

## **10 Tips for Working with LGBTQ (Lesbian, Gay, Bisexual, Transgender, and Queer) Youth**

LGBTQ youth will likely be the most disenfranchised, isolated and complex juvenile clients that you, as defense attorneys, will represent. Misunderstanding, homophobic attitudes and outright persecution are common experiences for them. Frequently abandoned by their family and the larger community of their childhood, these teens are often confused, depressed, alienated and defiant. When they become involved in the Juvenile Justice system, these experiences become magnified. The defense attorney may be their sole advocate, visitor, “friendly ear”, and even, lifeline. It is critical that your relationship and interactions with LGBTQ clients be as positive and effective as possible. The following are ten suggestions to help you in that process:

### **1. Get help.**

LGBTQ youth who are detained in Juvenile hall are often isolated and depressed. Ask your client if there is a particular worker in Juvenile Hall that they have a good relationship with. If so, talk with that person and make sure they know how to contact you. Ask them to keep an “eye out” for your client in terms of harassment and /or abuse by other youth or staff. If your client can’t identify anyone, find someone yourself who appears empathetic and would be willing to pay attention to these concerns. If detained, you may also want to touch bases with the supervisor of the unit that your client is housed on just to let them know that you are paying attention. Also, if the youth has a therapist or case manager from the community make sure that they have access to your client as soon as possible.

### **2. Regularly check-in.**

Spending even a short time with the young person as often as you can is very important. It will help build trust, alert others that you are “watching”, and also allow you to monitor for signs of depression or suicidal ideation. These clients may require more of your time.

### **3. Learn about adolescent developmental stages.**

Although LGBTQ youth have their own unique struggles, remember they are still teenagers. What may seem to be unreasonable and difficult behavior may also be related to typical teenage behavior. Don’t take it personally. Issues relating to “fairness”, the desire for self determination, and primary referencing to their peer group can be expected.

### **4. Allow yourself to be taught.**

You are not expected to be a cultural expert on LGBTQ youth. It can be very effective to admit that you don’t know much about their lifestyle. Ask them to educate you. In this way you are being honest, authentic and allowing them to be the experts.

### **5. Be aware of complexities.**

While respecting issues of sexual diversity, do not assume that these issues operate independently of other forms of social marginalization (i.e. race, class, gender.) Identity is multidimensional and it may be an error to focus on one dimension or aspect of a client’s social identity. Although one should be sensitive to these issues and how your LGBTQ client has special needs, be careful not to treat them too differently. They are still teenagers and have much in common as well with their heterosexual counterparts.

### **6. Conduct thorough background interviews.**

Glean enough information so that you can really give the Court an idea of who this young person is. Therefore, you must get to know them as more than just a client with a problem or my “gay” client. What do they love to do? What do they feel passionate about? What are their dreams?

There is, however, also the reality that many LGBTQ youth in the Juvenile justice system have been through traumatic and violent experiences which are important for the Court to know about. You may have to ask these questions more than once as the client comes to trust you more.

When looking for dispositional options remember if their immediate nuclear family is not available to return to find out if there is an extended family member who is more sympathetic. Is there an appropriate adult who would be willing to become a foster parent?

#### **7. Do not be afraid to ask hard or uncomfortable questions.**

Being comfortable with your own sexuality will make it easier to ask your clients what may seem like very personal, private, yet crucial, questions. When conducting initial background interviews you may ask, when inquiring about significant people in their lives, if they have a girlfriend or a boyfriend. You may also want to inquire if they have another name that they prefer to be called or if they wish to be addressed as “he” or “she” If a transgender youth has been arrested you may want to ask if they have been taking hormones so that you could advocate medically as well. LGBTQ youth are often homeless and they may have been arrested for prostitution or engaged in other high risk behaviors. Check and see if they have been tested for HIV. Ask the questions with respect and explain that “information is power”. It will enable you to do a better job for them.

#### **8. Be mindful of who you’re talking to...respect privacy**

Even if it someone’s sexuality seems completely “obvious” and “everyone knows”, always check to see if there is a parent, P.O. or other individual that your client does not want to know. Also for youth who are questioning and/ or may have difficulty coming to terms with their sexuality it is important to be careful and sensitive when addressing the issue. Don’t make any assumptions.

#### **9. Find the right experts.**

If a psychological evaluation would be helpful in your defense, make sure you hire someone who has an understanding of LGBTQ issues and how they effect your client. Homophobia can be expressed subtly and may not necessarily be hostile or blatant. On the other hand, simply finding a “gay” psychologist may not prove as helpful if they are not experienced or credible in Juvenile Court. Think about this in advance and develop your own resources.

#### **10. Utilize the community.**

Is there a gay community near you that offers services and support groups for youth that you can use as part of your dispositional plan? ? Is someone available to come and visit with your client while detained? Will they come to Court on their behalf. Once again, the more you can do to reduce isolation the better. Also it is helpful to remind the Judge that the client has community support and attention.