LGBTQIA+ Awareness and Allyship for Legal Professionals

Stacy Harper, JD, MHSA, CPC – Spencer Fane LLP (she/her) Tina Weaver, Executive Director – OUT Foundation (she/they) SpencerFane[®]

SF Connect Group – Spencer Fane+



Stacy Harper Overland Park



Olivia Hintz Denver



Elizabeth Lally, Co-Chair Omaha



Toni Ojoyeyi Minneapolis



Tracey Wallace, Co-Chair Dallas

Legal Ethics and Implicit Bias

Rule 8.4(g)

It is professional misconduct for lawyer to. . . engage in conduct that the lawyer knows or reasonably should know is harassment or discrimination on the basis of race, sex, religion, national origin, ethnicity, disability, age, sexual orientation, gender identity, marital status or socioeconomic status in conduct related to the practice of law. This paragraph does not limit the ability of a lawyer to accept, decline or withdraw from a representation in accordance with Rule 1.16. This paragraph does not preclude legitimate advice or advocacy consistent with these Rules.

THE FOUNDATION LGBTQ+ Awareness & Allyship





Tina Weaver [she/they] **Executive Director**



[he/him]

[she/her]

[he/him]



44 Amazin LeThi

[she/her]



Angel Flores [she/her]

Taylar Stallings [she/her]

Jo Murdock [she/her]

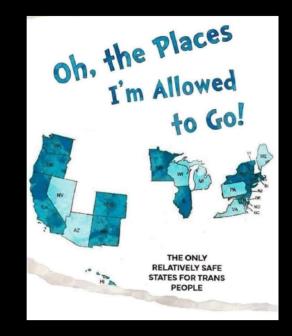


- Challenges Faced by the LGBTQ+ Community
- Introduction to LGBTQ+ Language, Terminology, & Identities
- Current Law Impacting the LGBTQ+ Community
- Pronoun Usage in Legal Settings
- Actionable Steps Towards Allyship
- Q&A

e of the Unior

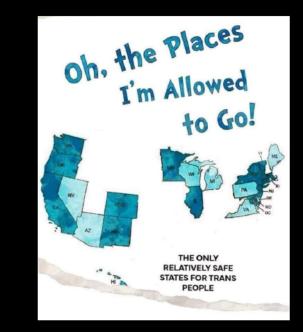
There are more than **750+ pieces of potentially LGBTQ+related legislation** introduced or pending in 2024 state legislation sessions. Of these:

- Ban employees of public or charter schools from referring to students with pronouns that differ from their sex assigned at birth: **7 States, 8 Pieces of Legislation**
- Enforce curriculum censorship in regards to diversity, equity, inclusion, and/or critical race theory in higher education: **7 States, 10 Pieces of Legislation**
- Ban the use of LGBTQ+ terminology ("Don't Say Gay" laws) in public or charter schools: 5 States, 5 Pieces of Legislation





- Increased Stigma & Discrimination
- Mental Health Strain
- Erosion of Trust in Institutions
- Negative Impact on Youth
- Economic & Social Isolation

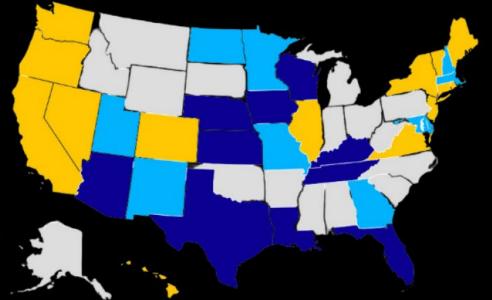




- Discrimination & Bias
- Lack of Understanding & Awareness
- Fear of Outing & Confidentiality Concerns
- Inadequate Legal Protections
- Financial Barriers

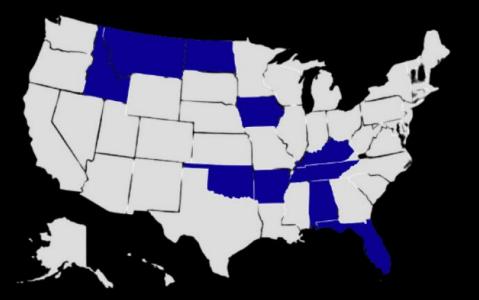
State of the Union

10 States address hate or bias crimes on sexual orientation only.
10 States address hate or bias crimes on sexual orientation and gender identity.
14 States & DC have laws that eliminate Bias Rage or Panic Defense in criminal acts.



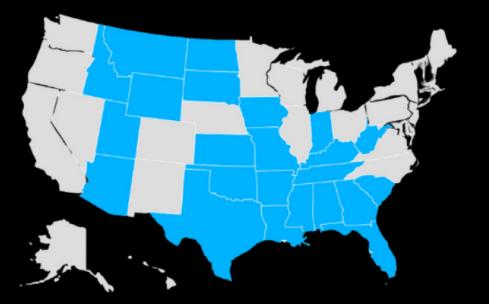
of the Union

10 States prohibit transgender people from using the restroom consistent with their gender identity.



of the Mio

23 States prohibit transgender students from playing sports alongside peers sharing their gender identity, often effectively denying them the ability to participate in school sports at all.



Trans Health and Wellness Bans Hurt Everyone

A Cis Utah Teen Needs Police Utah school secretly investigated if Protection After an Elected Official Implied She's Trans Utah school secretly investigated if vinning female student athlete is transgender

The Utah Board of Education member posted a photo of a girls' basketball team with a caption implying one of the athletes is trans.

NEWS

An athletics association scrutinized the winner's records after parents of two girls who lost the competition complained

9-year-old's gender questioned in 'gobsmacking' track-and-field incident, family says

Man at Kelowna track meet insisted on seeing documentation 'proving my daughter was born a girl,' mom says

The Science

A 2024 study funded in part by the International Olympic Committee cautions against blanket bans on trans athletes and found that trans women face several disadvantages in athletic competition.

- While trans women had notably larger lungs than cis women and scored higher on some metrics like grip strength, they also displayed less lower body strength, were unable to jump as high, and had a lower maximum rate of oxygen consumption than both cis women and cis men.
- Data indicated that there was no difference in cis and trans women's overall bone density.
- Trans people's bodies after medical transition are markedly different from those of cis people, and cannot be considered equivalent to others who were assigned the same sex at birth.



Legendary Women's Basketball Coach Dawn Staley Says Trans Women "Should Be Able to Play"

The day before her team beat lowa to win the NCAA championship, Staley said she supported trans athletes.

Here's How a Long Island Roller Derby Team Is Fighting a Trans Sports Ban in Their County

The sweeping ban prevents trans girls and women from participating in any practice or competition at Nassau County facilities.

"I Stand With Them:" Famed Lesbian Swimmer Diana Nyad Reverses Stance on Trans Athletes

"We are all sisters and siblings under the blue sky, and we should all have equal opportunities to play the sports we choose, the sports we love."

West Virginia's Trans Sports Ban Discriminates Against Trans Teen, Appeals Court Rules

Thirteen-year-old trans track athlete Becky Pepper-Jackson sued the state over the law in 2021.

NEWS

Wisconsin's Governor Just Blocked an Anti-Trans School Sports Ban

Republicans do not have enough votes to override Tony Evers' veto.

NEWS

A Federal Judge Has Tossed Out a Lawsuit Defending a Trans Sports Ban in a New York County

Bruce Blakeman's February executive order applied to more than 100 athletic facilities in Nassau County.

Why Pronoung Matter

- Nothing may be more personal. It's a form of mutual respect and basic courtesy.
- We articulate our preferred names in different settings. Why not pronouns?
- A culture that readily asks or provides pronouns is one committed to reducing the risk of disrespect or embarrassment for both parties.

Salutations & Honorifics

GENDERED JOB TITLES	NEUTRAL JOB TITLES		Ladies - Gentlemen	Distinguished Guests
Waiter - Waitress	Server		You Guys	Y'all, Folks, Everyone
Steward - Stewardess	Flight Attendant			
Mailman - Mailwoman	Postal Worker		Ma'am - Sir	Hello or omit these titles
Policeman - Policewoman	Police Officer		Mr., Mrs., Ms., Miss	Mx. or use name and/or professional title
Fireman	Firefighter			
		GENDERED NOUNS	NEUTRAL NOUNS	
		He/Him/His - She/Her/Hers	They/Them/Theirs	
		Father - Mother	Parent - Gaurdian	
		Husband - Wife	Spouse - Partner	
		Son - Daughter	Child-Kid	
		Brother - Sister	Sibling	
		Boyfriend - Girlfriend	Partner - Significant Other	

GENDERED GREETINGS

NEUTRAL GREETINGS

When your client comes out to you...



- 1. Say "I always knew," or downplay the significance of them coming out.
- 2. Go tell everyone about your "new gay/trans friend."
- 3. Forget they are still the same person.
- 4. Ask probing questions, or cross personal boundaries.
- 5. Assume you know why they came out to you.



- 1. Know this is a huge sign of trust.
- 2. Check how confidential this is (do others know)?
- 3. Remember that their gender/sexuality is just one dimension.
- 4. Show interest and curiosity.
- 5. Ask them how you can best support them.

Tips & Trick

- 1. Keep it Neutral
- 2. Find Resources
- 3. Don't Assume
- 4. Be an Ally
- 5. Hold Others Accountable



When you make a mistake.

- Apologize & Correct
 Avoid Making it a Big Deal
 Don't Dwell
 Educate Yourself
- 5. Follow Up if Needed





Practicing Using Inclusive Language

Scenario 1: A prospective new client is seeking legal advice for a discrimination case at work. The client uses they/them pronouns and has indicated this on their intake form. Demonstrate respectful and correct pronoun usage while gathering information about the case.

Scenario 2: Your witness is testifying in a case and uses she/they pronouns. Demonstrate inclusive language and correct pronoun use while questioning your witness.

Scenario 3: You are facilitating a mediation session between Jordan (He/Him) and Casey (They/Them) regarding a property dispute. Use neutral and inclusive language to facilitate dialogue.

Discussion: What insights or challenges did you encounter while practicing the use of inclusive language during the role-playing scenarios? How do you envision implementing these learnings in your interactions in legal settings moving forward?



- Adopt Inclusive Languages & Practices
- Advocate For & Support LGBTQ+ Rights
- Create a Welcoming & Safe Office Environment



Inclusion lifts us all. We're all in.

The more diverse, equitable, and inclusive we are, the better equipped we become to rise above challenges and add new, creative, and fresh perspectives to the problems we solve. The important work to advance DEI at Spencer Fane is a shared passion.



D Spencer**Fane**