



# SUPPORTING LGBTQ YOUTH

## A JUDICIAL BENCH CARD

### Positive Attitudes

- Use gender-neutral language when talking with youth.
- 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.
- Display hate-free zone, rainbow flag or triangle signs in your courtroom or office.
- Speak out when you hear anyone make homophobic or inappropriate anti-gay comments.
- Foster diversity by making the courtroom an "inclusive environment."
- If a youth wears non-gender conforming clothing or otherwise appears stereotypically LGBTQ do not assume anything about sexual orientation or gender identity when making decisions concerning safety, permanency, or well-being.
- Avoid defining LGBTQ youth by their sexual orientation or gender identity. Realize they are defined by these and other aspects of their lives.
- Never discuss the youth's sexual orientation or gender identity without her permission.

### Fair Treatment

- Enforce nondiscrimination policies from state civil rights laws, court rules, representation standards, school/placement/agency policies, or canons of ethics.
- Insist the agency care for the youth in an affirming way. If they don't, consider making a "no reasonable efforts" finding against the agency.
- Eliminate segregation and isolation of LGBTQ youth as a punishment for engaging in same-sex activities unless heterosexual activity is similarly sanctioned.
- Avoid double standards for LGBTQ youth and heterosexual youth who are sexually active.
- Ensure all youth receive information about HIV and protective measures.

### Services and Support

- Require the child welfare agency to find opportunities for social support for LGBTQ youth.
- Require qualified mental health practitioners, knowledgeable about LGBTQ issues to provide treatment.

- Ensure transgender youth receive medical services from qualified health care practitioners knowledgeable about hormone treatments and other pharmacological interventions.
- Encourage or require parents and family members to participate in counseling and parent support groups if they need help becoming more accepting and supportive of LGBTQ issues.
- Require that discharge plans identify local programs and services available for LGBTQ youth and their families.
- Identify appropriate school placements to maintain LGBTQ youth in the community or successfully transition back to the community at the end of placement.
- Have resources available to share with LGBTQ youth, their families, and lawyers.

## Placement and Permanency

### *Reunification*

- Require families to work through any concerns relating to their child's sexual orientation or gender identity that led to placement before reunification.
- Require the child welfare agency to provide services to the family to work towards a safe and emotionally healthy reunification.
- Require frequent visitation between the youth and family, including siblings, to further ensure successful reunification.

### *Adoption*

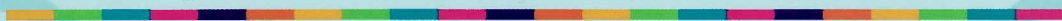
- Require the child welfare agency to locate LGBTQ-friendly adoptive placements.
- Ensure the adoptive caregivers will be strong advocates for the youth.

### *Guardianship/Relative Placement*

- A relative who is open to LGBTQ issues may be interested in adopting, being a guardian, or providing a permanent home and connection for the youth.
- If a youth can locate a suitable guardian, the caseworker should ensure the proposed adult would provide a safe home.

### *Another Planned Permanent Living Arrangement*

- If youth will remain in care until age 18 or 21, establish services to help with the transition.
- If the agency suggests APPLA as the permanent plan, the judge should ask questions to ensure the transition process is occurring and the youth has access to LGBTQ resources.





# JUDICIAL GUIDELINES

- Analyze your attitude toward LGBTQ youth. Work on changing negative attitudes.
  - You may think and believe what you want, but those thoughts may not impact the treatment clients and litigants receive.
  - Learn about sexual developmental needs and healthy sexual development of all young people, including LGBTQ youth.
  - Become familiar with state laws and policies protecting LGBTQ youth.
  - Learn LGBTQ terminology and become comfortable using it.
  - Understand that LGBTQ youth are not mentally ill.
  - Help develop nondiscrimination policies covering LGBTQ youth.
  - Help develop procedures that assure the safety of LGBTQ youth.
  - Require court staff training regarding treatment of LGBTQ youth.
  - Promote the development of recreational programs and opportunities for LGBTQ youth to interact.
  - Ensure LGBTQ youth have access to the same programs as their heterosexual peers.
  - Ensure court staff are respectful to all individuals in the courthouse, including LGBTQ youth.
  - Visit websites of service providers to determine if they provide services in an LGBTQ-affirming manner.
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