

Snapshot of Rule Changes and Legislation Across the Country



This is a snapshot of developing law, last updated on March 6, 2023. Please verify via primary sources for the latest status.

Alaska: In 2021, following the [Bostock decision](#), Alaska published guidelines about workplace discrimination that stated, “the use of pronouns or names inconsistent with an individual’s gender identity could be considered harassment.”¹ However, on March 3, 2023, they removed this language and changed their website so that discrimination on the basis of gender identity was marked as “only illegal in some instances.”²

Arkansas: Arkansas’ Governor signed an executive order banning the term “Latinx” from official use in state government.³

California: California’s Civil Jury Instructions released in 2022 included rule 118, requiring the use of gender-inclusive language with the jury. This included using “they” pronouns, or someone’s name to address someone.⁴

Connecticut: Connecticut legislators are debating a bill that would ban “Latinx” from being used by state agencies.⁵

Florida: Florida is updating its Family Law Rule of Procedure 12.100 to change terms from “husband” and “wife” and “father” and “mother” to “petitioner” and “respondent.” By Supreme Court order of Florida Apr. 1, 2022.⁶ (Comment period closing soon).

Hawaii: Hawaii is changing its Family Court Rules and the District Court Rules of Civil Procedure to be gender inclusive.^{7&8}

Illinois: Illinois introduced a bill in their Senate after it passed the House, which would require gender-inclusive language in child welfare and juvenile court statutes.⁹

¹ <https://humanrights.alaska.gov/wp-content/uploads/2021/02/ASCHR-LGBTQ-Discrimination-Guide.pdf>

² <https://web.archive.org/web/20220815035841/https://humanrights.alaska.gov/> & <https://www.propublica.org/article/alaska-drops-lgbtq-discrimination-ban>

³ https://governor.arkansas.gov/executive_orders/executive-order-to-respect-the-latino-community-by-eliminating-culturally-insensitive-words-from-official-use-in-government/

⁴ <https://www.justia.com/trials-litigation/docs/caci/100/118/>

⁵ <https://www.cga.ct.gov/2023/TOB/H/PDF/2023HB-06384-R00-HB.PDF>

⁶ <https://www-media.floridabar.org/uploads/2021/09/21-1173-090921-Publication-Notice.pdf>

⁷ <https://casetext.com/rule/hawaii-court-rules/hawaii-district-court-rules-of-civil-procedure/article-ii-commencement-of-action-service-of-process-pleadings-motions-and-orders/rule-4-process>

⁸ https://www.courts.state.hi.us/wp-content/uploads/2022/03/2022_hfcram_ada.pdf

⁹ <https://www.ilga.gov/legislation/BillStatus.asp?GA=102&DocTypeID=SR&DocNum=787&GAID=16&SessionID=110&LegID=138768>

However, it did not pass before the session ended, and so it was tabled for this legislative session.

Maine: Maine’s Human Rights Commission updated Procedural Rule 94-348 C.M.R chapters 2, 3, 7, and 8 to use gender-inclusive language.¹⁰ (Dec. 2022, comment period still open).

Maine’s Department of Health and Human Services passed an Omnibus Rule Change to SNAP as well as to MaineCare in 2022 that, in part, updated gender-specific terms to gender-neutral terms.¹¹

Massachusetts: In 2022 a Massachusetts Supreme Court Order amended Rule 1 of the Rules of the Supreme Judicial Court to include Rule 1:08 (h), which allows attorneys and litigants to identify their pronouns in filings.¹²

Michigan: Michigan is trying to amend Michigan Court Rules, Rule 1.109 to allow personal pronoun indication in the name section of the caption.¹³ (Comment period ends April 30, 2023).

Nevada: Nevada is amending its District Court Rules to eliminate “he” and “his” in a move to be more inclusive.¹⁴ (Nov. 30, 2020).

New Jersey: On July 19, 2022, New Jersey passed directive #07-22 which mandates that “Gender inclusive language should be used whenever possible.” It then details best practices for doing so.¹⁵

In January of 2022, New Jersey’s Governor signed into law S3416 which provided that “all laws concerning marriage and civil union are to be read with gender neutral intent.”¹⁶

New Mexico: The New Mexico legislature is currently deciding on House Bill 207, which would codify protections on the basis of gender and gender identity in courts and other public institutions.¹⁷

New York: New York passed legislation in June of 2022 that requires political parties to change their rules to permit people who do not identify as a binary gender to be elected

¹⁰ <https://www.maine.gov/mhrc/>

¹¹ <https://www.maine.gov/dhhs/ofi/about-us/rules/proposed>

¹² <https://www.mass.gov/doc/massachusetts-supreme-judicial-court-rules-and-orders/download>

¹³ <https://www.courts.michigan.gov/rules-administrative-orders-and-jury-instructions/proposed-adopted/michigan-court-rules/>

¹⁴ <https://web.archive.org/web/20220806051357/https://www.nvbar.org/wp-content/uploads/ADKT-0569-Petition.pdf>

¹⁵ https://www.njcourts.gov/sites/default/files/notices/2022/07/n220727a_0.pdf

¹⁶ <https://www.nj.gov/governor/news/news/562022/20220110b.shtml>

¹⁷ <https://www.nmlegis.gov/Legislation/Legislation?Chamber=H&LegType=B&LegNo=207&year=23>

to party positions. Party rules require selecting gender to run for office, but they only had “male” and “female” designations. Bill Number S.6901-B/A.7933-C.¹⁸

Texas: Texas currently has a slate of dozens of laws that propose rewrites to state code to reflect gender inclusivity with families.¹⁹

Utah: Utah added a “Notice of Pronouns” as an optional document to file with the rest of the court filing documents on Dec. 20, 2021.²⁰

Washington: Washington proposed amending General Rule 40 to allow the indication of personal pronouns on filings and promote inclusive practices in the courtroom.²¹ (Comment period ending April 30, 2023).

The Family and Juvenile Court Committee of the Supreme Court Judges proposed edits to amend binary pronouns to “they” as well as additional changes to rules 2.2, 2.6, and 2.3 to be more gender inclusive.²² (Suggestions made April 2022).

The American Bar Association: In February 2023, at the urging of the New York State Bar Association, the American Bar Association (ABA) passed resolution 401, which supports the “adoption of a bench card addressing best practices for judges in ‘using LGBTQ+ inclusive language and pronouns’ to endorse the use of LGBTQ+ inclusive language and pronouns in the courtroom...”²³

The U.S. Department of Health and Human Services: In July 2022, the Department of Health and Human Services announced a proposed Rule to strengthen nondiscrimination in health care, which provides protections to people on the bases of sex, including sexual orientation and gender identity.²⁴

The National Institute of Health: NIH, which is a part of the Department of Health and Human Services, added the following clause to their site in 2022, “Intentional refusal to use someone’s correct pronouns is equivalent to harassment and a violation of one’s civil rights.”²⁵ (This webpage does a good job in general of educating about pronouns).

¹⁸ <https://www.governor.ny.gov/news/governor-hochul-signs-legislation-honor-lgbtq-pride-month-and-empowers-new-york-state-agencies>

¹⁹ <https://www.equalitytexas.org/legislature/legislative-bill-tracker-2023/>

²⁰ https://www.utcourts.gov/howto/pro_se/docs/2000GE_Notice_of_Pronouns.pdf

²¹ https://www.wsba.org/docs/default-source/about-wsba/governance/washington-supreme-court-orders/25700-a-1425.pdf?sfvrsn=894211f1_0

²² https://www.courts.wa.gov/court_Rules/proposed/2021Dec/CJC%202.2/SCJA%20Family%20and%20Juvenile%20Law%20Committee%20-%20CJC%202.2%20and%20CJC%202.6.pdf

²³ https://www.americanbar.org/content/dam/aba/administrative/house_of_delegates/2023-midyear-supplemental-materials/401-midyear-2023.pdf

²⁴ <https://www.hhs.gov/about/news/2022/07/25/hhs-announces-proposed-rule-to-strengthen-nondiscrimination-in-health-care.html>

²⁵ <https://dpcpsi.nih.gov/sqmro/gender-pronouns-resource#:~:text=Intentional%20refusal%20to%20use%20someone's,%2C%20sex%2C%20and%20national%20origin>