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Helping Lawyers Help Kids

OPENING DOORS

Article #4 in a series

Legal Advocacy and Decision Making for LGBTQ Youth

by Mimi Laver

LGBTQ youth rarely feel safe, no matter where they are. Some LGBTQ youth report feeling safer on the streets than at home or school. They are harassed and physically harmed by other youth, foster parents, and group home staff.

As the child’s advocate or judge, you must ensure the safety, permanency, and well-being of LGBTQ youth in foster care.

Finding permanent homes for teens is a challenge. Agency workers and other professionals often give up on helping LGBTQ youth achieve permanency. Like other teens, these youth can and should go home with appropriate supports. If not, they should be placed in adoptive homes or with guardians. They should also have at least one positive adult connection that will continue after they leave foster care. As the judge or lawyer, you can make this happen.

LGBTQ youth may feel abandoned by families and friends because of their identity. Like other youth, they may have questions about their sexuality or health-related concerns. They may be bullied in school or feel left out of activities or conversations in class. If they need counseling or other health services, the provider must be LGBTQ-friendly and have experience working with LGBTQ youth. They need to be in schools that are supportive and academically appropriate. You can help get these services for the LGBTQ youth on your caseload.

This article discusses: (1) factors judges and lawyers should consider to assure safety, permanency, and positive well-being outcomes for LGBTQ youth; (2) tools for involving youth in their case planning, including court appearances; and (3) tips to help LGBTQ youth find their voices in the dependency court process. This article assumes the lawyer has established a strong relationship with the youth¹ and focuses on in- and out-of-court advocacy.

Role of Youth in Court

Including youth in their court hearings helps them feel valued and empowers them. Youth benefit from appearing in court in the following ways:²

- **Sense of control** (e.g., youth can tell the judge he would like to be in an LGBTQ group home rather than his current placement)
- **Understanding the process** (e.g., youth hears: caseworker recommend services, youth’s lawyer discuss need for LGBTQ-friendly services, and then judge’s decision)
- **Seeing that adults care about them and their futures** (e.g.,

judge asks about safety in the foster home and at school and why the youth’s grades have improved since entering care and supports youth’s LGBTQ status)

The court also benefits since the youth can answer questions about her life more accurately than anyone else in the case. Youth can be included by attending court proceedings and speaking at the bar of the court, speaking in chambers, writing a letter that is read in court, or just being present and speaking through the lawyer.

Having your LGBTQ client in court helps the judge see that your client appears like other youth. The youth can explain what is going well, and not well, in foster care. You will need to prepare your client for the court experience though. A courtroom

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About this Series

This article is the last in a four-part series prepared by the ABA's Opening Doors Project. This three-year project aims to increase the legal community's awareness of LGBTQ youth in foster care and the issues they face. It will provide advocacy tools to help lawyers successfully represent these youth and tools for judges to aid decision making. For more information about this project, visit www.abanet.org/child/lgbtq.shtml.

Topics addressed in this series are:

- Understanding LGBTQ Youth Issues (July 2007)
- Attitudes and Beliefs about LGBTQ Youth (September 2007)
- Attorney-Client Relationships (Jan. 2008)
- Representation Issues (this issue)

(Continued from front page)

can be intimidating and not what the youth has "seen on TV."³ Some judges and lawyers may not respect the youth, and may make disparaging comments about the youth's identity.⁴ Discuss this concern and let the youth decide whether she wants to talk to the judge, or whether she has something she'd like you to read. Let her know that even if she plans to talk but changes her mind, there is still value in appearing in court. Let her share any concerns she has about the experience before you enter the courtroom and after.

As the judge, welcome those who enter your courtroom, especially youth. They can provide insights and information you need to make the best decision in their cases, but will not if they do not trust you, or believe you value what they offer.⁵

The Life of a Case

Once a child enters foster care, the case follows a familiar pattern: regular hearings, case planning meetings, and services for the child and family to help them work through the issues leading to the child's placement. At each point in a case, the judge or lawyer can affect the youth by addressing the issues unique to the case. Whether this is issuing a no reasonable efforts order against the child welfare agency because it was not providing family therapy by an LGBTQ-friendly therapist or advocating for an LGBTQ group home that the youth would like to move into, your actions will change the youth's experience in foster care.

Initial Removal

An LGBTQ youth may enter care for a reason related to his LGBTQ status or something else. The youth may be out and open about his LGBTQ status with family and child welfare professionals, or he may not be ready to talk. If you are in a jurisdiction where you get to meet your client before the first hearing, jump on that opportunity. This is a good chance to start building a trusting relationship with your client.⁶ Discuss with your client what information to relay to the court and agency to ensure your client is safe and getting needed services at the start of her case.

Early Hearings

While not ideal, in many places, the shelter care, detention, or adjudicatory hearing is the first time you as the lawyer or judge will meet the youth. If this is true in your jurisdiction, as the lawyer you should talk to your client and try to establish a relationship.⁷

During the hearing, focus on the questions in the box on the next page, paying attention to safety issues such as where the youth is placed, how she is being treated, if staff are appropriate, and if she has concerns. Watch for red flags that could give you clues about the youth's LGBTQ status. These could come from the petition, the caseworker's testimony, or comments from the parents or the youth.

These include:

- The youth was kicked out of home when no prior problems were reported;
- The youth ran away or was living on the streets;
- The youth was using substances and the parent was not able to handle the situation (this may or may not indicate LGBTQ);⁸
- The youth attempted suicide;⁹
- The youth started skipping school even though he was doing well before (could show child feels unsafe at school).

If there are signs that the youth is LGBTQ, you will need to decide how to use what you've learned in your advocacy and decision making. For example, if the youth came out to you as her lawyer, but did not want you to disclose her LGBTQ status in court, you may need to figure out how to convey some concerns. As one youth put it, "if we tell our attorney, it's because we feel comfortable, not because we want the judge and everyone else to know...or we would announce it over a loudspeaker."¹⁰

For example, if your client told you that she is frightened in her new school because people are bullying her because she prefers to dress in boys' clothing, the judge and agency need to know this because it is a safety concern. You could discuss why the judge needs the information and agree on a way for you to communicate it. You could say she is being bullied and not say why, for example. That should be enough of a message for the worker and judge to get involved. You could also talk to the school counselor on your client's behalf.

As the judge, the child's lawyer may ask you to change a youth's placement. The lawyer may be able to disclose that the young person feels unsafe because of LGBTQ status, or the lawyer may just say the young person feels her safety is not guaranteed and she is unhappy. Even if the agency wants to keep the youth in the same

placement, you are in a position to order the placement change and ask the agency to find an appropriate placement.

Remember the youth is more than just her LGBTQ status. For example, she may have special learning needs, a desire to be near family, or religious beliefs that should be accommodated. All youth in foster care should be treated as individuals. A youth who identifies as LGBTQ is no different than other youth in foster care, but there are identity issues to consider.

In Between Hearings – Throughout the Entire Case

Advocating outside court: As the child's lawyer, you play a key role in between hearings as the case progresses. You should participate in important meetings with your client and talk to your client regularly. This is essential for your LGBTQ clients who may be dealing with difficult relationships with their families, foster parents, old friends, schoolmates and others. Your role is to look out for what is best for them and to advocate for what they want.

While your client is in foster care, she will have contact with other systems and providers. For LGBTQ youth, these interactions are often not smooth. Examples include:

School system. Your client may be having difficulty in school, either academically or socially. She may be getting harassed or physically harmed. If she has changed schools many times, she may be having a hard time adjusting. Make an appointment to see the school counselor with your client to arrange help by a tutor or someone who can watch out for her safety. If your client has an Individualized Education Plan (IEP), attend the IEP meeting and advocate for the educational services she needs.

Juvenile justice system. If your client gets arrested and is having a delinquency hearing, you should appear or talk with the defense lawyer before

Questions Every Lawyer and Judge Should Ask

As the judge or lawyer in a case involving an LGBTQ youth, ask the following questions throughout the youth's case. Ask them of the agency, service providers, and the youth to help keep the young person safe, healthy, and in a permanent home.

Safety Concerns:

- Where is the youth placed?
Is it a foster home that is open to working with an LGBTQ youth, or one in which the foster parents may not be open?
Is it an emergency shelter?
Is the youth transgender and placed with other youth who are the same gender with which she identifies?
Is it a group home – what are the staff like?
- Is the young person free from harassment by staff and peers? Are staff attuned to this issue? Is the youth being separated rather than included in the home?
- Has the youth been evaluated to see if he is in danger of harming himself or attempting suicide?
- Are there signs that the youth is abusing drugs or alcohol?

Permanency:

- Is the agency frontloading services from an LGBTQ-friendly provider?
- Are all professionals in the case working with the child and family on permanency issues at the beginning and throughout the case?
- Has the entire family been engaged in the planning process?
- Are the professionals engaged in concurrent planning?
- How is the family reacting to the youth based on the reason for entry into foster care and LGBTQ status?
- What does the youth want as a permanency plan?
- Has the youth received counseling about his permanency options including returning home and adoption?

Well-being:

- Education: Has the youth had to change schools? If so, is she safe in her new school? Is she enrolled in proper classes? Is there a Gay Straight Alliance (GSA) in the school and is the youth aware of it?
- Medical: Is the youth being treated like other youth in getting evaluated? Have service needs been identified and is the youth receiving the necessary medical care?
- Emotional health: Does the youth appear to need immediate counseling? Is there a protocol for getting youth evaluations and is it being followed? If the youth is open about his sexual identity, is there an LGBTQ-friendly counselor in the jurisdiction to refer the child to? Has the referral been made?

Source: See Khoury, *Child Law Practice*, July 2007, 66, 70-71 (statistics concerning increased risk of suicide, and drug and alcohol use for LGBTQ youth).

ON POINT

Must the Agency Provide Medical Services to Transgender Youth?

Mariah L. v. Administration for Children's Services considers whether the child welfare agency must pay for sexual reassignment surgery (SRS) for a male-to-female transgender youth who is a foster child in the custody of the New York Administration for Children's Services (ACS). Despite all of her medical providers agreeing the surgery is medically necessary for Mariah, ACS refuses to pay for the surgery because they say it is not medically necessary and it is not covered by Medicaid. Mariah filed a petition with the court asking for an order requiring ACS to provide the surgery. The Family Court granted her petition in January 2006 and ACS appealed.

On August 24, 2006, the appellate court held that SRS is the generally recognized and successful treatment for gender identity disorder, but remanded the case to ACS to give a specific reason for their denial of Mariah's request. On February 21, 2007, Judge Sheldon Rand of the New York Family Court ordered ACS to provide Mariah with SRS. Judge Rand dismissed ACS's unsubstantiated arguments that SRS is not medically necessary. ACS appealed this decision. Oral arguments took place in May 2007 and there is no opinion yet. (Based on summary from the National Center for Lesbian Rights.)

Impact on Practice: Advocates should be aware of this case and should watch for the outcome. If the family court's order is upheld, it could impact what services you can advocate for on behalf of your transgender clients. Such services might include hormone treatment, sex realignment counseling, sex realignment surgery, and other supportive services. You may also be able to use this case to ask the court for specialized services for your LGBTQ clients that you may not have pursued in the past.

the hearing. The police are often not sensitive to the issues facing LGBTQ youth. Many LGBTQ youth get arrested for sexual behavior that is labeled "predatory" when it is really behavior that would not rise to a criminal level for heterosexual youth. Other LGBTQ youth get arrested for prostitution because they are on the streets and need money. Ensure that whoever is representing your client in the delinquency proceeding is aware of your client's LGBTQ status and any relevant concerns.¹¹

Health care system. Your client may have health needs but have trouble accessing a doctor who is LGBTQ-friendly and treats minors in foster care. If your client is transgender, there may be medical issues, such as whether the youth should be on hormones, which must be addressed

(See box above). If your client has a substance abuse problem, help the client access appropriate treatment. If your client needs counseling, be sure the provider is committed to supporting the youth, not trying to change the youth's sexual orientation or gender identity. Some mental health practitioners practice reparative therapy techniques designed to change the youth. The American Academy of Pediatrics and the American Psychiatric Association oppose this type of therapy and believe it can harm the client. Child welfare agencies, attorneys and judges should never allow LGBTQ youth to be seen by a therapist who uses reparative therapy.¹² If your client is sexually active, provide information about HIV and how to protect oneself. Note that lesbian and gay youth are no more at risk for HIV infection than their heterosexual

counterparts who engage in unprotected sex, therefore it is important that all youth in foster care have access to information about HIV prevention.

As the lawyer of a client dealing with any of these systems, you should be on top of the issue and help the youth and caseworker find assistance. If advocating with the agency and providers does not work, then you may need to ask the judge to hear the case early to resolve the problem and issue an order.

Advocating at case planning meetings:

LGBTQ-friendly services. During case planning meetings, lawyers must work with the agency to get services for clients and their families by taking the following steps:

- Determine if the service provider is open to working on LGBTQ issues in a respectful and nonjudgmental way. Review the websites of service providers to see whether they list treatment of LGBTQ youth as a specialty. If not, work with the agency to determine whether the provider is equipped to provide the necessary services or help find another provider.
- If your client is willing to engage in family counseling, advocate for services to work on the relationship with the client's parents, if appropriate.
- Monitor the agency's permanency planning efforts. Consider:
 - Is the agency working towards having your client return home? If so, how?
 - Has the agency or counselor directly addressed the youth's LGBTQ status and the parents' feelings about that before recommending your client return home?
 - Does the agency have a concurrent plan of adoption or guardianship by an LGBTQ-

friendly individual or family? If so, what steps have been taken to ensure those outcomes?

- Has the agency reached out to other family members who are open to the youth's LGBTQ status?
- Has the agency found the youth a mentor or other positive adult role model who is LGBT or LGBTQ-friendly?

Getting answers to these questions, and the others in the box on p. 167, should be part of your work on behalf of your client throughout the entire case.

Permanency plan changes. Your client could have a permanency plan that your client and you are satisfied with, but changes could force you to rethink your efforts. Sometimes when LGBTQ youth come out to the people in their lives, changes occur. For example, a young woman at one of the Opening Doors Project's listening forums was in foster care for many years and living with a preadoptive parent. When she came out to this parent, the parent said she would not adopt her.¹³ If you were her lawyer, you would want to help her find another permanent placement. More immediately, you would need to help her with any emotional issues related to her coming out and the resulting abandonment by her preadoptive mother. This might involve working with the agency, at case planning meetings and through conversations, to find counseling by an LGBTQ-friendly provider. If the agency is unwilling to work with you and your client, consider taking the case to court and asking for an order.

Permanency Hearings/Reviews

Every case must be in court at least every six months for a review hearing and every 12 months for a permanency hearing. These hearings should never be just rubber stamps of what

Judge Hepner's Placement Tips

In training programs for judges, attorneys, and agency personnel conducted by Judge Paula Hepner from New York, she suggests that before placing an LGBT youth in a detention or foster care facility, judges might want to know:

- what the facility's policies are regarding treatment of LGBT youth
- what the facility's staff training on LGBT issues entails
- what the facility's policies are regarding segregating LGBT youth
- whether the facility provides equal access to programs and services
- whether and under what circumstances a facility engages in differential treatment of LGBT youth
- what medical/mental health practitioners will be available in facilities where LGBT youth are sent

the agency says. As the judge and youth's lawyer, you can ensure that meaningful hearings happen for all young people, remembering that a meaningful hearing may look different for each family.

As the lawyer, by communicating with your client and her caseworker regularly, and attending the case planning meetings, you should know how your client is doing in care, her long-term goals, the agency's goals for her, and her progress in school. You should know whether she needs any supportive services, and whether she is receiving them from LGBTQ-friendly providers. You will know whether she is involved in a Gay Straight Alliance (GSA) group at school. You may also have concerns that you think the judge needs to hear, either from your client or yourself. Prepare your client to be in court and share these concerns, or talk to your client about how she would like you to express the issues in court.

Reunification: When LGBTQ youth enter foster care, especially for reasons related to their LGBTQ status, professionals in the case often bypass reunification as the first choice permanency goal.¹⁴ This is unfair to the youth and his family. Many adolescents in care return to their biological families after they leave care. If a LGBTQ youth returns home without first working with the family about the issues leading to the placement, the chance of this working out is poor.

However, research has shown that even families who are angry when a family member comes out, can work through that anger and learn to become supportive and nurturing.¹⁵ When this happens, outcomes for the LGBTQ youth can be positive.¹⁶

Based on this research, the agency should provide the services your client and his family agree are needed to work towards a safe, and emotionally healthy reunification. This could involve family therapy, enrolling in Parents, Families and Friends of Lesbians and Gays (PFLAG) (see www.pflag.org) or other support groups to meet other families of LGBTQ youth, or education on issues common to LGBTQ youth and their families.

During the review, let the judge know whether this is happening. If not, ask the judge to order immediate services. The judge should order services unless there is strong evidence to the contrary. When working toward reunification, you might have to look beyond the youth's LGBTQ status to determine the reasons why the youth entered care and focus services on all of these issues. If the child was not being supervised at home, was using substances, had mental health concerns, or was physically harmed, the kinds of services offered may go beyond basic family therapy and PFLAG membership.

Remember that a youth's family may consist of people other than his

parents. The youth may have siblings who entered foster care, or remained at home, depending on the reasons for the placement. No matter where the siblings are, the youth should maintain his relationship with them, and you should help ensure that.¹⁷ Visitation increases the chance of reunification and maintains sibling relationships. Ask the court to order sibling visitation in the most natural setting possible. The siblings could see each other during visits with the parents, or it might be better for the youth to have separate visits. Advocate for whichever is best for your client. Additionally, including siblings in counseling and other family-centered services may be another way to maintain the relationship and to help the siblings understand the youth's LGBTQ status. If the sibling has heard bad things about the youth from the parents, having the chance to talk to your client, and ideally the sibling, in a safe place about that may be useful for both the youth and the sibling.

TPR and adoption: If reunification is not likely at the permanency hearing, the judge should require the agency to provide information about a viable permanency plan with clear steps for achieving this plan. If this does not happen, the judge should issue a no reasonable efforts order and ask that the case be brought back to court soon. Part of this plan should include information about adults in the youth's life who can serve as lifetime resources for this young person after he leaves care. These should be people who will welcome the youth into their homes for holidays and when the youth needs help. These individuals do not have to be LGBTQ themselves, but they should be open to the youth's identity and ready to support him throughout his life. The youth should help identify these individuals, just like the youth can help find his own permanent placement resources.

If the agency says the goal is adoption, they should discuss specific recruitment efforts to find an adoptive

resource for the youth. These efforts could include outreach to the gay community. If the youth will be adopted by current foster parents, find out if the youth is out to these parents. If the youth is out to you as the lawyer, but not to the preadoptive parents, help your client become comfortable coming out to the family. Talk with your client about her concerns about coming out to these parents. Counsel her about the danger that the adoption would disrupt in the future when she does come out, or when the parents find out from another source. Suggest that your client and the preadoptive parents see a counselor together to discuss this issue in a comfortable, supportive setting.

Whoever the adoptive parents are, they must understand and have a high comfort level with the youth's LGBTQ status. Many people say they are comfortable, but the adoptive parents must understand what this means. For example, would the parents be comfortable when the youth brings his same-sex partner home for a holiday and the two are holding hands in the living room? Will they treat the couple the same way they would if the couple were heterosexual and holding hands on the couch? Also, the adoptive parents must be comfortable as advocates for the youth—both on a systemic level (e.g., school) and on a personal level (e.g., with extended family). If the adopted grandparent is not comfortable with the youth's partner, will the adoptive parent be able to support the youth? The adoptive parent must be comfortable with herself and with her relationship with the youth so when people from outside the family make unpleasant comments the parent can respond in an affirming way. The main focus must be on the youth and supporting him so he can become a well-adjusted adult.¹⁸

Remember that the youth may be able to identify adults in her life—mentors, teachers, coaches, friends' parents—who would be interested in adopting her. Do not forget to include the youth in planning her life.

The TPR hearing is its own step in the case. If the goal at a permanency hearing is adoption, some decisions must be made before you go through with terminating the youth's parents' rights. These include whether the youth is ready to end the relationship she has with her biological family or whether the adoptive parents are open to those relationships continuing. Talk to the youth about these issues before and during the TPR hearing.

Guardianship and relative placement: If adoption is also not possible, discuss guardianship and then relative placement with the youth. The youth can often locate a suitable guardian for himself, and the caseworker should then take steps to ensure the proposed adult would provide a safe home.¹⁹ The caseworker should have reached out to relatives when the case started, but if not, should be ordered to do so if other permanency options are not likely. 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. This relative may also be willing to help the youth improve relationships with his parents if that is a concern, and maintain a relationship with his siblings. A relative may know the family history concerning whether other family members are LGBT or who in the family would be open to supporting this youth.²⁰

APPLA: The final permanency option is another planned permanent living arrangement (APPLA). APPLA is not:

- living in an emergency shelter for a year;
- moving from group home to group home;
- staying in a residential treatment facility indefinitely unless the youth's diagnosis requires that setting.

Some youth do well in group homes, especially group homes created for LGBTQ youth. As a placement op-

tion, this might work for some or all of the youth's stay in foster care. However, most youth, LGBTQ included, need family connections. The case-worker should be trying to find the young person a family placement.

APPLA should be planned and permanent. This means that if the youth will remain in care until he turns 18 or 21, services should be established to help the transition, a plan should be in place so the youth does not end up homeless, incarcerated, or without adult connections. 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 needed resources.

Appeals: If judges are not making appropriate orders or holding the agency accountable, the attorneys have a duty to appeal.²¹ While appealing a trial judge raises concerns about the judge's treatment of you and your client in future cases, it is not acceptable for a judge to make derogatory or prejudicial comments and then disregard your requests on behalf of an LGBTQ client. If your case is heard before a hearing officer or master, remember you can file exceptions and have the case heard by a judge. The right to appeal is a legal tool when you are dissatisfied by the order or treatment by a judicial officer.

When deciding to appeal, first talk to your client. Explain that appeals involving minors only identify the youth with initials, but the youth may feel that personal things about his life would be broadcasted to even more people. This should be a decision that you make together.

Conclusion

To be an effective advocate or decision maker for a young person who identifies as LGBTQ you must get to know the youth. Earn his respect and trust by including him in the process of determining what will happen in his case. Find answers to the key questions that will help to ensure his safety, permanency, and well-being. Then, as

the attorney advocate, get what your client needs. And, as the judge, make difficult decisions for the sake of the youth. This is not easy, but it is essential to improving outcomes for LGBTQ youth in foster care.

Mimi Laver, JD, is director of the Opening Doors: Improving the Legal System's Approach to LGBTQ Youth in Foster Care project. She also directs several other projects at the ABA Center on Children and the Law, Washington, DC.

Endnotes

1. Khoury, Andrea. "Strong Relationship, Strong Advocacy: Tips for Building Relationships with LGBTQ Youth." *Child Law Practice* 26(11), January 2007, 145.
2. Khoury, Andrea. "Seen and Heard: Involving Children in Dependency Court." *Child Law Practice* 25(10), December 2006, 150.
3. Youth statement, Opening Doors Project listening forum, New York, NY, November 29, 2006.
4. Youth statement, Opening Doors Project listening forum, Jacksonville, FL, October 12, 2006. See also, Laver, Mimi. "Exploring Attitudes About LGBTQ Youth in Foster Care" *Child Law Practice* 26(7), September 2007 (quotes from youth about court experience).
5. Khoury, Andrea. "Opening Doors for LGBTQ Youth in Foster Care." *Child Law Practice*, July 2007, 71-73; Laver, September 2007, 97; Khoury, January 2007, 145.
6. See Khoury, January 2007, 145.
7. Ibid.
8. See Khoury, *Child Law Practice*, July 2007, 71 (links between substance abuse and LGBTQ status).
9. Ibid., 66, 70 (links between suicide and LGBTQ status).
10. Youth statement, Opening Doors Project listening forum, New York, NY, November 29, 2006.
11. Fedders, Barbara. "Coming Out for Kids: Recognizing Respecting and Representing LGBTQ Youth." *Nevada Law Journal* 6, Spring 2006, 774, 796-798 (for discussion of LGBTQ youth being arrested and detained longer than heterosexual youth for "sexual predatory behavior" and sexual crimes).
12. Wilber, Shannan, Caitlin Ryan and Jody Marksamer. *CWLA Best Practice Guidelines*. Washington, DC: Child Welfare League of America, 2006 at 55-56, 64 (discussion of reparative therapy and the opposition to its use).
13. Youth statement, Opening Doors Project listening forum, Nashville, TN, November 14, 2006.

14. This is a common theme expressed during listening forums and trainings.

15. See Laver, *Child Law Practice*, September 2007, (discussion of attitudes towards LGBTQ youth and tools to use to be more supportive of these youth).

16. Wilber, Ryan & Marksamer, 2006, 12 (discussion of the Family Acceptance Project, "family and caregiver acceptance is an important protective factor and family and caregiver rejection has serious negative health outcomes for LGBT youth.")

17. See Viner, Elana. "Understanding Siblings' Rights in the Child Welfare System." *Child Law Practice*, November 2006, 129, 134-138.

18. Interview with Gary Mallon, PhD, July 26, 2007.

19. Ibid.

20 Ibid.

21 Judge statement, Opening Doors Project listening forum, Jacksonville, FL, October 12, 2006.

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