

Opening Doors: Improving the Legal System's Approach to LGBTQ Youth in Foster Care

“Ignorance can only be remedied with knowledge. The system is broken, the only way to change it is through advocacy.” Judge at Florida listening forum

About us:

The American Bar Association Center on Children and the Law is a full-service technical assistance, training, and research program addressing a broad spectrum of law and court-related topics affecting children. The attorneys working on this project have, combined, 25 years working in the child welfare legal community. They have represented the child welfare agency and children and youth in the foster care system. They focus much of their work on permanency issues for youth in foster care with an emphasis on LGBTQ youth.

Questions? Comments? Ideas to share?

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Addressing barriers for lesbian, gay, bisexual, transgender and questioning (LGBTQ) youth in the child welfare legal system related to safety, permanency, and well-being.

The Opening Doors Project:

As a judge, lawyer or other child welfare professional do you understand the risk factors common to LGBTQ youth? These include high suicide rates, substance abuse, health issues, and harassment in foster care and in school. Do you know how a youth's LGBTQ status affects permanency (including reunification, adoption, guardianship, or placement with a fit and willing relative)?

The Opening Doors Project aims to:

- Increase the legal community's awareness of LGBTQ youth in foster care and the unique issues they face, and
- Provide the legal community with advocacy tools to successfully represent these youth

Approach

During this three year project, staff of the ABA Center on Children and the Law will research and develop a resource manual and provide training and technical assistance on issues related to LGBTQ youth in foster care.

Research

The research phase of this project is multi-faceted and includes:

- Reviewing literature and studies
- Surveying child welfare judges and lawyers nationwide about their experiences with LGBTQ youth in foster care
- Conducting a "snowball survey" – phone interviews with child welfare professionals who are already doing good work for LGBTQ youth, and

- Holding listening forums – visit at least five communities and meet with LGBTQ youth who are or were in foster care as well as judges and advocates to learn about positive practices and areas needing improvement

Resource Manual

Based on this research, project staff will publish a resource manual containing guidelines for more effective representation, advocacy, and decision making for LGBTQ youth. It will contain:

- Guidance about issues impacting the safety, permanency and well-being, including physical health, behavioral health and education, of LGBTQ youth in foster care
- Practice tips for attorneys and judges about sensitive approaches for talking with adolescents
- Resources available to judges and lawyers

The Center is experienced in publishing and distributing written resources. Building on this expertise, the manual will be distributed to child welfare agencies, courts, and LGBTQ organizations.

Training and Technical Assistance:

Substantive training based on the resource manual will be provided by Center staff throughout the legal community. Sessions may occur in conjunction with national child welfare or LGBTQ youth conferences. Trainings will provide information on effective techniques of representation and may include exercises for advocates and judges to better understand their own biases concerning LGBTQ youth and ways to improve their practices.