**SAMPLE 90-MINUTE LGBT SEXUAL ORIENTATION AND GENDER IDENTITY PROGRAMS**

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***A. GENERAL PROGRAMS***

1. ***Lesbian, Gay, Bisexual and Transgender People in Your Court:***

***Practical Approaches to Current Issues and Future Problems***

Sample = Miami-Dade County courts 2011 program

Program on basic LGBT issues (with judicial ethics credit)

**Brief Description for the sample (Florida) program:**

Florida has the 2nd largest lesbian, gay, bisexual (LGB) population in the US and 2000 census data show same-sex couples present in every county in the state. Specifically, the Miami-Fort Lauderdale metropolitan area is 8th in the nation by total numbers of LGB persons. Even without counting tourists and visitors, since the 2000 census Florida increased its same-sex couple residents by 30-50%. Nevertheless, with state law prohibiting marriage and adoption and no civil union statute, Florida judges are left on their own to deal with sexual orientation issues – including access and fairness subjects in dealing with sexual minorities, parental rights and other family law topics, and considerations in jury selection, sentencing and alternative treatment for offenders, among others. This panel will provide practical tools, strategies, and techniques for ensuring fairness and promoting confidence in the courts. In addition, the speakers will also discuss the most recent demographic studies showing the characteristics of LGB families in Miami, Florida, and nationally to identify the potential for LGBT issues to appear in the Miami-Dade courts.

**Learning objectives:**  
By participating in this interactive course, you will be able to:

* Cite the most accurate and recent demographic data on the LGBT population in Dade County/Miami Metro area.
* Identify issues facing LGBT individuals and their families in the courts.
* Evaluate court policies and practices that may impede access to the courts for these individuals.
* Apply practical tools, strategies, and techniques for ensuring fairness and promoting confidence in the courts.

**Learning Modalities and Activities:**

Presentation will include lecture, discussion, hypotheticals/scenario presentations, question and answer; the presentation will utilize power point, and handout materials.

**Topic breakdown for Miami-Dade, FL courts sample:**

A. 25 mins. Who is in your courtroom? The demographics of LGBT people in the

Miami-Dade courts (self-test with clickers version )

B. 15 mins. Practical tools for recognizing and combating bias against LGBT people in

the courts, FL ethics discussion

C. 50 mins. Discussion scenarios and descriptions of ethical dilemmas faced by the judiciary and appropriate responses

1. ***Access to Justice and Fairness in the Courts: Sexual Orientation***

Alternative Title: ***Dealing with Sexual Orientation Diversity in Your Courtroom: Accurate Data, Practical Tools, and Best Practices***

Sample = Dayton, OH 2010 program

Program on LGBT issues and neuroscience: How the brain works and why biases sometimes show up in court

**Brief description for the sample (OH) program:**

In this interactive course, enhance your ability to respond in positive ways to issues raised by Lesbian, Gay, Bisexual, and Transgendered (“LGBT”) people in your courtroom. Using the most accurate and recent data on the demographics of Ohio’s LGBT community and the insights of cognitive science, you will learn to:

* Identify who LGBT people and their families are and where they are already present in the OH courts
* Evaluate policies and practices that may hinder individuals and courts in serving Ohio’s diverse population and present barriers to LGBT persons’ access to the courts
* Create a tool-box of best practices and practical strategies for dealing with LGBT people and sexual orientation issues in order to promote fairness and confidence in the courts
* Develop self-monitoring techniques to foster appropriate assessment of the specific challenges raised by sexual orientation issues within the courts

**Learning Modalities and Activities:**

Presentation will include lecture, discussion, hypotheticals/scenario presentations, question and answer; the presentation will utilize power point, and handout materials.

**Topic breakdown:**

A. 20 mins. Who is in your courtroom: LGBT demographics within the particular jurisdiction, and terminology

(Non-interactive version. Can be done interactively with clickers, see FL sample below)

B. 30 mins. Neuroscience, fairness and implicit bias

How we think and what that means for judges, ways we fall into implicit bias and techniques to avoid it

C. 40 mins. Discussion scenarios (tailored to facts and laws of the individual jurisdiction)

***B. SAMPLE MULTIPLE-TOPIC PROGRAM OR SPECIFIC SUBJECT MATTER PROGRAMS (approx. 90 minutes each segment)***

***Lesbian, Gay, Bisexual and Transgender Issues in the Courts***

Samples = New York 2011, California 2011, Nevada 2010 programs

1. ***Understanding, Addressing and Preventing Violence and Hate Crimes in the LGBT Community***

This presentation will discuss violence and hate crimes in the LGBT community, including institutional obstacles faced when reporting these types of crimes, applicable state and federal laws, and prominent regional cases. In addition, the panel will present guidelines for handling LGBT-related violence cases and issues in the courtroom.

1. ***Culturally Competent Practices for Meeting the Needs of LGBTQ Youth in Care***

This program will discuss the relevance of sexual orientation and gender identity in juvenile justice contexts, and the obstacles to fair and equitable treatment of LGBTQ youth in delinquency and status offense cases. In addition, the panel will discuss practices and policy reforms designed to protect the rights of LGBTQ youth in the decision-making process.

1. ***Relationship Recognition and the Courts***

*(a) Version for states without relationship recognition*

This program will offer insight into the economic, educational and racial diversity of your state’s LGBT communities and address some of the many unique legal issues arising in your courts because of current law prohibiting the solemnization of same-sex marriages or civil unions in the state, and its proximity to states that legally recognize them. Topics to be addressed include dissolution of foreign marriages and/or civil unions, child custody disputes, real property conflicts and healthcare issues. We also discuss the issues arising when non-resident couples, whose relationships are recognized in their home state, vacation or transit through your state (e.g., wrongful death actions, tort injuries, property or inheritance questions).

1. ***Relationship Recognition and the Courts***

*(b) Version for states with relationship recognition (marriage or civil unions/domestic partnerships)*

This program will address the many unique legal issues arising because of your state’s specific law recognizing same-sex marriages or civil unions/domestic partnerships. Topics cover entrance and exit from that status, and the problems for and traps judges in using traditional tools such as QDROs, and other marital and non-marital property division orders because of the federal Defense of Marriage Act (DOMA) prohibits recognition of these relationships. We also discuss conflicts between state law and religious belief, or anti-discrimination law, as well as the issues arising when non-resident couples vacation or transit through your state. Topics to be addressed include dissolution of civil unions, child custody disputes, real property conflicts and healthcare issues. The program will also offer insight into the economic, educational and racial diversity of your state’s LGBT communities.

1. ***Redefining Parental Rights: Child Custody in the Age of Surrogacy***

Technological advances in fertility have unleashed new legal challenges that must be addressed when considering issues of child custody. This session will discuss the unique legal issues that arise in actions for dissolution of same-sex relationships in the local courts involving surrogate parentage and custody disputes.

1. ***Same-Sex Domestic Violence***

Sample = California 2011 program

Domestic violence among same-sex couples is just as prevalent as among opposite-sex couples, but unique dynamics have resulted in invisibility and the potential for further victimization by the legal process. This training will examine domestic violence in the LGBT community, which will include an overview of demographic information, terminology, and specific domestic violence information. We will use a scenario to examine batterers’ tactics from an LGBT framework and discuss challenges judges may face when presented cases of LGBT domestic violence. Finally, we will discuss actions judges can take to protect LGBT survivors and to move toward bias-free courtrooms.