joined by Judges John Ellington and Amanda Mercier.

The men's lawyer, Beth Littrell, Lambda Legal's Southern regional counsel, praised the ruling.

"It's supported by sound reasoning that will help not only our clients but will help people throughout the state and likely beyond," she said. "It rejects the idea that a transgender person seeking to live his or her life authentically is somehow harming other people or committing a fraud."

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