



Transgender Cultural Fluency Training for Lawyers



Your Trainers:

- **Adrien Lawyer** (he/him)
- **Shari Weinstein** (she/her)



The Transgender Resource Center of New Mexico

Founded in 2008 to support, assist, educate, and advocate for the transgender and gender non-conforming people of this state, and their families and loved ones.

Direct Services

Legal Name Change
Identity Documents
Emergency Financial Assistance
Peer Support
Information and Referrals
Trans-Specific Items

Albuquerque Drop-in Center:

- Food
- Bathrooms
- Case Management
- Long-Term Storage
- Bus Passes
- HIV Testing
- Computer Lab

Thrift-A-Lot
Jails, Prisons, Detention

Support Groups:

- Transgender Men
- Transgender Women
- Transgender Youth
- Non-Binary
- DD Waiver / Mi Via
- 55+
- Parents

Albuquerque
Los Alamos
Las Cruces
Santa Fe



Advocacy

- Individual and community
- Policy - APS, NMCD, Bernalillo County YSC
- Legislative - SB 20 Vital Records Modernization Act; HB 388 Gender-Free Bathrooms Act



Education

More than 2,000 trainings since 2008:

- Abq Fire Department
- APD Cadets
- Presbyterian Hospital
- UNMH
- APS
- Businesses, Schools, Faith Communities
-and YOU!



Please raise your hand if you are a:



Parent



Musician (or just
love music)



Spouse



Football fan



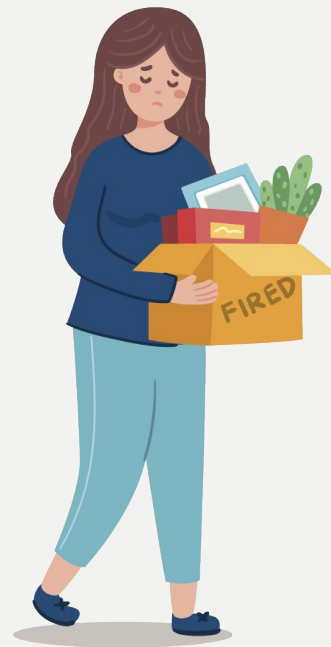
Pet owner

Why are transgender issues important for lawyers?

- NMRA 16-101: An attorney shall be competent.
- Build trust and rapport with community, victims and witnesses
- It is the right thing to do—improve mutual respect and understanding

Trans people are more visible, but...

- Until June 2020, in most states it was **legal to fire** someone solely for being transgender.
- 2020 was the **deadliest year on record** for trans people in the US and worldwide.¹ 2021 is well on track to surpass that number.
- 2021 has become a record year for **anti-transgender legislation.**²



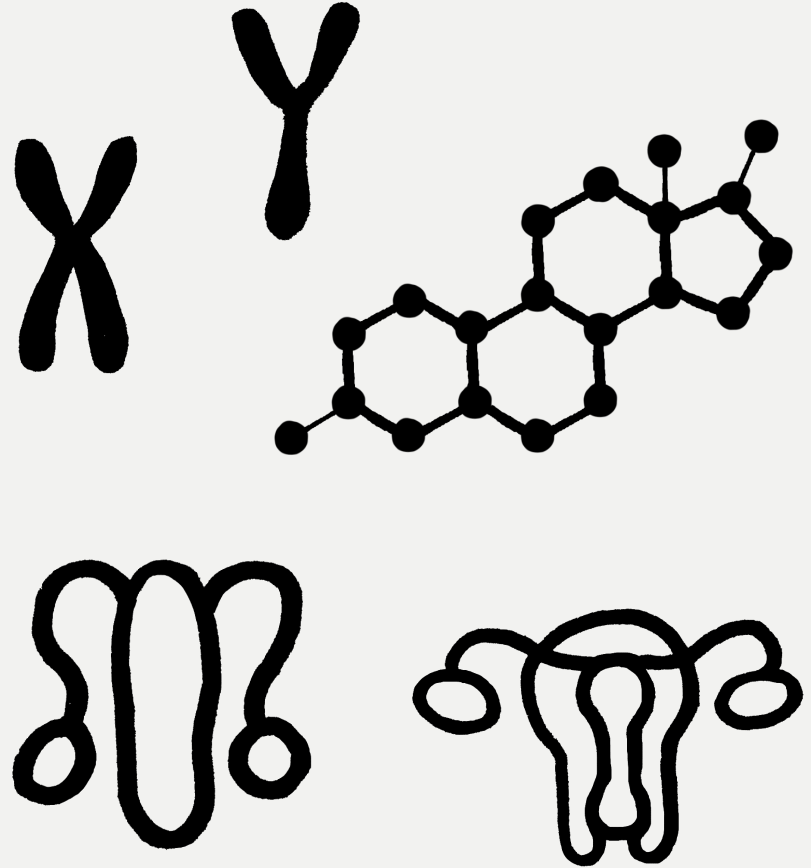


- 1. Sex**
- 2. Gender**
- 3. Gender Expression**
- 4. Sexual Orientation**

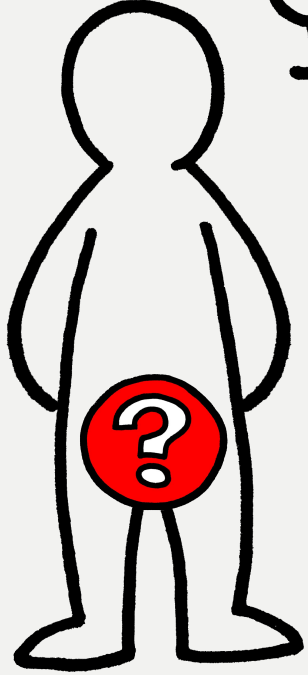
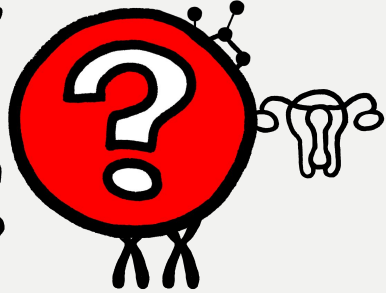
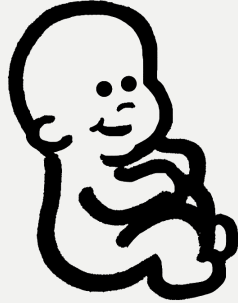
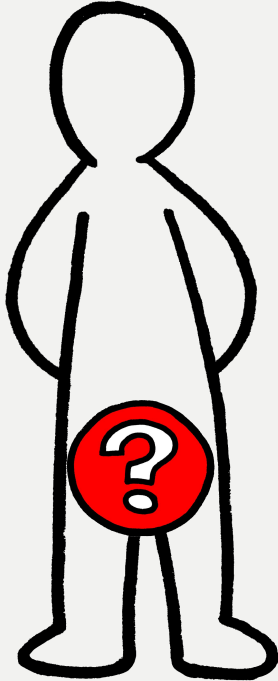
Sex

vs.

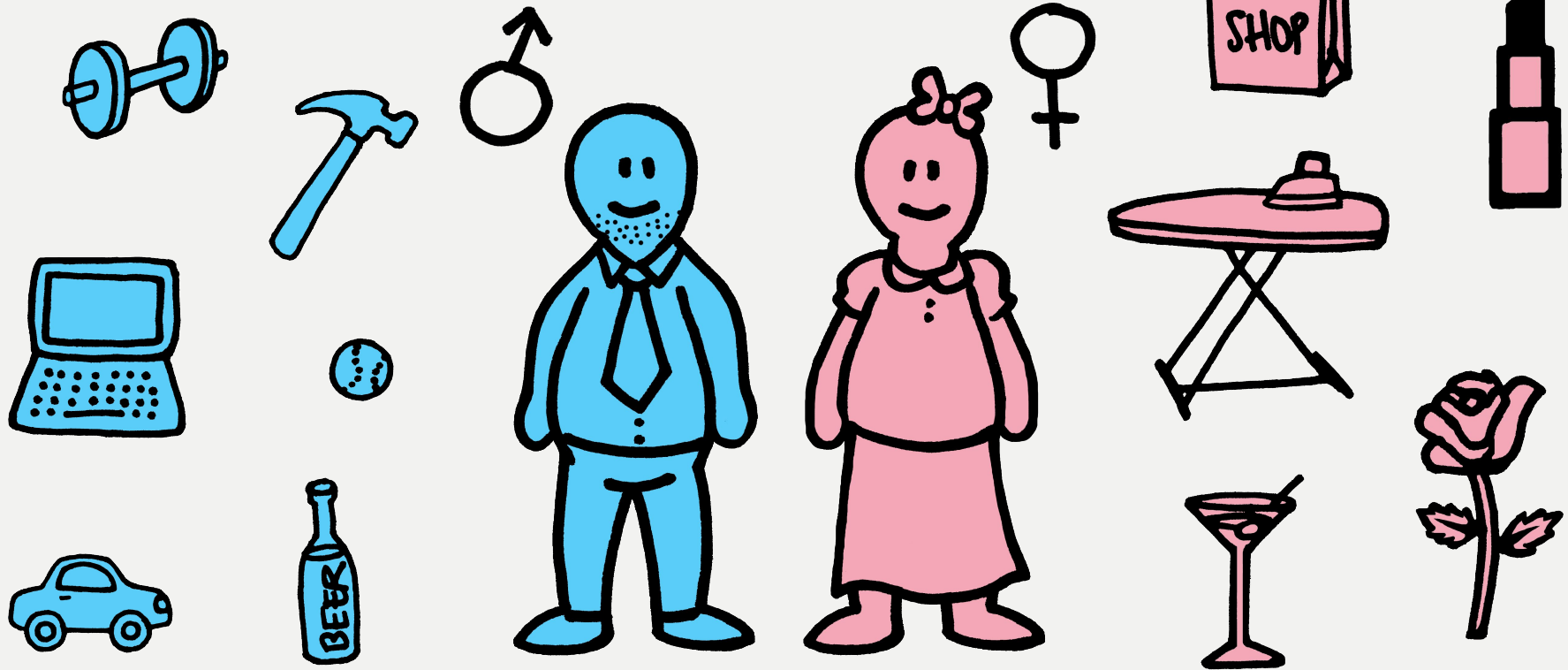
Gender

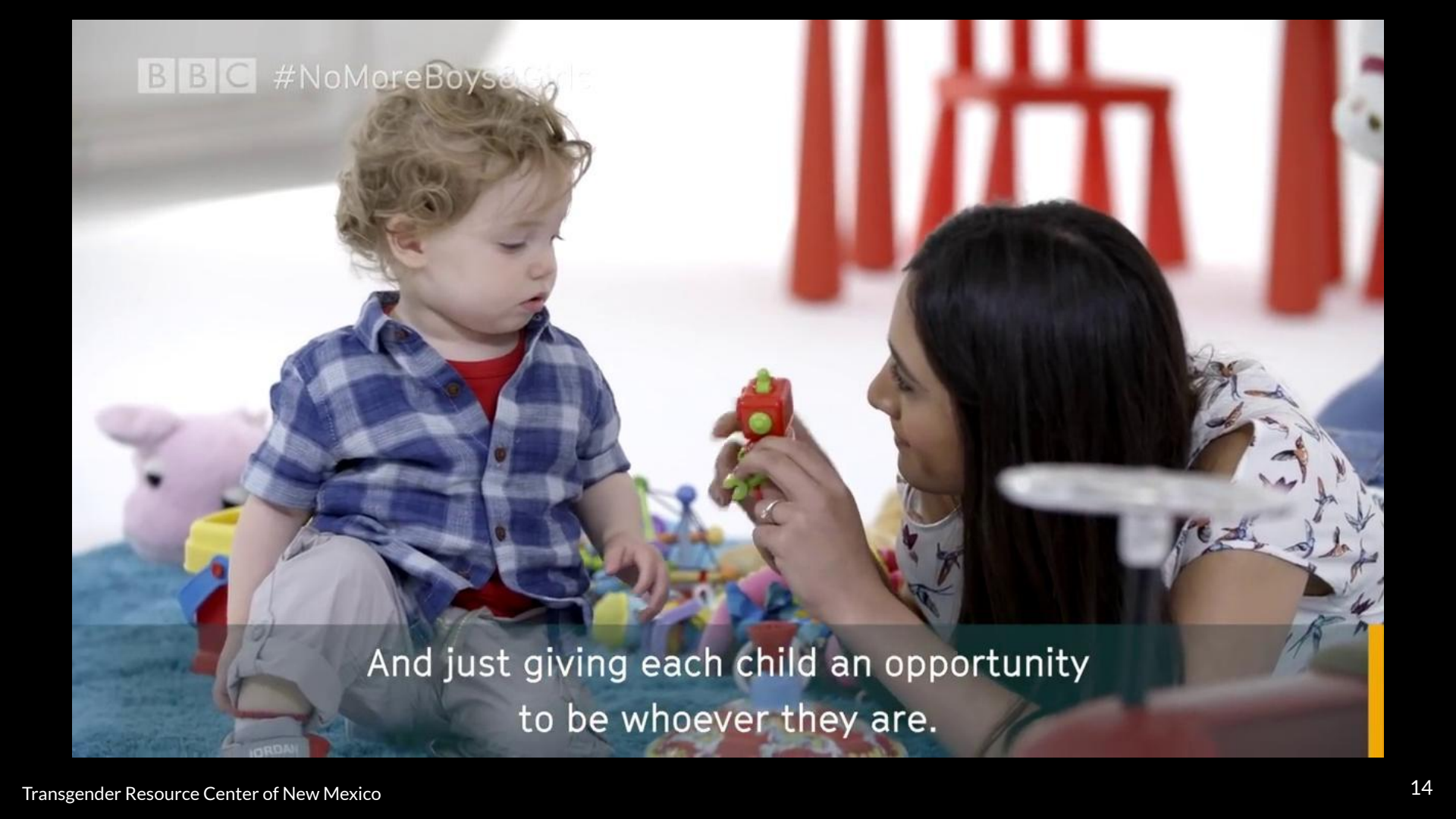


1 Sex (designated at birth)

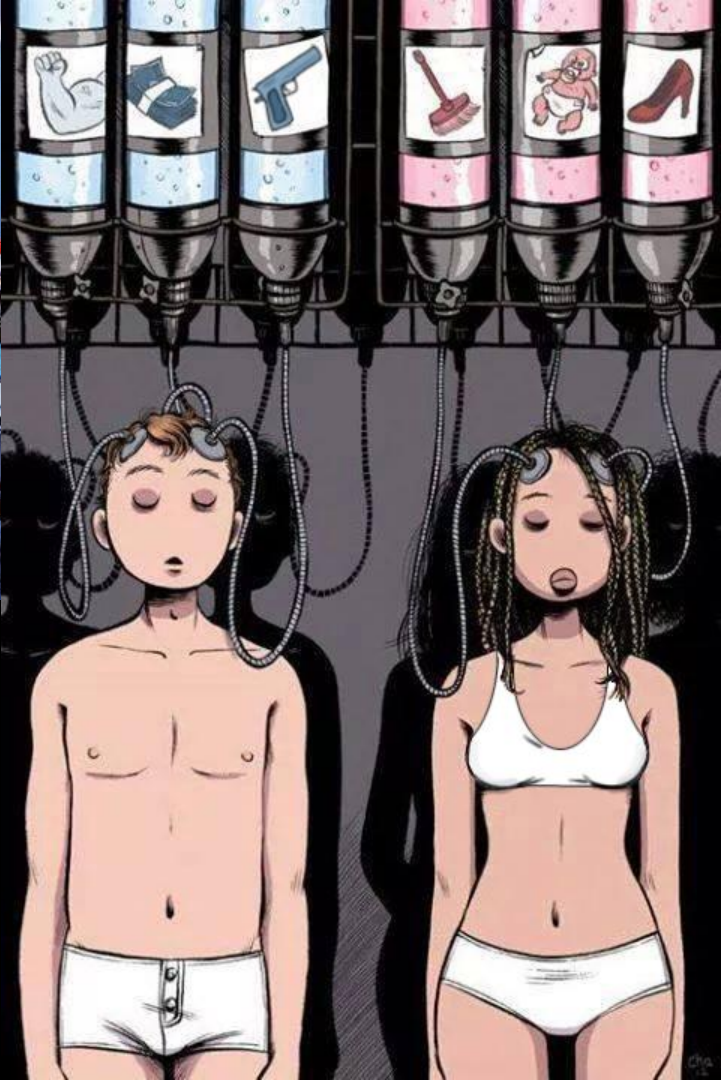


Gender Expectations





And just giving each child an opportunity
to be whoever they are.



Gender stereotypes contribute towards the mental health crisis among children and young people, are at the root of girls' problems with body image and eating disorders, higher male suicide rates and violence against women and girls.³

Are we moving forward?

As seen at NYU Bookstore.



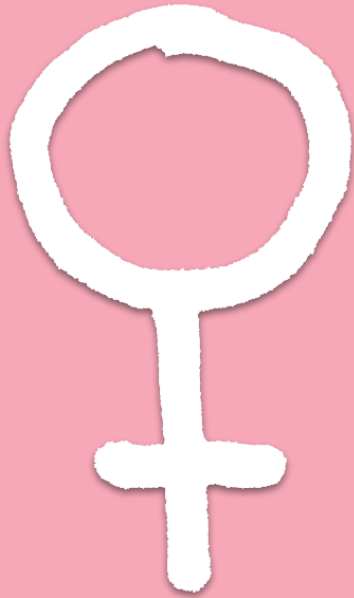
It's nice to have a girl around the house.

Though she was a tiger lady, our hero didn't have to fire a shot to floor her. After one look at his **Mr. Leggs** slacks, she was ready to have him walk all over her. That noble styling sure soothes the savage heart! If you'd like your own doll-to-doll carpeting, butt up a pair of these ho-man **Mr. Leggs** slacks. Such as our new automatic wash-wear blend of 65% "Dacron[®]" and 35% rayon—incomparably wrinkle-resistant. About \$12.95 at plush-carpeted stores.

Dacron[®] for Fall!

Get yourself a new pair of **Mr. Leggs[®]**

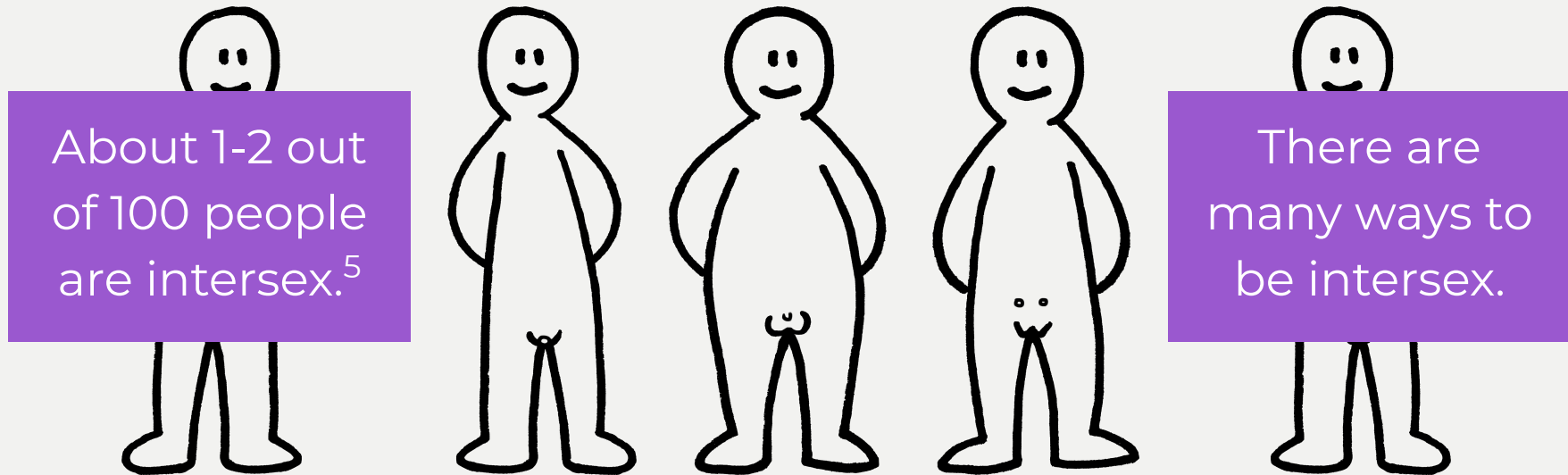
© 1971 H. Robinson Co. Inc. THOMSON COMPANY, 1230 Avenue of the Americas, New York 10, N. Y.



Binary: A division into two groups or classes that are considered opposite.

Sex Is Not Binary⁴

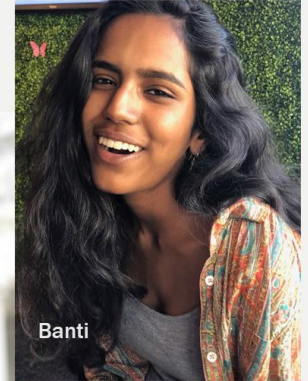
Intersex describes a variety of situations in which a person is **born with reproductive or sexual anatomy that doesn't fit** the boxes of "female" or "male."





Intersex

- About **1.7%** of people are born intersex.⁵
- Being intersex is a **naturally occurring variation**, and it isn't a medical problem that needs "fixing."
- "Hermaphrodite" is an outdated, inaccurate, and possibly offensive term.



2 Gender (internal)

- Sex is about your body.
- Gender is about how you feel.



many people experience their
gender differently.

Transgender

Describes people whose **gender differs from the sex** they were designated at birth.

- “Transgender” is appropriate for non-transgender people to use.
- “Trans” is shorthand for “transgender.”



Transgender Man

A person who was designated female at birth, but identifies and expresses their **gender as male.**



Transgender Woman

A person who was designated male at birth, but identifies and expresses their **gender as female.**

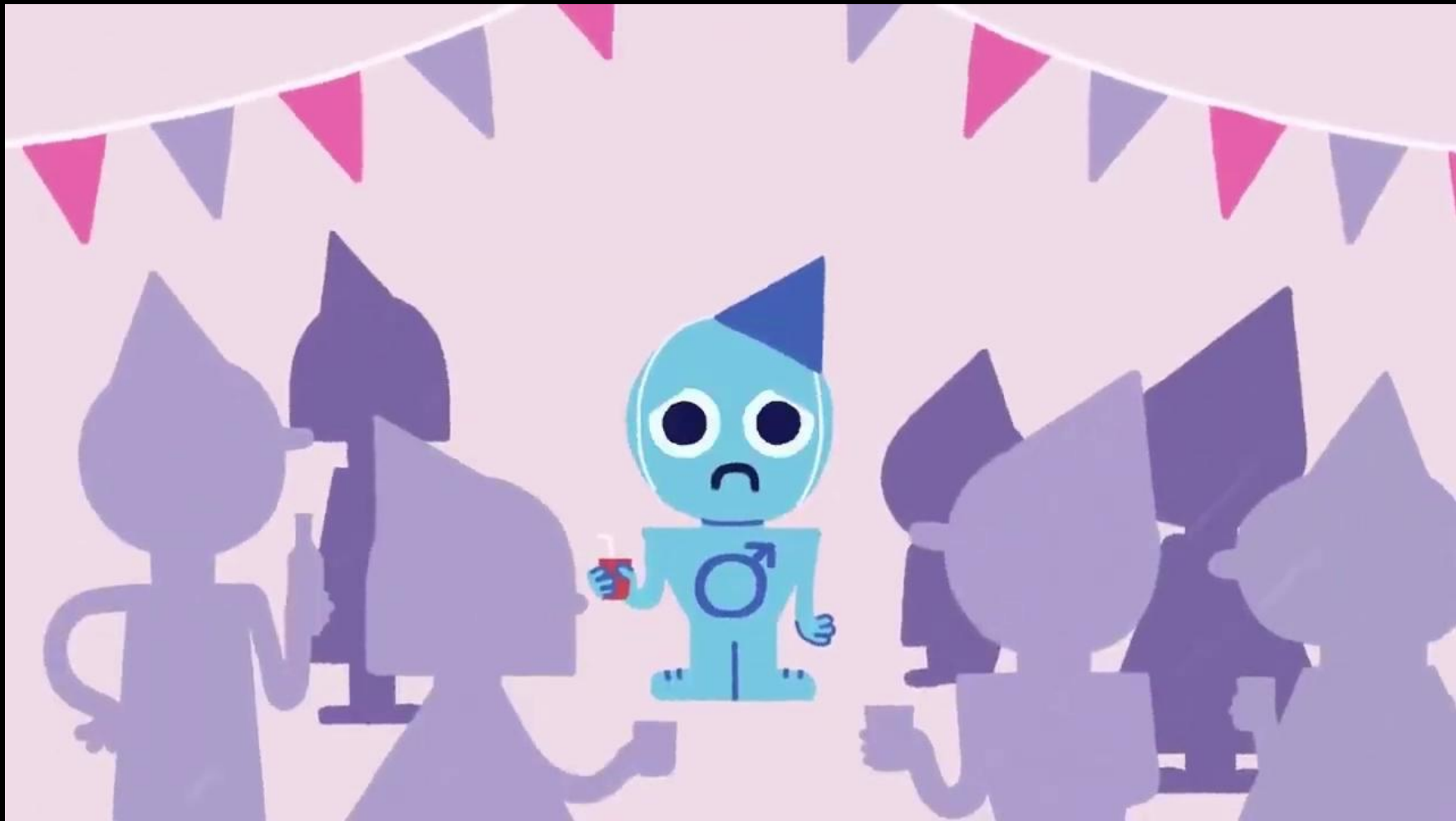


Gender Dysphoria

Feelings of **distress and discomfort** that a person experiences when their designated sex or physical characteristics **do not match their gender**.

- There are different ways a person can experience dysphoria
- Not all transgender people experience dysphoria





Gender-Affirming Treatment

Many people who experience gender dysphoria find it critically life-transforming to undergo gender-affirming medical treatment, which can include:

- Hormone therapy
- Surgeries
- Hair removal
- Speech therapy



Gender Transition

- **Social:** Coming out to friends and family, new name/pronouns, different clothing or other aspects of presentation (speaking, walking, mannerisms, etc.)
- **Medical:** Hormones, surgeries, hair removal
- **Legal:** Name and/or gender change, identity documents

Many Ways To Be Trans



Being transgender does not mean a person wants or has to transition into the opposite gender.

Many trans people do not feel they are exclusively masculine or feminine.



Non-Binary Gender

Any gender which does not fit the male and female binary.

- NB / Enby
- Genderqueer
- Genderfluid
- Two-Spirit
- Pangender
- Agender





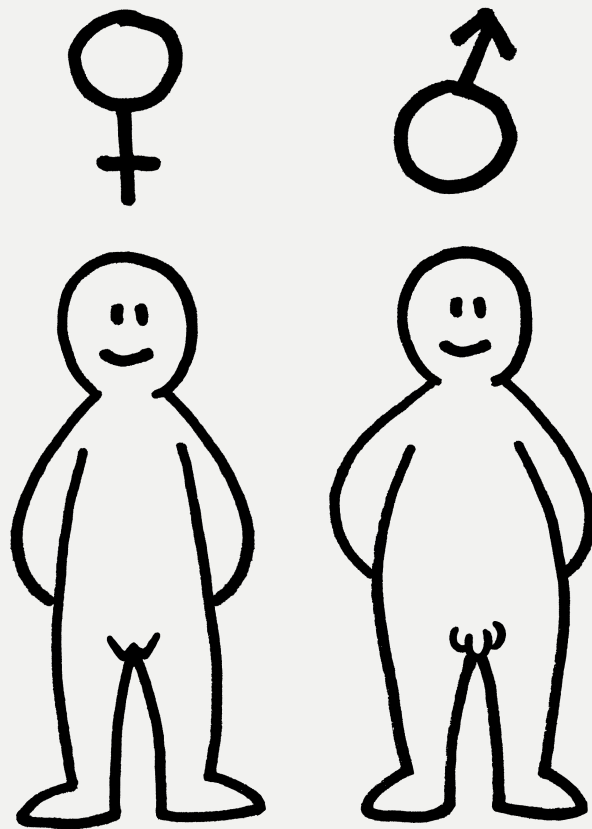
#THIS IS WHAT NON BINARY LOOKS LIKE

Gender Is Expansive and Evolving

- Gender can be fluid and impermanent.
- Gender norms are different from culture to culture, and they change over time.
- Many indigenous cultures around the globe hold more fluid and dynamic understandings of gender.
 - ★ Muxe — Oaxaca, Mexico
 - ★ Māhū — Native Hawaiians & Tahitians
 - ★ Lhamana — Zuni Tribe, New Mexico
 - ★ Nádleeheé — Diné (Navajo)
 - ★ Kinnar/Hijra — South Asia/India
 - ★ Fa'afafine — Polynesia

Cisgender

- Describes people whose **gender matches the sex** they were designated at birth
- “Cisgender” can also be shortened to “cis,” e.g. cis man, cis woman
- If we have a word for transgender, we need a word for not being transgender



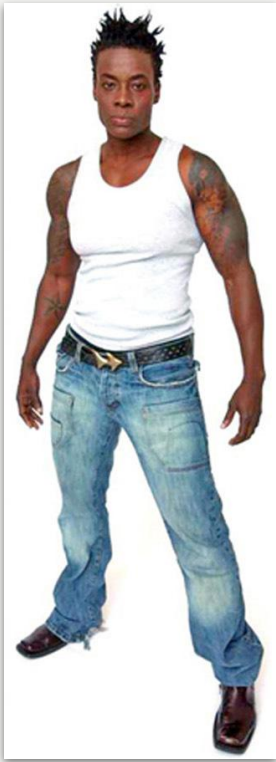
3 Gender Expression

How a person presents their **gender on the outside**:

- ★ Behavior
- ★ Clothing
- ★ Hairstyle
- ★ Voice
- ★ Makeup

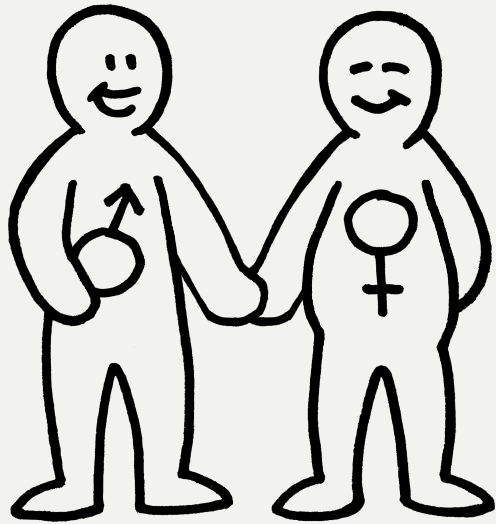


Gender can be expressed in a variety of ways

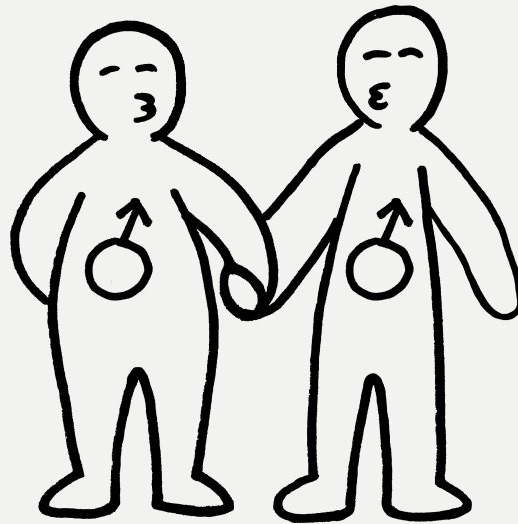


4 Sexual Orientation

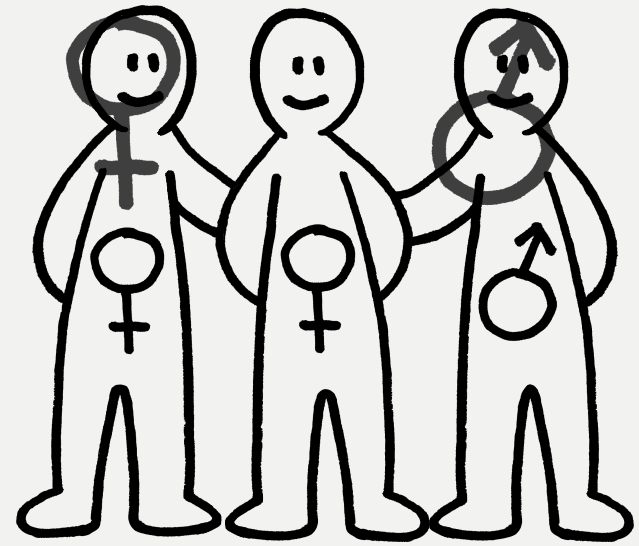
Physical, romantic, and/or emotional **attraction to another person.**



straight



gay



bisexual

Asexual
Pansexual
Queer
...and many more

Sexual orientation can be non-fixed and impermanent, and is not tied to a person's gender.

A trans person can be straight, gay, asexual, bisexual...

In summary...

- ★ **Sex** is a label that you're assigned at birth based on the appearance of your external genitalia.
- ★ **Gender** is about your internal concept of self as male, female, a blend of both or neither.
- ★ **Gender expression** is how you express your gender through clothing, behavior, and personal appearance.
- ★ **Sexual orientation** refers to who you are sexually, emotionally, and/or romantically attracted to.

Myths & Misconceptions About Trans People



“Transgender people are confused or mentally ill.”

- Being transgender is **NOT** a mental disorder or condition.⁶
- Trans people who are not able to be **fully and authentically themselves**, can experience severe mental health issues.

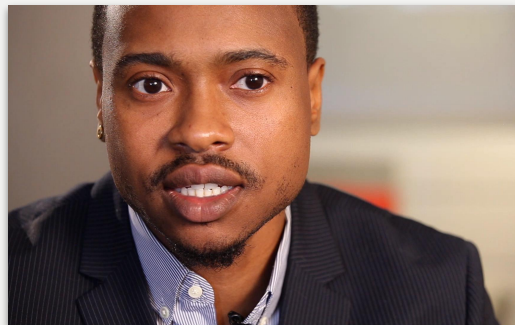
“It’s OK to use
‘transgender’
as a noun
or verb.”

- Transgender is an **adjective**.
- Otherwise, it turns the person into something distant and foreign, and denies their humanity.

**“You can tell
someone is
trans just by
looking at
them.”**

Since there is no
one transgender
experience, there is
no one way for
transgender people
to look, either.

Can you tell who is trans?



**“Trans people
just want to be
a ‘real man/
real woman’”**

- “Have they had *the surgery?*”
- “They haven’t fully transitioned”
- Trans people are real, period.

“All trans
people are /
want the
same.”

- Not all trans people share the same experiences or world views.
- No single person is one-dimensional.
- **Trans lives too are intersectional.**



Adrien Lawyer

- ❖ White
- ❖ Man
- ❖ Transgender
- ❖ US Citizen
- ❖ Parent
- ❖ Musician
- ❖ College
- ❖ Disabled
- ❖ Southerner
- ❖ English
- ❖ Mixed Class
- ❖ Saints Fan

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Intersectional Discrimination

Who is most impacted by discrimination and violence in the trans communities? Folks who are:

- Black, Indigenous, and other POC
- Undocumented
- Disabled
- Trans women
- Visibly trans people

Why Trans People Need More Support

Murdered, Suffocated And Burned Alive: 350 Transgender People Killed In 2020



Jamie Wareham Contributor @ Diversity & Inclusion
I report on LGBT life, identities and being queer.

2020 Was the Deadliest Year Ever For Anti-Trans Violence. 2021 Could Be Worse

Fatal Violence Against the Transgender and Gender Non-Conforming Community in 2020

Sadly, 2020 has already seen at least 44 transgender or gender non-conforming people fatally shot or killed by other violent means, the majority of which were Black and Latinx transgender women. We say at least because too often these stories go unreported -- or misreported. Since HRC began tracking this data in

Transgender people criminalized in every part of world: study

More Trans People Have Already Been Murdered in 2021 Than All of 2019

Hugo Greenhalgh

Transgender asylum-seeker dies after six weeks in ICE custody

Johana Medina Leon, a transgender woman from El Salvador, died Saturday, the first day of Pride month.

Transgender People are Facing Incredibly High Rates of Poverty

BY: Jillian Edmonds, Fellow Posted on December 9, 2016

ISSUES: Data on Poverty & Income, Economic Justice, LGBTQ Equality

Transgender hate crimes recorded by police go up 81%

27 June 2019

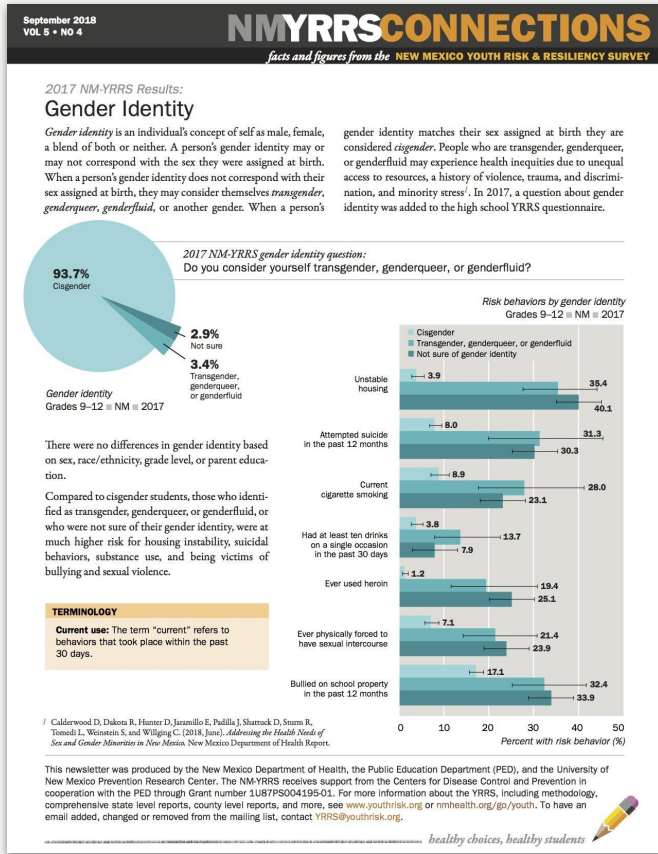
Yesterday, the National Center on Transgender



ates

Del
oms
e on

2019 NM Youth Risk & Resiliency Survey⁷



- **3.2% positively identified as transgender, gender fluid or genderqueer**
 - 2.8% unsure / questioning
- **35.1% unstable housing** vs 2.7% for cisgender
- **21% ever injected illegal drugs** vs 1.4% for cisgender
- **8.9% had at least 10 drinks on a single occasion** in the past 30 days vs 2.8% for cisgender
- **21% ever forced to have sexual intercourse** vs 8.3% for cisgender
- **27.9% experienced sexual violence** in the past 12 months vs 10% for cisgender
- **32.5% attempted suicide** in last 12 months vs 8.3% for cisgender

2015 U.S. Transgender Survey – 27,715 respondents

	poverty	homelessness	unemployed	sexually assaulted	attempted suicide
All respondents	29.4%	30%	15%	47%	40%
Native/ Indigenous	41%	57%	23%	65%	57%
Black	38%	42%	20%	53%	47%
Latinx	43%	31%	21%	48%	45%
Asian, Native Hawaiian, Pacific Islander	32%	21%	10%	41%	40%

The pandemic hit the trans community hard:

- Calls about both **COVID-19 and suicidal ideation** increased by **89%**
- Calls reporting **inability to access medical treatment doubled**
- Calls about **lack of community support** up **81%**
- Calls about **family rejection** up **47%**
- **Intimate partner violence** calls increased **300%**
- **Housing instability** calls increased by **300%**
- **Unemployment** calls increased by **400%**

Source: TransLifeline.org

Marjorie Taylor Greene posts anti-transgender sign across hall from lawmaker with transgender child

By Chandelis Duster, CNN
 Updated 12:50 PM ET, Thu February 25, 2021

February 19, 2021 at 3:48 pm PST | by Special to the LA Blade

The Fight To Stop 48 Anti-Transgender Bills (and Counting) Across The Country



A wave of anti-trans bills are hitting statehouses

Experts say that though passing anti-LGBTQ+ bills is a losing battle, some could end up before the Supreme Court.

The word “transgender” wasn’t always in Jaime Gabrielli’s home. She knew her second child wasn’t like her first, a daughter. This child wanted Batman birthday parties and Spider-Man Halloween costumes and short hair. But no one had named the difference.

“You just think of it like a phase,” Gabrielli recalled. “You know, all kids kind of have their own little quirks.”

By Kate Sosin, Barbara Rodriguez
 Published Feb. 4, 2021 at 12:03pm

Mississippi governor to sign bill banning transgender student-athletes from female sports teams

Over two dozen states have proposed similar measures this year.

By Meredith Deliso
 March 4, 2021, 12:36 PM • 6 min read

2021 has been an unprecedented campaign against transgender rights

Idaho passed 2 anti-transgender laws during the pandemic. It’s getting sued for both of them.

The state’s governor said that the laws were “common sense,” even as one of them flouts a previous federal court ruling.

By Alex Bollinger Sunday, April 19, 2020



Professional Obligations

Dignity & Respect

NMRA 16-804: It is professional misconduct to:

- Engage in conduct that a lawyer knows or reasonably should know is harassment or discrimination on the basis of ...sex...sexual orientation, gender identity...in conduct related to the practice of law.
- This includes harmful verbal or physical conduct that manifests bias or prejudice towards others. It includes sexual harassment and derogatory or demeaning verbal or physical conduct.

JUDGES: Bias, Prejudice, and Harassment

NMRA 21-203:

- Judge shall not, by words or conduct manifest bias or prejudice or engage in harassment based on gender or gender identity
- And shall not permit court staff, officials or others subject to the judge's direction or control to do so

JUDGES: Supervisory Duties

NMRA 21-212:

- Judge shall require court staff, officials and others subject to the judge's direction and control to act in a manner consistent with the judge's obligations under the Code
- Judge shall not direct court personnel to engage in conduct on the judge's behalf when such conduct would violate the Code if undertaken by the judge

Confidentiality

NMRA 16-106:

- Information given to attorney by client shall be confidential unless allowed by client and is relevant to the case



JUDGES: Supervisory Duties

NMRA 21-212:

- Judge shall require court staff, officials and others subject to the judge's direction and control to act in a manner consistent with the judge's obligations under the Code
- Judge shall not direct court personnel to engage in conduct on the judge's behalf when such conduct would violate the Code if undertaken by the judge

How You Can Be a Stronger Advocate for Trans People

Use the language a person uses to describe themselves.

- Transgender Man, Trans Male, Trans Masculine, Man of trans experience, or simply a man
 - DFAB/AFAB (Designated/Assigned female at birth), FAAB (female-assigned at birth), FTM (female to male)
- Transgender Woman, Trans Female, Trans Feminine, Woman of trans experience, or just a woman
 - DMAB/AMAB (Designated/Assigned male at birth), MAAB (male-assigned at birth), MTF (male to female)

Language Matters

- Some people might ask you to use **gender-neutral pronouns** like *they/them/theirs* or *ze/zir/zirs* (and there are many others)
- **Gender-neutral language**—like learning any other new language
- Deadnaming and misgendering happens.
Apologize, correct, and move on (do better next time)

Practice Tips

- Don't use discriminatory language. Do not use "it."
- Ask about name and pronouns
- Be aware of trauma
- Trans panic defense/Trans blaming
- Intake forms
- Identity documents

Trans people deserve dignity, love, and support



Janice



Raeni



Jessica

Just like you, Trans people want to live free of discrimination and violence, with equal access to health care, work, education, and the opportunity to lead joyful and fulfilling lives.

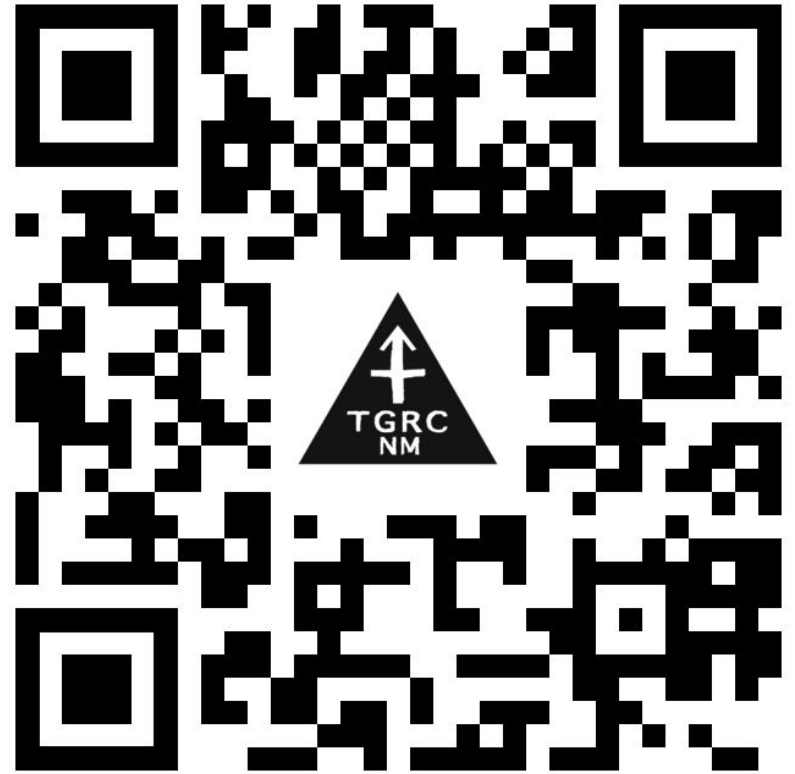


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complete
our brief
evaluation

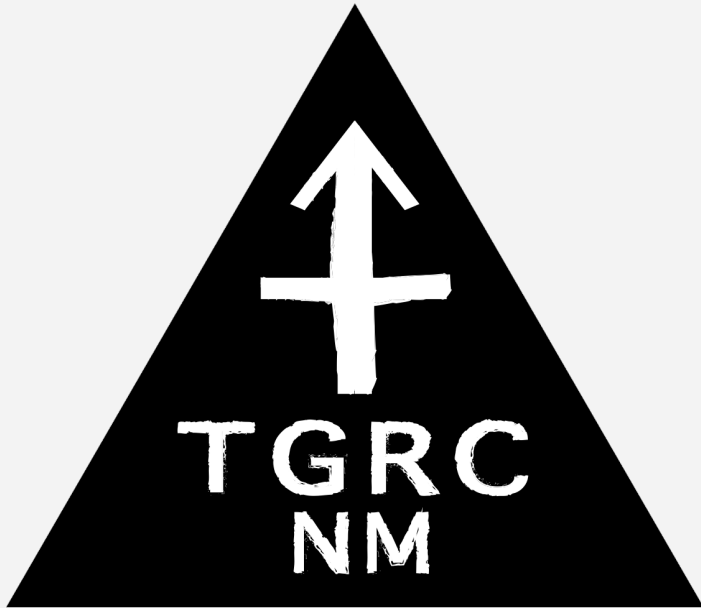
<http://bit.ly/MSzz19>

**Give a little.
Help a lot.**

Text **TRANS101**
to **44321**
and start making
a difference today!



Thanks!



www.tgrcnm.org

TGRCNM

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References

- 1) Fatal Violence Against the Transgender and Gender Non-Conforming Community in 2020; Murdered, Suffocated And Burned Alive – 350 Transgender People Killed In 2020
- 2) BREAKING: 2021 Becomes Record Year For Anti-Transgender Legislation
- 3) *Unlimited Potential* – 2020 report of the Commission on Gender Stereotypes in Early Childhood
- 4) Sex Redefined: The Idea of 2 Sexes Is Overly Simplistic
- 5) What is Intersex?; Intersex FAQ
- 6) Being Transgender Not a Mental Disorder; APA Removes "Gender Identity Disorder" From Updated Mental Health Guide
- 7) New Mexico Youth Risk and Resiliency Survey
- 8) GLSEN's 2019 National School Climate Survey
- 9) 2015 U.S. Transgender Survey: National Center for Transgender Equality, 2016.
- 10) A National Epidemic: Fatal Anti-Transgender Violence in America in 2018 (Human Rights Campaign)
- 11) *The Body Is Not an Apology: The Power of Radical Self-Love* by Sonya Renee Taylor