

Information for LGBTQ Youth in Care

As a lesbian, gay, bisexual, transgender or questioning (“LGBTQ”) youth in care, you deserve support and respect from your caseworker, foster parents and the other adults involved in your life. You are also entitled to receive nonjudgmental services. You have the right to be heard, to feel supported and to be safe and free from harassment based on your sexual orientation or gender identity.

KNOW YOUR LEGAL RIGHTS IN CARE.

You have many legal rights while you are in care, including the right to be free from verbal, emotional and physical harassment in your placement, school and community. The adults involved in your care have a legal and ethical obligation to ensure that you are safe and protected. You also have the right to be treated equally, to express your gender identity and to be open about your sexual orientation.

YOUR CASEWORKER AND THE OTHER ADULTS IN YOUR LIFE HAVE AN OBLIGATION TO SUPPORT YOU.

Regardless of their personal beliefs, the adult professionals in your life have a legal duty to support and protect you from anti-LGBTQ harassment and mistreatment. Licensed and certified members of the National Association of Social Workers are bound by a code of ethics that prohibits discrimination on the basis of sexual orientation and requires your consent before the release of confidential information. If your placement is not safe, your caseworker must take steps to protect you, including moving you to a more appropriate placement.

Your caseworker and foster parents should also stick up for you in school if you are experiencing harassment and mistreatment there.

TELL YOUR CASEWORKER IF YOU FEEL UNSAFE.

Whether or not you are out to your caseworker, you should tell him or her if you do not feel safe and immediately report any mistreatment. Furthermore, it doesn't matter if you're actually LGBTQ or not. If you're being targeted because others think you're LGBTQ, you're still entitled to protection. If nothing is done to stop the abuse, you may want to file a formal complaint against the perpetrators and the adults who have failed to help stop it.

REPORT MISTREATMENT TO YOUR ATTORNEY OR GUARDIAN AD LITEM.

Your attorney may be able to take legal action on your behalf to protect you from discrimination and mistreatment. Your conversations with your attorney are confidential, and you do not need to come out to receive protection and legal advocacy. In especially bad cases, LGBTQ young people have sued for damages related to the mistreatment.

FOSTERING TRANSITIONS

A CWLA/Lambda Legal
Joint Initiative



THE ADULTS IN YOUR LIFE SHOULD ACCEPT YOU FOR WHO YOU ARE AND NOT TRY TO CHANGE YOUR SEXUAL ORIENTATION OR GENDER IDENTITY.

You are not required to go along with any efforts, whether direct or indirect, to change your sexual orientation or gender identity. The leading mental health and child welfare experts have concluded that so-called reparative or conversion therapies are ineffective, potentially dangerous and unethical. You are likewise entitled to maintain your own religious beliefs and to be free from efforts to convert you.

BECOME AN AUTHORITY ON YOUR OWN HEALTH CARE NEEDS.

It's important that the adults in your life understand that being LGB does not necessarily mean you have special mental or physical health care needs. On the other hand, it is also important that you can be yourself with your doctors and counselors and that you can openly express your LGBTQ-specific concerns with them. If you are transgender, you may well benefit from specialized mental and physical health care to help you express your gender identity. It's important that you avoid unsafe, "black market" treatments and instead use safe and professional services. LGBTQ youth, like all youth, should have access to appropriate sexual health education and materials. Be sure to seek this out if it hasn't been offered to you. Ask your caseworker, or contact your local LGBT community center (www.lgbtcenters.org); Parents, Families and Friends of Lesbians and Gays (PFLAG) chapter (www.pflag.org) or the World Professional Association for Transgender Health (www.wpath.org) for a referral to supportive health care professionals in your community.

LOCATE LGBTQ RESOURCES IN YOUR COMMUNITY OR SEEK OUT SUPPORTIVE ADULTS WHO CAN HELP.

If you have an LGBT community center in your area, inquire whether youth services are available there. You can also find helpful LGBTQ youth resources by contacting CWLA (www.cwla.org), Lambda Legal (1-866-LGBTeen, www.lambdalegal.org) or the National Youth Advocacy Coalition (www.nyacyouth.org).

CONTACT LAMBDA LEGAL'S YOUTH IN OUT-OF-HOME CARE PROJECT FOR HELP.

You have the right to be safe, to be free from harassment and to have adults stick up for you. If you feel threatened or unsafe because of your sexual orientation or gender identity and the adults involved in your care are not supportive, call the toll-free Lambda Legal hotline at 1-866-LGBTeen (1-866-542-8336).

“ I realized that being gay is not my problem. It's their problem. I see homophobia as a social disease. I try not to get involved in negative communities. But I do try to teach them. Otherwise, the ignorance will continue and nothing will ever be done about it. ”

– Youth in Care

The many other components of Getting Down to Basics offer additional support.

This tool kit includes additional handouts covering a variety of topics addressing the needs of LGBTQ youth and adults involved with the child welfare and juvenile justice systems, such as *Basic Facts About Being LGBTQ*, *Caseworkers with LGBTQ Clients*, *Teaching LGBTQ Competence in Schools of Social Work*, *Working with Transgender Youth*, *Families Supporting an LGBTQ Child* and *LGBTQ Youth Resources*. To order free copies of the *Getting Down to Basics* tool kit, contact Lambda Legal at 1-866-LGBTeen (toll free) or 212-809-8585, or download it for free at www.lambdalegal.org or www.cwla.org.



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