

October 18, 2022 – LGBTQ+

Panel: Judge Bernstein & GALPA Rita Ugarte

Judge Bernstein gave us examples of his interactions with other members of the Judiciary and the impact a gay Judge can make. When Judge Bernstein ran for Judge over 25 years ago, he was the first “out” gay Judge to run on the ballot; now he is among many more. He originally thought he was running for Judge and happened to be a gay man, only to realize that he has become a sounding board and resource for other Judges. He was able to bring about awareness of issues LGBTQ youth face and provide individual solutions in many cases.

- **LGBTQ+ youth** experience the same difficulties as other youth, but often at higher rates. The suicide rate is 4 times higher than youth in the general population. Many suffer from poverty, physical and sexual abuse, and struggles with psychological and social functioning. They have parents and families who need help and support due to mental health disorders, lack of opportunities, and community violence. They wind up in foster care at rates far beyond their numbers and experience homelessness far more often. Parents oftentimes throw them out once they come out. LGBTQ+ youth also experience targeting by police, discrimination in workplaces, and exclusion from community-support programs. LGBTQ+ youth of color experience these negative outcomes at even higher rates.
- **Pridelines** is a nonprofit whose mission is to “support, educate and empower South Florida’s lesbian, gay, bisexual, transgender, and questioning youth and their community in safe and diverse spaces to promote dialogue and wellness and to foster social change.” Their programs include the **Rainbow Circle** (a peer-led support group), **Youth Council** (a youth leadership team), and **Beyond the Binary**(a peer-led group for transgender and gender non-conforming youth).
- Families are three dimensional. They are not linear. They are not all the same and need to be viewed individually.
- Our tri-county area (Miami-Dade, Broward, and Palm Beach) is not the same as the rest of the state regarding how LGBTQ+ youth are viewed. However, regardless of politics, we have to represent the best interest and needs of the youth in our cases.
 - Currently all trainings and materials are reviewed and must be approved by the State office. All materials disseminated are monitored.
 - LGBTQ is seen as a “moral issue.” We, as GALs, must view this as a health issue. LGBTQ youth may require extra mental-health care and physical-health care. Make sure you ask how they feel about discussing both mental and physical issues or concerns with their pediatricians. If they are uncomfortable, find a different doctor!
- **BE LIKE A DOCTOR- DO NO HARM!** Be aware of what you share or fail to share, keeping youth’s confidences, and knowing what to divulge. Be in contact with your GAL team.
- If a child is physically, emotionally, or mentally at risk, continue to advocate for a placement change. However, make sure you check with the child first that they are okay with a modification of placement.
- People often ask why there are so many trans kids now. Unfortunately, in the past, they were victims of suicide or beaten to death.
- Q stands for questioning.
- A “dead name” is the name given at birth that trans kids no longer want to be called.
- If a child has disclosed a pronoun preference, let the Judge know prior to the case being called so the correct pronoun can be used during hearings.

- Pay close attention to the child's therapist; make sure the child is comfortable with their therapist!
- In Dependency Court, the Judge stands in the role of the parent and GALs are the eyes and ears of the Court. Make sure the Judge has the information needed to make the best decisions for the child.
- If a child comes out to you, find out if they are comfortable with this information being shared in an open courtroom. They may not have yet come out to family members who are present in court. You can always ask for the child to speak to the Judge with you, the GAL, present in a breakout room (or in chambers if we go back to in-person hearings).
- If you are uncomfortable advocating for LGBTQ children, do not accept the case. Tell your supervisor, and they will find another case to assign to you.