

Tips for Legal Advocates Working with Lesbian, Gay, Bisexual, and Transgender Clients



Become comfortable with the issues.

Historically, society has been intolerant of lesbian, gay, bisexual, transgender, and queer (LGBTQ) people and these negative attitudes may affect how we think about LGBT people. It is important for advocates to understand LGBT people and the issues they face. One can become a compassionate advocate by building relationships with local LGBTQ organizations and activists, attending trainings, visiting educational websites, and reading articles and books or watching movies with positive portrayals of LGBTQ people.

Make your office space friendly to LGBTQ people.

Often, LGBTQ people will assume that a lawyer's office is unfriendly to LGBTQ people until he or she receives a clear indication otherwise. Use visual cues to indicate that your office is a safe and welcoming space for LGBTQ people. Put up posters or stickers that have positive messages about LGBTQ people and make sure your resource display includes materials specifically for LGBTQ people. When possible, hire LGBTQ people as staff members in your organization.

With all clients, use language that does not implicitly assume the client's sexual orientation or gender.

Using inclusive language that does not assume the gender of your client or your client's significant other sends a message that it is safe for your client to talk to you about his or her sexual orientation or gender identity. It is important to use this inclusive language with all clients, not just the ones who you think may be LGBTQ. For example, ask "are you in a relationship?" instead of "do you have a boyfriend?"

Be aware of assumptions you may have based on a client's sexual orientation or gender identity

We all make assumptions about others based on our own background and experience. The important thing is to be aware so that you do not unconsciously make decisions based on your assumptions about people who are LGBTQ rather than on your client's unique situation. For example, a gay male client does not necessarily appreciate sexual advances from other male coworkers, and he may have a sexual harassment claim.

An LGBTQ client's legal problems may not be directly related to his or her sexual orientation or gender identity.

LGBT clients face the same types of legal problems that non-LGBTQ clients face. An LGBTQ client's legal problems will not inevitably involve sexual orientation or gender identity discrimination. For example, an LGBTQ client may come to the legal aid office because his or her landlord has failed to fix an unsafe condition, and that failure may be unrelated to the client's sexual orientation or gender identity.

Be prepared to address hostile attitudes and irrelevant arguments.

An LGBTQ client may face hostility from the legal system, even if the case does not relate directly to his or her sexual orientation or gender identity. For example, in a custody case between different-sex parents where one parent is LGBTQ, the other parent may argue that the LGBTQ parent shouldn't have custody because of his or her sexual orientation or gender identity.

Reach out to LGBTQ organizations and attorneys who have experience working with LGBTQ legal issues.

The laws affecting LGBTQ people are complicated and constantly changing. Organizations and attorneys experienced with LGBTQ legal issues can help you identify the most effective strategies and may be able to provide legal research and information on these issues.



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