Under The Umbrella:
Key Terms & Definitions

AFCC ASSOCIATION OF FAMILY AND CONCILIATION COURTS

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Language Matters

Every person and family who interacts with our courts deserves to feel recognized, respected, and welcome regardless of their identity or situation.

- Respect
- Inclusivity
- Safety
- Trust
- Ethics

Sexual and gender minorities: people whose sexual orientation and/or gender identity is different from cultural, societal, or physiological norms.

Unpacking The Acronyms

LGBTQ+

Lesbian, Gay, Bisexual, Transgender, Queer/Questioning

+

SOGIE

Sexual Orientation, Gender Identity & Expression

- **Sexual Orientation**: A person's emotional and sexual attraction to other people, often based on the gender of the other person. A person may identify as heterosexual, lesbian, gay, bisexual, queer, or another term. This is separate from gender identity. Everyone has a sexual orientation.
- **Gender Identity**: A person's internal sense of being a man/male, woman/female, both, neither, or another gender.
- **Gender Expression**: How one expresses oneself in terms of appearance and/or behaviors that society characterizes as "masculine," "feminine," or "androgynous."

Sex & Gender: Basic Terminology

Sex: A medical and legal categorization typically based on physical appearance at birth.

Gender: A social and cultural categorization used to classify a person as male, female, or another identity.

Sex & Gender: Additional Terminology

People **assigned male at birth** (“AMAB”) *typically* have XY chromosomes.

People **assigned female at birth** (“AFAB”) *typically* have XX chromosomes.

Intersex: an umbrella term for people born with traits in their hormones, chromosomes, or anatomy that do not fit typical male or female categories.

Cisgender: A person whose sex assigned at birth “matches” their identity

Transgender: A person whose sex assigned at birth differs from their identity

Transition: The process by which a non-cisgender person more closely aligns their body and/or gender expression with their gender identity.

Parenting LGBTQ+ Youth: Terminology

More supportive or more affirming parent: a parent who engages in behaviors that are generally supportive or affirming of their child's identity

Less supportive or less affirming parent: a parent who engages in behaviors that are generally not supportive or affirming of their child's identity

- These definitions are intentionally not absolutes:
  - Parents can engage in a mix of supportive and unsupportive behaviors
  - Parental behavior can shift over time

The goal of representation, treatment, or litigation involving LGBTQ+ youth is to **promote supportive behavior by parent(s) in the best interests of the child**

- Family support is **the most determinative factor** of a transgender child's short-term and long-term mental and physical health and well-being
  - Parents can alter their **behavior** without altering their beliefs or values

Names & Pronouns

Misgendering: to refer to or address a person with a pronoun, noun, or adjective that inaccurately represents the person's gender identity

Deadnaming: to refer to or address a person by the name assigned to them in infancy although they have chosen to go by a different name

Putting it all Together

"Your Honor, both mothers are genetic parents. Ms. Doe, who identifies as female, was assigned male at birth."

"Please note that the father uses they/them pronouns and prefers to be addressed as Stephen."

"Respectfully, my client is a "real" parent. I believe counsel meant to clarify that my client is not a *genetic* parent. The children were conceived via artificial insemination with sperm from a donor."

I'm asking the court to order the parties to participate in family therapy with a therapist who has expertise in gender identity development to help them understand how their behavior is affecting the child's mental health.

Affirmative Allyship

Nice to meet you, Client. My name is Andrew Attorney. Please call me “Andy.” I use she/her pronouns.

I see here that your legal name is Susan Sample. What should I call you? What pronouns do you prefer?

Everybody uses pronouns - I like to ask, but if you prefer that I guess yours, I can do that - just let me know if I get it wrong!

Oh, Susan goes by “Susan,” not “Susie.”

“*He* brought *his* famous lasagna to the potluck.”

Sorry, *they are* a great colleague - thanks for correcting me!