



Opening Doors

- ❖ **Opening Doors for LGBTQ Youth in Foster Care: A Guide for Legal Professionals**
 - ❖ Guide for lawyers and judges to know how to improve outcomes for LGBTQ youth
- ❖ **It's Your Life** (print publication and interactive website)
 - ❖ You have rights as a young adult and LGBTQ individual (based on the Constitution, federal and state laws)
 - ❖ What to expect from the child welfare professionals and how to determine if your needs are being met
 - ❖ How to protect their rights and ensure fair and equal treatment
- ❖ **Other publications**
 - ❖ Representing transgender youth
 - ❖ Addressing bullying
- ❖ **The Kids are Listening**
 - ❖ Anti-Bullying Social Media Campaign

Multidisciplinary Committees

- ❖ Multidisciplinary team dedicated to improving services, support, and treatment of LGBTQ youth in foster care
- ❖ Establish and advertise LGBTQ friendly services and create resource guide about these providers
- ❖ Support training to increase awareness and improve treatment of LGBTQ youths' needs – The Opening Doors Project is happy to help!
- ❖ Expand recruitment of LGBTQ foster parents
- ❖ Create an LGBTQ sub-committee of your CIP Committees



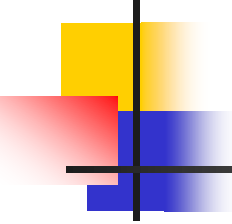
What youth said at Opening Doors Listening Forums

- ❖ “The judges aren’t welcoming if they know you’re gay. No one seemed interested in working with me.”—Jacksonville
- ❖ “The judge was patronizing and said ‘Oh, you’re gay now?’ in front of everyone like he thought it was a fad.” —Jacksonville
- ❖ “I wanted to speak on my own behalf...but I did not get to go [to court]. If you are not there, present, your words can get twisted...I feel I was in foster care for longer because of this woman. [GAL]” —Denver



Who are LGBTQ youth in the foster care system?

- ❖ Estimated that more than 4-10% of youth in state care are LGBTQ *identified*
- ❖ 25-40% of homeless youth are LGBTQ
 - ❖ Half of gay or bisexual young men forced out of their homes because of sexual orientation engaged in prostitution to survive.
- ❖ High rates of substance abuse due to stigmatization
 - ❖ 60% of gay and bisexual young men are substance abusers, compared with less than 4% of youth population as a whole
- ❖ 30% of LGBTQ youth reported physical violence by family after coming out
- ❖ 80% of LGBTQ students reported verbal harassment at school (70% feel unsafe; 28% dropped out)
 - ❖ LGBTQ high school students three times more likely to report carrying a weapon to school.



What LGBTQ Youth in care experience?

- ❖ Not allowed to participate in programming
- ❖ Told “you are going to hell”
- ❖ Not allowed to dress or groom as they prefer
- ❖ Gender identity is not respected
- ❖ 70% LGBT youth in group homes reported violence based on LGBTQ status
- ❖ 100% reported verbal harassment
- ❖ They hide their sexual orientation in fear of abuse
- ❖ 78% removed or ran away from placement because of hostility to LGBTQ status
 - ❖ Punished for expressing LGBTQ status



Affects All Youth

“Social worker identified me as gay at age 6. I didn’t even know what gay meant.” - Denver

- ❖ Affects ALL Youth
- ❖ 80% of youth harassed for being perceived as gay identify as heterosexual
 - ❖ 5 times more likely to attempt suicide
- ❖ 97% of students hear gay or gender slurs on a daily basis



Relationship Building

- ❖ **Acknowledge your own perceptions of gender and orientation and how they may affect your language, behavior, and advocacy**
- ❖ Avoid labeling youth because of unisex clothing, hairstyles or androgynous appearance
- ❖ Do not prematurely “out” your client.
 - ❖ Offer suggestions for disclosing LGBTQ identity.
- ❖ Visit your clients in their placements including in LGBTQ group homes or get to know their friends
- ❖ **Use gender neutral language when talking with youth**
 - ❖ Ex. Ask about the youth’s “partners” or “important relationships” in the youth’s life, romantic and otherwise.
- ❖ Use the youth’s name and pronoun of choice and encourage the youth to dress as he or she wishes regardless of gender identity
 - ❖ **There are no laws preventing use of “nicknames” or names of choice**

Advocating for Safe Placements



- ❖ Ask if the placement has experience with LGBTQ youth
- ❖ **Ask if there is a formal anti-discrimination (based on sexual orientation and gender identity) policy**
- ❖ Understand that placements where youth are harassed based on LGBTQ identity or gender non-conformity **are not safe**.
 - ❖ Speak up if you know the placement is intolerant, even if you go against the recommendation of the child welfare agency.
- ❖ **Judges can make “no reasonable efforts” findings if the young person is not in a safe, affirming placement.**
- ❖ Advocate for the youth’s preference in attending/not attending faith services.



Advocating for Healthcare and Competent Service provision

- ❖ **Understand that LGBTQ youth are not mentally ill**
 - ❖ Ensure that if your client is in therapy (individual or family) that the therapist has experience with LGBTQ youth
 - ❖ Avoid conversion or reparative therapies
- ❖ **Understand and advocate for safe and healthy services for transgender youth**
 - ❖ Research laws and policies that protect transgender youth and check with insurance providers to determine what coverage may be available to transgender youth.
- ❖ **Identify LGBT competent community service providers in your area**
 - ❖ Contact local LGBT centers and community resources for additional support
 - ❖ Visit GLMA (Gay & Lesbian Medical Association)



Advocating for Safe School Environments

- ❖ Know and challenge school policies that do not prohibit discrimination based on sexual orientation/gender identity.
 - ❖ Bullying triggers legal responsibilities
- ❖ **Work with schools to identify appropriate facilities for transgender youth.**
- ❖ Advocate for clients to be able to express themselves through speech, dress, and activities (right to be “out”)
- ❖ **Suggest the development of recreational programs and opportunities for social interaction for LGBTQ youth (GSA)**
- ❖ Avoid assumptions based on gender about extra curricular activities such as sports or school clubs



Advocating for Family Building

- ❖ Federal law requires agencies to try to place siblings together unless it is not in their best interests
- ❖ **Right to reasonable efforts to facilitate sibling visitation**
- ❖ Locate service providers and community resources that provide support for families with LGBTQ youth
 - ❖ Like PFLAG, Family Acceptance Project
- ❖ **Work with birth families to accept their children back in their homes**
 - ❖ Advocate for therapeutic intervention that supports families understanding LGBTQ youth's experiences
 - ❖ Identify resources available to share with LGBTQ youth & their families



Ethical Responsibilities

- ❖ A Judge Shall Perform the Duties of Judicial Office Impartially and Diligently

A judge shall perform judicial duties without bias or prejudice. A judge shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice, including but not limited to bias or prejudice based on race, sex,...sexual orientation or socioeconomic status, and shall not permit staff, court officials and others subject to the judge's direction and control to do so.

- ❖ It is professional misconduct for a lawyer to: “engage in conduct that is prejudicial to the administration of justice.”
- ❖ **Lawyers and judges may think and believe what they want, but those thoughts may not impact the treatment clients and litigants receive.**



Ethical Responsibilities

- National CASA:

We acknowledge the need to understand, respect and celebrate diversity in race, gender, religion, national origin, ethnicity, sexual orientation ... Embracing inclusiveness makes us better advocates ... enabling us to respond to each child's unique needs.

- National Association of Social Workers (NASW) Code of Ethics:

Social workers should obtain education about and seek to understand the nature of social diversity and oppression with respect to race, ethnicity, national origin, color, sex, sexual orientation, gender identity or expression, age, marital status, political belief, religion, immigration status, and mental or physical disability