

SURVIVAL TIPS FOR TRANS YOUTH

Young people living outside of gender norms are everywhere. Whether in the process of transitioning from male to female or vice versa; identifying outside boxes; or gender-nonconforming, the spectrum of gender identities is more visible than ever before.

Serious legal and other obstacles abound, however, and these can be especially daunting for young people who are transgender or gender-nonconforming (TGNC). The challenges of changing one's name, finding access to hormones or enduring police brutality, for instance, demand a distinctly adult set of skills and can take their toll on a young person.

If you don't have a safe place to call home, it's difficult to get a handle on the other struggles in your life. And TGNC youth have a high rate of homelessness because many can't rely on parental support—whether financial or emotional or both. Not to mention that mistreatment at school is so common that many drop out.

Reaching out to other young TGNC people can be a big help on an individual level, and there are resources out there to help you if you are harassed or attacked for being TGNC. Laws affecting the lives of transgender people are generally new or still developing in most states and cities, and they vary widely. Lambda Legal (866-542-8336 or www.lambdalegal.org/help) tracks these laws and cases and helps advocate on behalf of TGNC people of all ages.

MY STORY

YOUNG, HOMELESS AND TRANSITIONING

Krystal Neal, 24

"I left my house when I was 19 and keep trying to make it on my own. I've stayed in shelters where I have been harassed by both gay and straight people. And one time I was walking around the West Village with a friend and some cops asked for our ID. One cop said, 'You have to clear up this thing, John'—my birth name on my ID—in front of other people. It was really embarrassing.

"I decided to transition in November 2010. I had worked at a fast food place for a year and a half but as I transitioned, the changes were starting to show. When I came into work dressed as a woman, I got fired.

"My mother loves me, I know that, but she's also worried about what other people think.

"I want to be a role model for the trans community and show the world we're just people. Living my life as the true me—as Krystal—is not always easy, but I don't think there is any other choice."



FAQ

Answers to Common Questions from Transgender Youth

Q. How do I make sure people call me by the right name and use the right pronoun?

A. You have the right to insist that your school and community use the name and pronoun you desire—whatever your age. But most people find it useful to back up these changes officially as well.

If the name on your birth certificate no longer suits how you want to be seen in the world and you're at least 18 years of age or have parental consent, you can legally change your name—whether you are trans-identified or not. The procedure varies slightly from state to state, but it generally involves filing paperwork at a clerk's office, paying a court fee of \$100-200, signing affidavits to assure the court you are not changing your name to defraud anyone, and then appearing before a judge who will approve the change. The judge's order can be used to change all your identity documents.

Changing your name is not the same as changing your gender on your birth certificate; that is a separate, sometimes complicated process through different legal channels. Some transgender people wait and change both their name and their birth certificate at the same time, but most change their name first so they can begin legally living with the name before socially or medically transitioning. Lambda Legal's *Bending the Mold* has additional information to help with that, and can be accessed online at www.lambdalegal.org/publications/bending-the-mold/order-bending-the-mold.html

DEFINITIONS

"Transgender" and "TGNC"

Transgender is an umbrella term used to describe people whose gender identity, one's inner sense of being male or female, differs from their assigned or presumed sex at birth; Gender-NonConforming people don't meet society's expectations of gender roles.

Q. How do I get trans-affirming healthcare?

A. Everyone deserves access to quality health care, regardless of one's ability to pay for it. Some cities have clinics designed to treat transgender youth specifically: for example, Callen-Lorde Community Health Center runs Health Outreach to Teens (HOTT) in New York City; Howard Brown offers a low-income walk-in clinic for LGBT people in Chicago; and Dimensions Clinic offers free low-cost health services for queer, transgender and questioning youth in San Francisco. Most state Medicaid programs do not cover transition-related health care, but in some states (California, Minnesota and Massachusetts) transgender people have successfully challenged the denials. If you apply for Medicaid to cover your transition-related health care and are denied coverage, contact Lambda Legal's Help Desk. Lambda Legal's fact sheet on *Transition-Related Health Care* has more information about how advocates are working to remove discriminatory barriers to trans health care and can be downloaded at www.lambdalegal.org/trans-toolkit.

No matter where you live, it may be possible to find doctors with transgender patient experience, but more commonly you'll need to work with a doctor who is less familiar with trans care. Transcend Transgender Coalition puts out a publication called *Trans Care Advocacy* (accessible at vch.edubealth.ca/pdfs/GA/GA.100.Ad95.pdf) with steps on how to navigate the health system for yourself or on another's behalf. Also check out the health care protocols provided by the Center of Excellence for Transgender Health at www.transhealth.ucsf.edu.

Even if you are incarcerated or in foster care you have the right to trans-affirming healthcare. Lambda Legal successfully claimed in *Rodriguez v. Johnson et al.* that a young transgender woman could not be denied access to her prescription hormone medication, and in *Fields v. Smith*, Lambda Legal and the ACLU convinced the court to rule that a blanket ban on health care for incarcerated trans people is unconstitutional.

There is no set age limit for starting on prescription hormones related to transition; some doctors start transgender youth on hormone blockers at the onset of puberty, while others recommend waiting. But doctors need to assess a patient's situation on a case-by-case basis. If you are under 18 years old, you need parental/guardian consent to begin hormone treatment.

Because getting access to hormones can be difficult, some transgender

“My mother loves me, I know that, but she’s also worried about what other people think. —KRYSTAL NEAL”

people look for them without a prescription, but these illegally trafficked hormones can cause additional health problems if not monitored by a doctor.

Q. How can I protect myself from anti-TGNC harassment and violence in school, on the street, or by the police?

A. No matter where you live, you are entitled to equal protection under the law, according to the Fourteenth Amendment of the U.S. Constitution. You’re also covered under the federal hate crimes law, which means that if you experience violence because of your gender identity or expression, the crime may prompt greater police attention and a higher penalty than if you’re attacked for some other reason. Some states and regions also have laws specifically protecting TGNC people from discrimination. Even in areas with no such laws, however, you may have legal rights under existing sex discrimination or disability laws.

Schools are supposed to protect you as well. So if you experience physical or verbal violence at school, it is important that it gets reported to the administration, whether by you or by a peer or teacher whom you trust to speak on your behalf.

Unfortunately, police are not immune to transgender prejudice, and many youth contact Lambda Legal for being harassed while lawfully hanging out in public spaces or just walking the streets, because officers make assumptions that something illegal is going on. If you feel you have been targeted, illegally arrested, harassed or attacked because of your gender identity or race, please call our Help Desk at 866-542-8336 or visit us online at www.lambdalegal.org/help-form. You have the right to be yourself in public and not to be targeted by the police simply because of your appearance.

Q. How can I find work?

A. TGNC young people often find themselves needing to be self-sufficient before their peers do, struggling to make money to survive on the streets or to pay for health care not covered by insurance or by their own families. Yet they are often passed over for jobs because of prejudice about the way they may look. The National Trans Discrimination Survey—data compiled by the National Center for Transgender Equality and the National Gay and Lesbian Task Force in 2009—found that trans people are nearly twice as likely to be unemployed and that the poverty rate for trans people is double that of the general population. The shortage of options forces many young TGNC people into street economies, including the drug trade and sex work.

Discriminating against workers for not conforming to sex stereotypes and assumptions has frequently been found illegal, however. Lambda Legal recently won an important case in Georgia, for instance, on behalf of a transgender woman who was fired for transitioning on the job. For more information about that, see *Workplace Rights & Wrongs*, another fact sheet in this series, which can be downloaded at: www.lambdalegal.org/trans-toolkit.

Another great resource is the Transgender Economic Empowerment Initiative (www.teeisf.org), which helps empower and educate transgender job seekers in the SF area through mentoring partnerships with other trans people. Their strategies and resources may be helpful in other parts of the country too. Transgender sex workers may benefit from information in the pamphlet *Taking Care of Yourself*, published by SWEAT: www.sweat.org.za/.

Age may also be a factor for transgender young people looking for work. If you’re under 18, your state may bar it. In most cases, however, you can get a special

**NEW YORK
A TRANS-FRIENDLY
POLICY TAKES EFFECT**

In 2009, New York City’s Human Resources Administration (HRA)—the agency responsible for handling public benefits and homeless services—adopted a policy prohibiting discrimination against transgender clients. The change was especially significant for TGNC youth because they so often rely on public benefits, especially when aging out of foster care—not to mention the huge numbers of homeless TGNC youth in the city.

This groundbreaking win came after years of pressure from the transgender community in NYC, led by the Audre Lorde Project, the Sylvia Rivera Law Project (SLRP) and Queers for Economic Justice. There were street protests to draw public attention to the issue, and leaders spent time educating the agency and drafting language for changes in the law.

While NYC’s protection for transgender people receiving public benefits is currently the only such protection on the books, similar campaigns are ongoing in other regions of the country as well.

permit from the Labor Department or a guidance counselor at school. A list of each state's age requirement can be found here: www.dol.gov/whd/state/certification.htm.

Q. How do I find a safe place to live?

A. First, remember that you are far from alone in needing shelter. Most transgender youth encounter some trouble at home, whether living with family or not. There are 1.6 million homeless youth in the United States, and studies estimate that anywhere from 20 to 40 percent of them are LGBT-identified. There are very few homeless shelters focusing on the needs of LGBT youth, but in New York City, the Ali Forney Center offers housing and a range of services.

As you may know first-hand, prejudice at shelters and agencies serving homeless youth can be just as trying as problems with family acceptance. If you are living in a group home, remember that you do have the right to be respected as a transgender person. For information on how to talk to loved ones and work towards acceptance, consider contacting the Family Acceptance Project (familyproject.sfsu.edu). If you encounter discrimination or mistreatment in a shelter, group home or other residential facility call our Legal Help Desk at 866-542-8336, or visit us online at www.lambdalegal.org/help-form.

Q. If I have legal problems, how do I make sure my (criminal or family court) attorney is really advocating for me?

A. You have the right to be treated with dignity and respect in such matters and to have your gender identity respected by your attorney. Check out the American Bar Association's *Opening Doors for LGBTQ Youth in Foster Care: A Guide for Lawyers and Judges* (available at www.americanbar.org) or Lambda Legal's *Getting Down To Basics*, which offers information and tools to share with your advocate (available at www.lambdalegal.org/take-action/tool-kits/getting-down-to-basics/). The attorneys at Lambda Legal are willing to share their expertise and research on these issues with other attorneys who have similar cases. You can call our Help Desk directly, but also encourage your attorney to call us at 866-542-8336, or visit us online at lambdalegal.org/help-form.

**HEY, TGNC YOUTH
OF COLOR!
CALL OUR HOTLINE**

Lambda Legal toll-free hotline for
LGBT teens is **1-866-LGBTeen**
(1-866-542-8336).

RESOURCES

SOME USEFUL GUIDES FOR TGNC YOUTH

BENDING THE MOLD: This Lambda Legal publication helps you make your school a safer place, whether you are transgender or gender-nonconforming, questioning, or an ally. www.lambdalegal.org/bending-the-mold

GETTING DOWN TO BASICS: This Lambda Legal publication offers practical tips and information to ensure that LGBTQ young people in care receive the support and services they deserve. www.lambdalegal.org/take-action/tool-kits/getting-down-to-basics/

HIDDEN INJUSTICE: This report was created to promote leadership and provide guidance regarding lesbian, gay, bisexual and transgender (LGBT) youth in the juvenile justice system. www.equityproject.org/pdfs/hidden_injustice.pdf

A PLACE OF RESPECT: This guide deals with group care facilities that serve transgender and gender-nonconforming youth. www.ncrights.org/site/DocServer/A_Place_Of_Respect.pdf?docID=8301

TRANSGENDER RIGHTS TOOLKIT: A LEGAL GUIDE FOR TRANS PEOPLE AND THEIR ADVOCATES: The toolkit, of which this Survival Tips for Trans Youth fact sheet is a part, also includes fact sheets on the following topics:

Equal Access to Public Bathrooms

Transition-Related Health Care

Transgender Parents

Workplace Rights & Wrongs

See complete list and download the fact sheets at www.lambdalegal.org/publications/trans-toolkit/

TRANSITIONING OUR SHELTERS: This publication offers specific strategies for making homeless shelters safe for transgender people. www.thetaskforce.org/downloads/reports/reports/TransitioningOurShelters.pdf

FOR MORE INFORMATION: Contact Lambda Legal at 212-809-8585, 120 Wall Street, 19th Floor, New York, NY 10005-3919. If you feel you have experienced discrimination, call our Legal Help Desk toll-free at 866-542-8336 or go to www.lambdalegal.org/help-form.