



## SERVING LOW-INCOME LGBT PARENTS AND LGBT PARENTS OF COLOR

Because children with same-sex parents often do not have a legal relationship to at least one of their parents, they can be denied government benefits or can end up in foster care if their legal parent dies or is incarcerated. For example, when 10-year-old A.W.'s non-biological mother became disabled, he was unable to get Social Security benefits because the Social Security Administration refused to recognize her as a legal parent. After A.W. found free legal help, he appealed and began receiving the benefits he needed.

The LGBT movement has made great strides in establishing protections for LGBT parents and their children, but these protections require the aid of an attorney and are thus out of reach for many families. Low-income LGBT families and LGBT families of color are disproportionately affected by laws that discriminate against LGBT families. Families of color are disproportionately low-income, and they are less likely to be aware of the protections that exist because they have been underserved by LGBT legal organizations. Our community has a responsibility to ensure that all LGBT families can access the legal protections that we have fought so hard to achieve.

- **Same-sex couples are raising children.** Same-sex couples live in virtually every county in the United States, and 39% of same-sex couples in the United States are raising children under the age of 18.
- **Same-sex parents have fewer economic resources.**
  - Same-sex parents earn on average almost \$11,000 less than different-sex married parents.
  - 64% of same-sex parents own their homes while 76% of married different-sex parents own their homes.
  - 23% of same-sex parents have a college degree, compared to 30% of married different-sex parents.
- **Same-sex parents of color are more likely to be raising children.**
  - Black same-sex couples across the nation are twice as likely to be raising children as white same-sex couples.
  - 70% of Latino/a and 55% of Asian/Pacific Islander same-sex couples in California are raising children.
- **Same-sex couples of color have fewer resources than white same-sex couples.**
  - The annual household income of black same-sex couples is as much as \$24,000 less than white same-sex couples.
  - Same-sex couples of color are less likely to own their own homes or have a college degree.
  - Same-sex couples of color are more likely to face additional obstacles to family stability such as immigration status and language barriers.

**THE NATIONAL CENTER FOR LESBIAN RIGHTS FAMILY PROTECTION PROJECT** helps low-income LGBT parents find free and low-cost family law services and provides training and assistance to attorneys representing low-income LGBT parents. For more information about representing LGBT low-income families or for information about trainings, contact: Cathy Sakimura, Equal Justice Works Fellow, National Center for Lesbian Rights, 870 Market Street, Suite 370, San Francisco, CA 94102, 415.365.1329, [csakimura@nclrights.org](mailto:csakimura@nclrights.org).



## TIPS FOR WORKING WITH LOW-INCOME LGBT CLIENTS

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Many people have heard the myth that all gay people are affluent. In fact, poverty is at least as prevalent in LGBT families as it is in the general population. On average, same-sex couples make less than married couples, are less likely to own a home, and are less likely to have a college degree.

1. **Low-income LGBT clients face many barriers to justice.** In addition to difficulties due to their sexual orientation or gender identity, low-income LGBT clients also face additional barriers created by poverty and a general lack of access to the legal system.
2. **An LGBT client's legal problems may not be directly related to his or her sexual orientation or gender identity.** However, your client may still face homophobia or transphobia in the legal system. Low-income clients frequently have multiple legal problems that may need to be addressed.
3. **Be aware of assumptions based on appearance, occupation, or manner of speech.** We all make assumptions about others based on our own background and experience. The important thing is to be aware so that you do not unconsciously make decisions based on your assumptions rather than on your client's unique situation.
4. **Don't assume that what you would do in your client's situation is the best choice for him or her.** Your experience is different from your client's, and you can't understand all the complexities and difficulties at play in his or her life.
5. **Help your client understand what is happening in his or her case.** While a client may not be familiar with the legal system, this doesn't mean he or she won't be able to comprehend what happens in his or her case. Be sure to check-in regularly about your client's understanding of your explanations. Your client may not feel comfortable enough to say he or she doesn't understand something unless you ask.
6. **Low-income clients often face additional barriers that make it difficult to be engaged in their own cases.** Poverty may cause obstacles that make it difficult for your client to come to your office during business hours, return your phone calls, or travel to court. Sometimes what may seem like a lack of engagement is caused by a lack of transportation, lack of child care, lack of reliable phone service, or inability to get time off from work. Be flexible and ask your client what works best for him or her.
7. **You must earn your client's trust.** Don't expect a client to be instantly grateful and appreciative—many clients have had negative experiences with the legal system and may see you as a part of that system. Although you know you are eager to help, your client may not have any reason to know that until you demonstrate your commitment.
8. **It's ok to make mistakes.** The important thing is to acknowledge them and fix them when possible.

THE NATIONAL CENTER FOR LESBIAN RIGHTS is a national legal organization committed to advancing the civil and human rights of lesbian, gay, bisexual, and transgender people and their families through litigation, public policy advocacy, and public education.