



**Advancing Equity for LGBTQ2S+ Families at  
the Intersections of Domestic Violence, Child  
Welfare, and Child Custody Systems**  
*A Research Synthesis*

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A product of the National Center to Advance Peace for Children Youth and Families in  
collaboration with the National LGBTQ Institute on Intimate Partner Violence



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## Contributors

The [National Center to Advance Peace for Children Youth, and Families \(NCAP\)](#) is a national resource center funded by the Family Violence Prevention and Services program of the U.S. Department of Health and Human Services. Our mission is to ensure that domestic violence cases involving children and youth are handled in a manner that recognizes the intersection of complex legal, cultural, and psychological dynamics of domestic violence. The NCAP was created in response to the reality that involvement in the child welfare and child custody systems can cause irreparable harm to survivors of domestic violence and their children, especially those who have historically been marginalized and lack equitable access to resources and supports. We advocate for a new approach, one led by the communities most impacted and prioritizing the voices of survivors. To achieve this vision, we work in partnership with various organizations and stakeholders to address inequities in these systems and promote transformative system changes that enhance responses to survivors of domestic violence at the intersections of child welfare and child custody systems.

The NCAP is a coalition of national culturally specific domestic violence organizations who engage the capacity of their own communities to solve their own problems. It is led by [Caminar Latino-Latinos United for Peace and Equity](#) and includes [Ujima: National Center on Violence Against Women in the Black Community](#), the [Alaska Native Women's Resource Center](#), and the [National Indigenous Women's Resource Center](#), as well as [Futures Without Violence](#). Together, we are committed to reimagining a system that supports and strengthens families impacted by domestic violence, thereby building a more just and equitable future for all children and families.

The [National LGBTQ Institute on Intimate Partner Violence](#) was created to significantly enhance the safety, well-being, support, and health of LGBTQ intimate partner violence (IPV) and domestic violence survivors throughout the United States. The Institute is a project of The Los Angeles LGBT Center, the nation's oldest and largest community-based LGBTQ service and support organization, working in close collaboration with the

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National Coalition of Anti-Violence Programs and In Our Own Voices. Utilizing ongoing input from providers, experts, and consumers, the Institute offers state-of-the-art training and technical assistance that significantly expands the capacity of public and private agencies to provide culturally relevant, survivor-centered LGBTQ IPV intervention and prevention services. The program also works to enhance the visibility of LGBTQ-specific IPV needs and intervention strategies, while conducting research to identify and disseminate evidence-informed interventions and overseeing policy initiatives that have a meaningful impact on the quality, scope, and accessibility of LGBTQ IPV services nationwide.

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### A Note About This Paper

The following paper was developed out of recognition for the ongoing inequities impacting the LGBTQ2S+ community and in response to the escalation of discriminatory treatment towards LGBTQ2S+ individuals and families. In alignment with the focus of the NCAP, this paper provides a review of research and policy that highlights the ways in which discriminatory practices embedded in family law, policy, and service systems impact LGBTQ2S+ families through the particular lens of families who intersect with domestic violence, child welfare, and child custody systems. While the impacts of anti-LGBTQ2S+ policies are far reaching, the implications for survivors of domestic violence and their children have not been widely acknowledged in the public discourse. This paper serves as an initial step in responding to these oversights. Our intent is to draw attention to the ways in which inequities in these systems are perpetuated through existing laws and policies, as well as the ways in which they are likely to be exacerbated through new and emerging legislation. More importantly, we hope to inspire action, innovation, and collaboration around the development of policies and practices that advance protections for the LGBTQ2S+ community and support the safety and well-being of LGBTQ2S+ families.

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### Introduction

Recent years have seen a substantial uptick in anti-LGBTQ2S+<sup>1</sup> legislation. Hundreds of laws have been proposed at the state level that aim to prohibit acknowledgement of gender and sexual minorities, ban transgender and non-binary people from public life, and criminalize gender-affirming care. Such bills have been proposed in more than 60% of the United States, and a number of them have already been passed by state legislatures (Kant & Boskey, 2023). While discrimination towards LGBTQ2S+ individuals and families is nothing new, current legislative efforts are poised to increase the vulnerability of the LGBTQ2S+ community and undo progress that had been made in advancing LGBTQ2S+ rights. Scholars have accurately noted how these attacks on the LGBTQ2S+ community are a politically motivated crisis disguised as “protecting children,” but which in fact inflict great harm onto already marginalized children and families (Park, et al., 2021). These laws are designed to increase state surveillance and policing of LGBTQ2S+ families, further exacerbating existing barriers to accessing critical resources and social services. In denying these services to LGBTQ2S+ families, the likelihood that they will be subjected to more punitive, regulatory systems, such as the criminal legal and child welfare systems, increases as their ability to ensure the safety of their children is diminished.

These legislative attacks cause further harm to LGBTQ2S+ survivors of gender-based and intimate partner violence, who already face added barriers to accessing services such as fear of “outing” oneself by reporting a crime, a lack of awareness and access to LGBTQ2S+ friendly resources, potential trans and homophobia from service providers, and bias and discrimination from law enforcement and the judicial system (Whirry & Holt, 2020; Calton, et al., 2016; Brown & Herman, 2015). Intimate partner violence is one of the largest and most serious health issues confronting LGBTQ2S+ people and is further reinforced and exacerbated by systemic discrimination (Whirry & Holt, 2020; NCAVP, 2018). Recent data indicate that greater than fifty percent of transgender individuals experienced intimate partner violence in their lifetime (James, et al., 2016). Yet, legislation being proposed and implemented in some states could bar LGBTQ2S+ families from accessing domestic violence and homeless shelters, services that are already difficult for the LGBTQ2S+ community, and particularly transgender individuals, to access due to stigma, bias, and inequities embedded within these systems (Apsani, 2018; Guadalupe-Diaz & Jasinski, 2016; Calton, et al., 2016). In fact, almost half of LGBTQ2S+ survivors of intimate partner violence who seek shelter report being denied access. Of those, nearly one-third are turned away because of their gender identity

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<sup>1</sup> Caminar Latino-LUPE is committed to being inclusive and seeks to fully reflect and promote the diversity of our communities throughout all our work. When terms such as LGBTQ2S+ are used throughout this paper, the intent is to represent all persons who may identify as Lesbian, Gay, Bisexual, Transgender, Queer, 2-Spirit, Questioning, Gender nonconforming, Non-binary, Intersex, Asexual, Gender Fluid, Sexually Fluid, or who identify in other ways outside of heteronormative or cisgender identities, while also acknowledging the shortcomings of these terms.

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(NCAVP, 2018). Further, an abusive same gender partner may try to access the same shelter as the survivor; this is particularly true for lesbian survivors. These barriers make it less likely for survivors to access the care and resources they need to be safe, stable, and heal.

In addition, legislation and policies targeting LGBTQ2S+ youth, particularly in school settings, may have a considerably detrimental impact on youth safety and well-being. Policies such as transgender bathroom and locker room bans, “don’t say gay/trans” bills, requiring school staff to notify parents about a student’s disclosure that they are LGBTQ2S+ (commonly referred to as “forced outing” policies), and barring LGBTQ2S+ inclusive sex education and dating and sexual violence prevention work all contribute to a non-affirming school environment and limit youth access to safe and supportive adults, thereby likely increasing the risk of dating violence, sexual assault, and other forms of victimization. For example, the implementation of forced outing policies in schools means that youth are not able to turn to some of the most crucial potential forms of support in their lives (e.g., teachers, coaches, school counselors) without risking family rejection that could have devastating impacts on their emotional and physical well-being. For LGBTQ2S+ youth experiencing dating violence, this limits their options of who to turn to for support and safety around the abuse they are experiencing. This is especially concerning given that data indicate LGBTQ2S+ youth experience higher rates of dating violence than their non-LGBTQ2S+ peers (Garthe, et al., 2021; Adams, et al., 2021; Semprevivo, 2020).

Not only do these laws restrict access to services and supports, they also reshape conceptions of parental rights, “good parenting” practices, and child maltreatment. Current efforts to define LGBTQ2S+ affirming parental behaviors as child abuse increase stigmatization and place LGBTQ2S+ families at greater risk of state intervention, family separation, and criminalization. This was exemplified in Texas, where the Governor and Attorney General expressly directed child welfare agencies to investigate parents who sought gender-affirming care for their children, and subsequent child abuse cases were promptly initiated throughout the state (Joslin & Sakimura, 2022). Although there is a temporary block on investigations of transgender children’s families in Texas while this issue is litigated, it has not stopped other states from following suit. Bans or restrictions on gender-affirming care for minors have been passed in 25 states already, and some similarly subject parents to potential child welfare investigation, including six states that specifically define provision of gender-affirming care to minors as child abuse (Redfield et al., 2023).<sup>2</sup> While several states’ bans have been temporarily or permanently blocked through litigation, ultimately the Supreme Court’s decision to take up cases and hear

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<sup>2</sup> See [https://www.mapresearch.org/equality-maps/healthcare/youth\\_medical\\_care\\_bans](https://www.mapresearch.org/equality-maps/healthcare/youth_medical_care_bans)

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arguments will be crucial in determining the future of these policies. In the context of domestic violence, moreover, these policies may serve to embolden parents who use violence to take custody away from survivor parents who are affirming or who are LGBTQ2S+ themselves in the family court setting.

Notably, harmful policy proposals continue to emerge that aim to further limit protections and rights for LGBTQ2S+ individuals.<sup>3</sup> In light of these circumstances, it seems timely to take a look at the existing body of research on how LGBTQ2S+ families have been stigmatized, problematized, and pathologized through law and policy in support of increasing state surveillance and regulation of LGBTQ2S+ family life. In this research and policy synthesis, we outline what is known from the existing literature about the ways in which discriminatory policies and practices towards the LGBTQ2S+ community are embedded in family law, policy, and service systems, and the implications for how LGBTQ2S+ individuals form, maintain, and ensure the safety of their families. In particular, we highlight the impact these policies have on the lives of LGBTQ2S+ families at the intersections of intimate partner violence, the child welfare system, and child custody, drawing attention to the ways in which new anti-LGBTQ2S+ legislation is likely to exacerbate inequities. Survivors of intimate partner violence who identify as LGBTQ2S+ face added challenges and marginalization by systems, however, the experiences of LGBTQ2S+ survivors *as parents* are often overlooked, as are the experiences of LGBTQ2S+ children and youth at these intersections. The current paper responds to these oversights by offering a review and analysis of research around these issues. We further identify gaps<sup>4</sup> that exist in the research and recommendations for future research to build our understanding of the implications and impacts of these laws, arguing for the importance of research in efforts to raise public awareness, generate backlash, and mobilize political support for LGBTQ2S+ justice and equity.

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<sup>3</sup> See, for example, the analysis of Project 2025 provided by the ACLU:

[https://assets.aclu.org/live/uploads/2024/06/Memo\\_TrumpOnLGBTQJustice-620pm.pdf](https://assets.aclu.org/live/uploads/2024/06/Memo_TrumpOnLGBTQJustice-620pm.pdf).

<sup>4</sup> The data is limited in part because the federal government has only recently started collecting data on sexual orientation and gender identity and, even today, does so only in limited ways. See, e.g. Carol Morello, *Census to Change the Way It Counts Gay Married Couples*, WASH. POST (May 26, 2014) [https://www.washingtonpost.com/local/census-to-change-the-way-it-counts-gay-married-couples/2014/05/26/e6c6edd0-e2a3-11e3-9743-bb9b59cde7b9\\_story.html](https://www.washingtonpost.com/local/census-to-change-the-way-it-counts-gay-married-couples/2014/05/26/e6c6edd0-e2a3-11e3-9743-bb9b59cde7b9_story.html).



# Marginalization of LGBTQ2S+ Families Through Law and Policy

The legal landscape of LGBTQ2S+ family rights is complex and continually evolving. Historically, LGBTQ2S+ families have been pathologized by U.S. institutions, with parents often categorized as “unfit” based on their LGBTQ2S+ identity. This discrimination typically relied on unfounded arguments about the harms to children raised by LGBTQ2S+ parents. While important gains in LGBTQ2S+ acceptance and legal rights have been realized, systemic heterosexism and transphobia continue to plague our society and are particularly prevalent within the realm of family law and policy (Mayo-Adam, 2020; Nadal, 2019). Notably, there continues to be a lack of federal legislation protecting LGBTQ2S+ families, as family law and policy primarily falls within the realm of state power. As a result, legal protections for LGBTQ2S+ families, including parental, adoption, and foster care rights, vary widely by state (Mayo-Adam, 2020). Many state laws directly prohibit adoption by same-sex couples or allow private adoption and foster care agencies to discriminate against same-sex or transgender couples under “religious freedom laws” (Spoto, 2021; Farr, et al., 2020; Mayo-Adam, 2020; Nadal, 2019). Additionally, the right to procreate for LGBTQ2S+ individuals is not legally recognized, allowing for ongoing discrimination in the provision of assisted reproductive technologies (Mayo-Adam, 2020). Even when LGBTQ2S+ individuals succeed in forming families through various means, family law generally privileges biological parentage, creating obstacles to legal recognition for non-biological LGBTQ2S+ parents, especially in states where adoption is restricted. This can increase the risk to survivors from abusive partners who threaten to take custody away if the abusive partner is a biological parent to the child and the survivor is not.

Parental rights are enshrined in constitutional law, but states may still place limitations on these rights, especially when choices about a child’s care pose, in the state’s view, a substantial risk of serious harm to the child’s physical or mental health (Lee, 2022). Laws that purport to protect children from harm are often rife with ambiguity and fail to specify what constitutes serious harm (Abernathy, 2020). Moreover, the state’s authority to override parental rights “in the best interest of the child,” has historically been constructed around white, middle class, heteronormative ideas about family and parenting (Joslin & Sakimura, 2022; Johnson, 2021; Mayo-Adam, 2020). This is perhaps best illustrated by the pervasive and systematic removal of Native American children from their parents through boarding schools and adoption initiatives, which continued into the 1970s (Crofoot & Harris, 2012; Strong, 2005). The removal of Native children from their families and lands was undertaken as a colonial intervention on the grounds that they needed to be assimilated into the dominant ‘American’ culture and society, a practice that caused incredible harm and suffering to families and erasure of culture in so many Native communities. While this perspective and practice has since been widely

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criticized, it has in many ways persisted, justified through rhetoric that individualizes social problems such as poverty, domestic violence, and mental illness as personal defects and deficits (Bridges, 2017; Dunkerley, 2017; Roberts, 2012, 2002; Reich, 2005). This continues to show up through practices of modern social service systems, perhaps most significantly in child welfare.

Thus, although this arena has become increasingly politicized, the reality is that families who do not fit white, middle-class, heteronormative standards have always been subjected to extra state scrutiny, surveillance, and regulation, particularly those who are marginalized along lines of race, class, gender, and sexual orientation. In this regard, the emerging trend of criminalizing LGBTQ2S+ affirming parents is merely exposing the ways in which “good parenting” and “child maltreatment” are defined according to state ideology rather than objective measures of children’s well-being. This seems to be at the core of gender-affirming care bans, since extensive research has demonstrated the value of gender-affirming care as life-saving treatments that reduce negative mental health outcomes, including suicide, among transgender and gender diverse youth (Lindley & Galupo, 2020; Lee & Rosenthal, 2022). Similarly, a significant body of research has demonstrated not only the ineffectiveness, but also the harmfulness, of conversion therapy, a practice used to try to change those who identify as LGBTQ2S+ into heterosexual, cisgender individuals (Ryan, et al., 2009; Drescher, et al., 2016; Christy, et al., 2019; Taglienti, 2021; Lee, 2022). While there is plentiful evidence to suggest conversion therapy should be deemed child maltreatment, it remains legal and protected under parental rights in numerous states.<sup>5</sup>

As a result of ambiguously defined child maltreatment laws and insufficient legal protections for LGBTQ2S+ individuals, parents can lose custody of their children both in cases when the parent identifies as LGBTQ2S+ or when the parent engages in behaviors that are supportive and affirming of their LGBTQ2S+ child (Sakimura, 2020; Mayo-Adam, 2020; Joslin & Sakimura, 2022; Kant & Boskey, 2023). Even in states that have laws and policies protecting LGBTQ2S+ people, decisions about custody and visitation ultimately fall in the hands of judges, who are granted considerable discretion and may consider a parent’s LGBTQ2S+ status in applying the “best interests of the child” standard (Burke, et al., 2020). Historically, in custody disputes between former different-sex partners, one of whom subsequently came out as LGBTQ2S+, the LGBTQ2S+ parent frequently lost custody due to homophobia (Hunter & Polikoff, 1976; Custody Denials, 1989; Joslin, et al., 2022). Following decades of research consistently showing that children are not harmed from being raised by same-sex parents, LGB parents in family law proceedings are now much less likely to lose custody to a non-LGB parent based on overt anti-LGB bias than they were in the past (Gartrell & Bos, 2010; Joslin, 2011; Goldberg, et al., 2014; Joslin, et al., 2022).

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<sup>5</sup> See [https://www.mapresearch.org/equality-maps/conversion\\_therapy/](https://www.mapresearch.org/equality-maps/conversion_therapy/)

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While bias towards LGB parents has decreased, however, this is not the case for transgender parents, and questions about parenting and the “fitness” of transgender parents still center prominently in child custody and child welfare proceedings. Courts across the country continue to explicitly discriminate against transgender parents, arguing that being in the care of a transgender parent is against the “best interests of the child” and using the parent’s gender transition as a basis for terminating parental rights (Kant & Boskey, 2023; Sakimura, 2020; Cohen, 2017). An extensive investigation into the treatment of transgender parents in the family court system conducted by the Transgender Law Center found that, between 1972 and 2015, transgender parents lost custody in 63% of identified cases; of those, 62% also lost on appeal (Katyal & Turner, 2019). These outcomes were largely attributed to explicit biases linked to the transgender status of the parent. It is common to see abusive litigation<sup>6</sup> used as a tactic in family law cases, particularly in issues of child custody. For LGBTQ2S+ survivors who are already marginalized and pathologized by a legal system that is working against them, being forced to court by a former abusive partner can cause further psychological, emotional, and financial harm (Legal Voice, 2021).

Similarly, parents who affirm their child’s sexual orientation or gender identity often lose primary or joint custody, have restricted decision making, or are granted only supervised visitation to ensure that they do not affirm their children’s identities, particularly in cases involving pre-adolescent children (George, 2021; Sakimura, 2020). Importantly, this is not limited to parents who seek gender-affirming medical care for their child; the mere act of demonstrating their support for their child’s identity by using the child’s preferred name and pronouns or letting the child dress according to their gender identity can, and has, been used in court to argue that a parent is unfit. Notably, there are several cases currently working their way through the court system, indicating that these issues are far from settled. The Supreme Court recently announced that it would hear appeals regarding state bans on gender-affirming care for minors (Sherman, 2024), which will likely also impact how custody and child welfare cases concerning transgender children are handled.

Moreover, the likelihood of custody restrictions, legal parentage denials, and child maltreatment investigations increases for multiply marginalized people within the LGBTQ2S+ community, including LGBTQ2S+ survivors of intimate partner violence, LGBTQ2S+ parents of color, low-income LGBTQ2S+ parents, as well as those who form “nontraditional” families, including polyamorous families or other families and kinship networks comprised of more than two parents (Mayo-Adam, 2020). Further compounding the challenges they face, these parents often lack adequate legal representation.

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<sup>6</sup> Abusive litigation occurs when people who use violence exploit the legal system as a tool to exert power and control over survivors. <https://legalvoice.org/abusive-litigation/>

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As indicated, this legal discrimination towards LGBTQ2S+ parents and children bleeds into child welfare policy and practice. Within the child protection and welfare literature, social workers have argued for decades about the need to monitor the children of LGBTQ2S+ parents for signs of danger, often viewing any mental health challenges among children as evidence that LGBTQ2S+ parents are harmful to their children's well-being (Kant & Boskey, 2023; White & Ettner, 2007; Freedman & Tasker, 2002). Thus, LGBTQ2S+ parents and affirming parents of LGBTQ2S+ children have long been targeted for surveillance and intervention by state child welfare systems (Joslin & Sakimura, 2022). This has resulted in the overrepresentation of LGBTQ2S+ families in the child welfare system, however, their presence and experiences within the system remain largely invisible (Joslin & Sakimura, 2022; Dettlaff, et al., 2018; Mountz, 2011). This invisibility is facilitated through policies that shield child welfare agencies from transparency, such as lack of information and understanding around LGBTQ2S+ identities, and allow workers to obscure biases that inform their assessments of parental fitness and maintain assumptions of children's heterosexuality and cisgender identity (Dettlaff, et al., 2018; Wilson, et al., 2014).

LGBTQ2S+ families in the child welfare system experience similar challenges and harmful outcomes as other families that are disproportionately system involved including those who are Black and Native American.<sup>7</sup> The vast majority of child welfare investigations and interventions are for allegations of child neglect, reflecting 74% of substantiated cases in 2022, the most recent fiscal year for which national data are available (USDHHS, 2024). Child neglect is a particularly vague standard, often conflated with poverty rather than an indicator of intentional maltreatment. Furthermore, survivors of domestic violence are disproportionately affected by the child welfare system due to reports of child neglect, although it is difficult to ascertain how many families enter the system on the basis of child exposure to domestic violence since many states do not explicitly track this data (Kelton, et al., 2020; Victor, et al., 2019). However, it is likely that LGBTQ2S+ survivors of intimate partner violence are overrepresented in cases such as these.

Once an LGBTQ2S+ family enters the child welfare system, they often encounter anti-LGBTQ2S+ bias and discrimination. This can manifest throughout the system, starting from social workers who investigate allegations of child maltreatment and recommend the removal of children from their parents. Service providers involved in caring for children and facilitating their reunification with parents may further contribute to or hinder this process. Finally, decisions made by judges on whether children may remain in the care and custody of their parent can be influenced by bias against LGBTQ2S+ parents (Joslin & Sakimura, 2022). As previously noted, LGBTQ2S+ survivors of intimate partner violence face barriers to safety and stability due largely to reduced access to

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<sup>7</sup> For outstanding discussions of these harms, see ROBERTS (2002), SHATTERED BONDS; and ROBERTS (2022), TORN APART.

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resources and services, such as domestic violence emergency shelters or transitional housing, as a result of homophobia and transphobia.

A particularly insidious way in which discrimination has been legalized within the child welfare system is through “religious exemptions” or “religious freedom” laws. These laws, which have been implemented in numerous states, allow businesses to discriminate against LGBTQ2S+ individuals on the basis of “firmly held religious beliefs.”<sup>8</sup> Although child welfare is a public system obligated to serve all children in need of protection and receives substantial federal funding, many states have privatized portions of their child welfare system or contract with the private sector to provide some services such as case management, foster care, or adoption. Under religious exemption laws, these private providers can legally discriminate against LGBTQ2S+ parents and children, which may take a variety of forms, such as refusing to work with or assist LGBTQ2S+ parents who are trying to reunify with their children, refusing to place children with prospective LGBTQ2S+ foster or adoptive parents, and refusing to provide care for or imposing heteronormative expectations onto openly LGBTQ2S+ children in their care (Mayo-Adam, 2020; Spoto, 2021; Woods, 2019; Grooms, 2020; Farr, et al., 2020; Joslin & Sakimura, 2022). This serves to perpetuate antiquated theories of sexual deviance within the child welfare system by equating the moral views of child welfare actors with the “best interests of children” regarding appropriate sexual orientation and gender identity (Woods, 2019). Overall, research reveals a lack of cultural competence, inadequate training, unsupportive organizational climate, and considerable variability in policies regarding child welfare practice with LGBTQ2S+ youth and families (e.g., McCormick, et al., 2017; Washburn, et al., 2018; Dettlaff, et al., 2018; Greeno, et al., 2021).

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<sup>8</sup> See <https://www.lgbtmap.org/equality-maps/religious-exemption-laws/>

# Impact of Anti-LGBTQ2S+ Policies on Children and Families

As illustrated in the previous section, anti-LGBTQ2S+ discrimination has long been embedded and persists to this day within family law and policy. Thus, current legislative attacks on the LGBTQ2S+ community fit within an ongoing history of oppression. Amidst the fight for equality, research has played an important role in efforts to secure protections for LGBTQ2S+ families by revealing and challenging the discrimination these families have faced in the past and continue to face today under current law and policy. This section summarizes important research contributions that have helped to demonstrate the impact of discriminatory policies and practices toward LGBTQ2S+ families and establish the legitimacy of these families.

## LGBTQ2S+ Family Formation

A considerable body of research has explored the lived experiences of LGBTQ2S+ families as they interact with legal and political institutions as part of daily life, demonstrating how these experiences contribute to family formation (Gash & Raiskin, 2018; Anderson, 2016; Engel, 2016; Berkowitz & Ryan, 2011; Richman, 2009). These studies examine the contradictory experiences with institutions and state officials that impact LGBTQ2S+ family formation and reveal the myriad ways in which LGBTQ2S+ identity is simultaneously constituted and rendered invisible through family law. Such studies have illuminated the legal struggles and experiences of LGBTQ2S+ parents as they attempt to gain legal recognition and protect their ability to parent in family court, as well as the innovative legal and political strategies developed by LGBTQ2S+ kinship networks to overcome barriers to legal recognition. In this way, research has documented not only the family-based discrimination encountered by the LGBTQ2S+ community in everyday life, but also the resilience of LGBTQ2S+ families in the face of discriminatory laws and policies.

Included among this research are critiques of mainstream LGBTQ2S+ social movement politics, highlighting the ways in which these initiatives often exclude and fail to address the needs and priorities of more marginalized members of the LGBTQ2S+ community. For example, scholars have pointed to how the intensive focus on marriage equality served to marginalize other LGBTQ2S+ political struggles and failed to achieve full legal recognition of LGBTQ2S+ families (Mayo-Adam, 2020; Franke, 2015; Kandaswamy, 2008; Montegary, 2015; Spade, 2015). Recent research demonstrates that LGBTQ2S+ people continue to face substantial barriers in becoming parents and forming legally recognized families, especially those who are transgender or gender-diverse, people of color, and those who have limited financial means (Goldberg, 2023). Many LGBTQ2S+ families are concurrently impacted by poverty and racism, which further exacerbate the

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barriers they face in establishing legal recognition, as legal proceedings tend to be expensive, and low-income parents struggle to obtain adequate legal representation. Research shows that same-sex couples and transgender people are more likely to experience poverty than different-sex married couples, with LGBTQ2S+ people of color experiencing the greatest levels of poverty (Sakimura, 2020). Although an important victory, research indicates that the legalization of same-sex marriage has not significantly altered the lived realities of low-income and multiply marginalized LGBTQ2S+ people (Mayo-Adam, 2020). This research provides the impetus for continued efforts to secure equality for diverse LGBTQ2S+ families within the realm of family law.

### Prospective LGBTQ2S+ Foster and Adoptive Parents

Connected to the issue of family formation, an extensive area of research concerns the experiences of prospective LGBTQ2S+ foster and adoptive parents as they navigate and interact with the child welfare system. This body of research indicates that prospective LGBTQ2S+ parents experience substantial discrimination and problematic stereotypes within the child welfare system, especially in rural and more conservative parts of the United States, which present considerable barriers to their engagement in foster and adoptive parenting (Goldberg, 2023; Farr, et al., 2020; Mayo-Adam, 2020; Goldberg, et al., 2019; Riggs, 2020). Discrimination against prospective LGBTQ2S+ parents creates delays and resistance towards the placement of children in their homes as well as the legal adoption of those children, and also contributes to placement disruptions. Although research suggests that discrimination against prospective LGBTQ2S+ foster and adoptive parents remains widespread, it is particularly prevalent when private foster care and adoption agencies are protected by religious exemption laws (Goldberg, 2023; Spoto, 2021; Woods, 2019).

A prevalent theme from this literature is that LGBTQ2S+ foster parents frequently experience pathologizing and silencing of their sexuality by child welfare professionals. Many prospective foster parents report considerable scrutiny of their parenting ability and capacity to raise children, and experience pressure to provide an exaggerated display of their suitability, including demonstration of “appropriate” gender role models that are defined in heteronormative ways and often involve avoiding displays of same-sex love and affection (Downs & James, 2006; Hicks, 2008; Riggs, 2020). Additionally, many expressed feeling that they were regarded as a second choice to heterosexual foster parents (Kaasboll, et al., 2021). While less attention has been paid to the added dynamic of race, research indicates that the experiences of Black LGBTQ2S+ foster parents are shaped by the intersection of racism and homophobia in the child welfare system, further limiting the placements and supports offered to these families (Hicks and McDermott, 2018).

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These barriers ultimately may dissuade LGBTQ2S+ individuals from pursuing foster care and adoption as a means of building families (Goldberg, et al., 2019; Riggs, 2020; Coakley & Berrick, 2008). This has significant ramifications not only for prospective LGBTQ2S+ parents, but also for children awaiting permanent homes in the child welfare system, since LGBTQ2S+ couples are more likely than heterosexual couples to view adoption as a preferred means of forming a family (Mayo-Adam, 2020; Goldberg, et al., 2019). Coupled with the significant prevalence of LGBTQ2S+ youth in foster care detailed below, deterring LGBTQ2S+ prospective foster and adoptive parents who could add to the availability of culturally resonant and loving homes is counterproductive and furthers harm to LGBTQ2S+ youth languishing in the system.

### LGBTQ2S+ Parent Experiences with the Child Welfare System

Considerably less research has examined the experiences of LGBTQ2S+ parents who are subjected to intervention by the child welfare system. Although not widely addressed in scholarship, research suggests that LGBTQ2S+ parents are overrepresented in the child welfare system, reflecting a particularly poignant way these families continue to experience inadequate legal protections and discrimination (Joslin & Sakimura, 2022; Sakimura, 2020). Once entangled in the system, they encounter barriers to reunification from biased caseworkers, foster parents, and judges (Joslin & Sakimura, 2022). Additionally, there is frequently reluctance among system officials to recognize non-biological LGBTQ2S+ parents. If a non-biological parent is not recognized as a legal parent by a dependency court, it may preclude the parent from gaining custody of their child, even if there are no abuse or neglect allegations against them. This further increases the likelihood that children of LGBTQ2S+ parents will be placed in foster care.

Moreover, recent work has begun to interrogate the intersections of race, class, and other axes of privilege and oppression, revealing that multiply marginalized LGBTQ2S+ parents, particularly those who are non-white, impacted by poverty, and who have disabilities, disproportionately have their children removed by the child welfare system (Goldberg, 2023; Joslin & Sakimura, 2022). In a study of over 600 Black mothers, for example, those who identified as lesbian or bisexual were found to be more than four times as likely to have lost custody of their children to the child welfare system compared to those who identified as heterosexual (Harp & Oser, 2016). Since LGBTQ2S+ families are more likely to be non-white and living in poverty compared to families headed by heterosexual parents, both of which are associated with higher rates of child welfare involvement, it follows that they face an increased risk of system intervention (Joslin & Sakimura, 2022). This risk is further exacerbated for LGBTQ2S+ survivor parents whose sexual orientation or gender identity precludes them from



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accessing services for their family, such as homeless or domestic violence shelters (Fraser, et al., 2019; O'Neill, et al., 2020).

Not only are LGBTQ2S+ parents at increased risk of child welfare involvement, but parents of LGBTQ2S+ children who support and affirm their child's identity are also at risk of having their children removed when the state disagrees with this parenting choice (Joslin & Sakimura, 2022; Sakimura, 2020). While new gender-affirming care bans are likely to increase the targeting of these families, the reality is that LGBTQ2S+ affirming parents were subjected to child welfare intervention prior to the emergence of the current legislative obsession. In many cases, these families become involved in child welfare investigations because third parties who are homophobic or transphobic, sometimes even the child's other parent, report them to child welfare authorities as possibly abusing or neglecting their children. Once again, the research indicates that parents of color and those who are low-income are especially vulnerable to child welfare intervention.

### LGBTQ2S+ Youth in Foster Care

A substantial and growing body of research over the past decade has begun to examine the representation and experiences of LGBTQ2S+ youth in the child welfare system. Notably, a preponderance of research studies have concluded that LGBTQ2S+ youth are overrepresented in foster care (Baams et al., 2019; Fish et al., 2019; Dettlaff, et al., 2018; Irvine & Canfield, 2016; Wilson, et al., 2014). Estimates indicate that LGBTQ2S+ youth are more than twice as likely to experience foster care placement compared to their heterosexual and cisgender peers. It has further been noted that these studies likely underestimate the true prevalence of LGBTQ2S+ youth in care due to a lack of comprehensive measures of youth sexuality and gender identity, as well as the fact that studies only capture those who openly identify as LGBTQ2S+ (Schaub, et al., 2022; Dettlaff, et al., 2018).

In addition to the usual reasons that children enter the child welfare system (e.g., allegations of abuse and neglect, including exposure to domestic violence), LGBTQ2S+ youth also enter care as a result of rejection by non-supportive families, in many cases after being kicked out or running away from an unsupportive home environment (Schaub, et al., 2022; Mountz & Capous-Desyllas, 2019; Ryan, et al., 2009), or as indicated in the previous section, when affirming parents are cast as abusive for the actions they take to support their children (Joslin & Sakimura, 2022; Sakimura, 2020). A concern is that the uptick in anti-LGBTQ2S+ policies, such as forced outing policies implemented by schools and reclassifying gender-affirming care as child abuse, has the potential to further increase the overrepresentation of LGBTQ2S+ youth in the child welfare system. Moreover, once in the child welfare system, LGBTQ2S+ youth are more likely to be placed in restrictive environments such as congregate care or group home

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settings (Mallon, et al., 2002; Wilber, et al., 2006; Wilson, et al., 2014). They are also more likely to become “dually involved” in the juvenile justice system, especially LGBTQ2S+ youth of color, further increasing their institutionalization and subjection to regulatory environments that tend to be non-affirming of their sexuality and gender identity (Irvine & Canfield, 2016).

While in care, research has shown that LGBTQ2S+ youth are subjected to differential treatment by child welfare professionals and foster parents, including harassment, violence, discrimination, “policing” of their behaviors, lack of acceptance and marginalization, double standards, and greater restrictions on their activities (Kaasboll, et al., 2021; Erney & Weber, 2018; Robinson, 2018; McCormick, et al., 2016; Keuroghlian, et al., 2014; Gallegos, et al., 2011; Rosenwald, 2009; Clements & Rosenwald, 2007; Wilber, et al., 2006). They also frequently experience harassment and bullying by other youth in care, and many youth report fear of expressing their LGBTQ2S+ identity while in foster care due to negative repercussions from caseworkers, foster parents, or peers, particularly when they have intersecting racial, ethnic, or religious minority identities (Erney & Weber, 2018). Additionally, LGBTQ2S+ youth may be subjected to mental health and behavior modification treatments, such as conversion therapy, in an effort to modify their sexual or gender expression (Marksamer, 2011; Mallon & DeCrescenzo, 2006).

Qualitative studies of former foster youth who identify as LGBTQ2S+ have reiterated that experiences with the child welfare system were largely stigmatizing and dehumanizing, with youth often subjected to gender segregation that did not align with their identity, mis-gendering, and efforts to suppress their gender or sexual expression, including denying access to gender-affirming medical care, isolation, and institutionalization (Mountz & Capous-Desyllas, 2020; Capous-Desyllas & Mountz, 2019; Robinson, 2018; Mountz et al., 2018). Among youth of color, these experiences are further compounded by racism and racial profiling. Stereotypes about people of color (e.g., that they are criminals or hypersexual) shape how the behaviors and gender expression of racial minority youth are monitored and disciplined within the child welfare system (Robinson, 2018; Mallon & DeCrescenzo, 2006). This research illustrates how child welfare systems are founded on and reinforce heteronormativity and cisgenderism.

The prevalence of discriminatory treatment in foster care further contributes to instability for LGBTQ2S+ youth in the child welfare system. LGBTQ2S+ foster youth are confronted with a shortage of foster homes that are accepting of their sexual or gender identity. Studies have shown that anti-LGBTQ2S+ bias is prevalent among foster parents, who expressed less willingness to foster LGBTQ2S+ youth (Griffiths, et al., 2021; Wilson, et al., 2014; Clements & Rosenwald, 2007). As a result, LGBTQ2S+ youth experience a greater number of placement disruptions and changes, are more likely to be placed in a group home or institutional setting, and are at increased risk of aging out of

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care without adequate preparation or transitional services and experiencing subsequent homelessness (Mountz & Capous-Desyllas, 2020; Capous-Desyllas & Mountz, 2019; Erney & Weber, 2018; Poirier, et al., 2018; Robinson, 2018; Wilson, et al., 2014). Research also indicates that these outcomes may be more prevalent among youth of color and those who identify as transgender or gender diverse (Grooms, 2020; Mountz, et al., 2018; Stotzer, et al., 2013).

On the other hand, a number of studies illustrate the pivotal role that social worker and foster family support and acceptance play in creating an affirming environment for LGBTQ2S+ foster youth, contributing to greater resilience (Paul, 2020; Forge, et al., 2018; McCormick, et al., 2016). Overall, these findings indicate the importance of education and training for child welfare professionals, as well as recruitment of LGBTQ2S+ affirming foster families. Moreover, they speak to the crucial role that LGBTQ2S+ foster parents can play, providing strong justification for child welfare systems to be more inclusive of prospective foster parents who identify as LGBTQ2S+.

### Youth Well-Being

Finally, there is considerable research addressing the health and well-being of LGBTQ2S+ youth as well as that of children raised by LGBTQ2S+ parents. Research on the mental health and well-being of youth who identify as LGBTQ2S+ has underscored the substantial struggles experienced by this population, including high rates of anxiety, depression, suicidal ideation, and attempted suicide (Nath, et al., 2024; Trevor Project, 2022). Transgender, non-binary, and gender diverse youth experience the highest rates of mental health challenges, and LGBTQ2S+ youth of color report higher rates of mental health symptoms than their white peers. Studies of youth in foster care have similarly found that LGBTQ2S+ identified youth reported significantly higher rates of mental health problems, trauma, substance use, and hospitalization for emotional reasons compared to non-LGBTQ2S+ youth (Baams, et al., 2019; Dettlaff, et al., 2018; Scannapieco, et al., 2018; Wilson, et al., 2014). Additionally, LGBTQ2S+ youth experience high rates of peer victimization, physical threats and harm, and dating violence compared to non-LGBTQ2S+ youth (Nath, et al., 2024; Trevor Project, 2022; Garthe, et al., 2021; Adams, et al., 2021; Semprevivo, 2020).

In contrast to research highlighting poor outcomes among LGBTQ2S+ youth, there has been a push for research to shift from an “at-risk” framework to also examine resilience and resistance, offering a more dynamic understanding of how LGBTQ2S+ youth navigate their social worlds and challenge oppressive structures (Robinson & Schmitz, 2021). Importantly, research has demonstrated that poor mental health outcomes are largely linked to youth’s experiences of discrimination, family rejection, violence, and trauma (Grooms, 2020; Almeida, et al., 2009; Haas, et al., 2011). Youth who are met with strong support and acceptance from their family, on the other hand, have significantly

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lower rates of depression and suicide attempts compared to youth whose parents were largely unsupportive (Lee & Rosenthal, 2022; Trevor Project, 2022; Travers, et al., 2012). Access to social support from peers and group affiliations, including LGBTQ2S+ specific social support, also contributes to youth resilience and well-being (Alessi et al., 2021; DiFulvio, 2015; Bruce et al., 2015). For example, LGBTQ2S+ youth who reported living in a community that is accepting of LGBTQ2S+ people had significantly lower rates of attempting suicide compared to those living in unaccepting communities (Nath, et al., 2024; Trevor Project, 2022). Institutions also play a strong role in creating affirming spaces; a study revealed that schools that implemented LGBTQ2S+ affirming curricula were associated with lower rates of depression among LGBTQ2S+ youth (Byun et al., 2024). Moreover, when youth are met with support from parents and siblings, “the home can become a site of resistance... challenging the [notion of] family as a heteronormative institution” (Robinson & Schmitz, 2021:7; Schmitz et al., 2020). Research along these lines has further illuminated various ways in which LGBTQ2S+ youth actively engage in resistance, such as by rejecting the gender binary, heteronormativity, and fixed notions of identity, embracing fluidity and queerness, and developing counternarratives to dominant social structures (Robertson, 2018; McGlashan & Fitzpatrick, 2018; Wagaman, 2016).

Additionally, a wealth of research has refuted the myth that LGBTQ2S+ people are inadequate or unfit parents. This research has overwhelmingly demonstrated that being raised by lesbian or gay parents does not harm children, and that such children experience comparable health and well-being outcomes to children who are raised by heterosexual parents (Mayo-Adam, 2020; Cornell, 2017). Similarly, research on the outcomes of children with transgender parents has concluded that a parent’s gender identity has “no effect on a child’s gender identity or sexual orientation development, nor... on other developmental milestones” (Stotzer ,et al., 2014:2). This research has been critical in legitimizing LGBTQ2S+ parents and has been used successfully in court cases to facilitate legal recognition of LGBTQ2S+ families (Mayo-Adam, 2020). Overall, the research is clear that youth well-being is not negatively impacted by the mere fact of a child or parent being LGBTQ2S+. Rather, it is the preventable experience of rejection, harassment, and discrimination that negatively affects well-being.

Newly emerging research, furthermore, is beginning to unravel the impact that the current anti-LGBTQ2S+ political climate and legislative trends are having on youth. Recent scholarship reveals that transgender and gender diverse youth have already incurred negative impacts from new antitransgender laws and bills. A study by Abreu, et al. (2022) found that parents of transgender and gender diverse youth reported that their child had experienced increased depression, suicidal ideation, anxiety, and gender dysphoria, a decreased sense of safety, greater stigmatization, and decreased access to medical care associated with anti-transgender legislation. A national survey of LGBTQ2S+ youth further revealed that 90% of respondents reported a negative impact

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on their well-being from the current political climate, and 45% reported that they or their family had considered moving to a different state due to LGBTQ2S+ related laws and policies (Nath, et al., 2024). Recent research findings also indicate that many transgender and non-binary youth worry about being denied access to gender-affirming medical care, being denied access to the bathroom, and being denied the ability to play sports due to state or local laws limiting the rights of transgender people (Nath, et al., 2024; Trevor Project, 2022). Thus, preliminary evidence already indicates the substantial negative impact that newly proposed and implemented anti-LGBTQ2S+ legislation is likely to have on youth health and well-being. Given that many of these bills and policies have only recently gone into effect, it is too soon to assess their full impact, but there is strong reason to expect that the erosion of protections, affirming care, and affirming spaces for LGBTQ2S+ youth will increase their risk of victimization, reduce access to safe sources of support, and lead to poor physical and mental health outcomes.

### Limitations, Recommendations, and Future Directions

While research on LGBTQ2S+ families has expanded tremendously, there remain considerable gaps and limitations in the existing scholarship. First, research specifically on transgender parents and their families is still limited, albeit growing. More research is also needed that addresses the intersections of LGBTQ2S+ identity with race, class, and other dimensions of identity to understand the diverse experiences of LGBTQ2S+ families who are multiply marginalized. Without research that includes and examines the diverse experiences of the entire spectrum of LGBTQ2S+ families, advocates and systems struggle to develop fully informed strategies and priorities when engaging with political and legal institutions and systems.

Additionally, there is little research examining LGBTQ2S+ parents' involvement and experiences with the child welfare system, as well as that of LGBTQ2S+ affirming parents. Thus, there is a great need for research to document the presence of LGBTQ2S+ families in the child welfare system and establish estimates of prevalence. Moreover, greater research on the experiences of these families as they navigate the child welfare system will help to expose and better understand the myriad ways that anti-LGBTQ2S+ biases shape case decisions and services offered, and ultimately how this impacts case outcomes. This research must also examine the intersections with race and class, as it is already well-established that poor families and those of color are disproportionately impacted by the child welfare system. The addition of a domestic violence lens is another piece that is much needed, as barriers that LGBTQ2S+ survivors face in accessing domestic violence services have been explored, however, this research has largely failed to address LGBTQ2S+ survivors as parents or examine intersections with the child welfare system (Smith, 2021; , Scheer, et al., 2020; Apsani, 2018; Guadalupe-Diaz & Jasinski, 2016; Calton, et al., 2015; Parry & O'Neal, 2015).

Similarly, more research is needed on the prevalence of LGBTQ2S+ children in the child welfare system and their experiences in care. Although research in this area has increased tremendously, there are still few quality empirical studies, and available estimates of prevalence and disparities are generally conservative and limited by a lack of systematic data collection and reporting. A valid tension and resistance exists around the collection of data on sexual orientation and gender identity/expression of youth in foster care by child welfare. (USDHHS, 2019). Concerns about youth safety have been raised if the collection and use of this data by child welfare are mishandled. This is a particularly poignant concern in states where LGBTQ2S+ communities face intense hostility and child welfare has been weaponized to further discrimination and harm.

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On the other hand, the failure to document the presence of LGBTQ2S+ youth in child welfare has rendered them largely invisible at a systems level. As Grooms (2020) notes, an unwillingness to acknowledge the LGBTQ2S+ population in foster care presents significant challenges for child welfare systems to understand the distinct needs and vulnerabilities of children in care and ensure that the goals of the system are met for all children. To fully understand the challenges LGBTQ2S+ youth encounter in the child welfare system, there is a need to implement greater protections for these youth and carefully craft ways to collect, maintain, and analyze specific information on LGBTQ2S+ youth in the child welfare system. It is crucial that comprehensive protections for LGBTQ2S+ youth in the child welfare system are implemented *at the federal level* before consideration is given to incorporating any kind of systematic data collection on sexual orientation and gender identity. A set of recommendations for establishing critical protections for LGBTQ2S+ youth in care is outlined below.

### Recommendations to Establish Protections for LGBTQ2S+ Youth in the Child Welfare System

Prohibit discrimination based on sexual orientation, gender identity, or gender expression across all aspects of the child welfare system. This should entail clear anti-discrimination and enforcement policies and procedures that explicitly prohibit discrimination by any agency, organization, or individual providing child protection, case management, foster care, or other services to youth in the child welfare system, inclusive of private organizations that are contracted by the state to provide child welfare services.

Define LGBTQ2S+ discrimination and harassment as a form of child maltreatment and require investigation of any report of LGBTQ2S+ based maltreatment of youth in care.

Require child welfare staff and foster parents to proactively protect LGBTQ2S+ youth in their care from harassment, violence, and discrimination, such as bullying by other youth in the foster home.

Prohibit the use of religious exemptions by organizations and individuals working with youth in the child welfare system, inclusive of child welfare agency staff, foster care agencies and foster parents, and other service providers.

Ban the use of conversion therapy and establish both financial and legal penalties for those who violate the law.

Require LGBTQ2S+ affirming cultural competency training for all child welfare staff, foster parents, and prospective adoptive parents. This should include requirements for ongoing refresher trainings and periodic recertification.

Develop and enforce inclusive policies for foster care and adoption that prioritize placing LGBTQ2S+ youth with affirming families and establish procedures for evaluating potential placements for LGBTQ2S+ youth. Foster and adoptive parents should be evaluated on their ability to provide a safe, supportive, and affirming home

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environment for LGBTQ2S+ youth. Placement procedures should also incorporate youth input on where they should be placed and would feel safe.
Require placement of transgender youth to be based on their gender identity and ensure access to appropriate accommodations to support and affirm their gender expression and identity (e.g., provision of clothing and personal care items, use of youth's preferred name and pronouns by caregivers).
Provide access to child advocates who specialize in working with LGBTQ2S+ children and youth.
Require child welfare agencies to provide trauma-informed care and ensure access to medical and mental health services that are sensitive to the specific experiences of LGBTQ2S+ youth. This includes training for health care professionals on LGBTQ2S+ issues and ensuring access to gender-affirming care.
Create LGBTQ2S+ safety plans with youth, inclusive of connecting youth to LGBTQ2S+ affirming resources and community supports.
Provide youth with information about their rights while in care, which includes a right to be protected from violence and discrimination, to feel safe, and to receive affirming treatment from staff and caregivers.
Ensure protections to youth's confidentiality and right to privacy regarding their sexual orientation and gender identity. The same protections that apply to all protected health information in child welfare cases should apply to information about youth's sexual orientation and gender identity. Any information that is collected must be kept secure with limits on who has access to identifiable data. Disclosures of a youth's LGBTQ2S+ identity to others should occur only with the youth's expressed consent.
Implement regular reviews and accountability measures to ensure compliance with LGBTQ2S+ protective policies. This includes audits, reporting mechanisms, and the involvement of LGBTQ2S+ community representatives in oversight processes. Withhold federal child welfare funding from any state that refuses to implement or fails to comply with federal protections for LGBTQ2S+ youth in care.

Greater research on LGBTQ2S+ youth in foster care can help in understanding how best to allocate resources to support youth and provide evidence to support requests for system changes to better meet the needs of youth in care. This should include further exploratory research that examines issues related to intersectionality among dimensions of race, ethnicity, class, sexual orientation, and gender identity to understand the diverse experiences of overlooked subgroups of LGBTQ2S+ youth in care. Furthermore, research and evaluation are also needed to better understand the role of social work professionals in supporting LGBTQ2S+ youth, and specifically to examine policies and practices that increase support and protections for LGBTQ2S+ youth in care, including the impact of LGBTQ2S+ affirming training on child welfare practice.



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While considerably more research has examined the experiences of LGBTQ2S+ foster and adoptive parents, or prospective parents, what has been largely overlooked in this literature are issues of race and class. In fact, existing research has largely examined the experiences of White and more affluent parents, as they tend to be more represented among the foster and adoptive parent population. Thus, there is a great need for research examining the different experiences of non-white (prospective) LGBTQ2S+ foster and adoptive parents, as well as those of varying income levels, to understand the unique barriers or additional layers of discrimination these individuals face in pursuing foster parenting and adoption. Furthermore, given that children of color are overrepresented in the child welfare system, there is also a need for research that examines how White LGBTQ2S+ foster parents understand the racial dynamics of the child welfare system and the power imbalances embedded within, and how they view their role in supporting children of color in their care. In addition, future research should explore the potential benefits to children being cared for by LGBTQ2S+ foster parents, and in particular, the benefits of placement matching for LGBTQ2S+ children (e.g., intentionally placing LGBTQ2S+ children in the homes of LGBTQ2S+ foster parents) in the system.

Finally, the rapidly evolving socio-political climate and legal landscape demands research that focuses on assessing the impact of new anti-LGBTQ2S+ legislation. It is crucial for research to explore and document the increased scrutiny, surveillance, and criminalization of LGBTQ2S+ families, as well as the impact this has on LGBTQ2S+ family formation, parental rights, family violence, and child well-being, including how parents and youth cope with and resist state efforts to criminalize their identities and behavior. Research must furthermore examine how these laws trickle down into policy and practice within child and family serving systems, such as the impact on how child welfare systems respond to and treat LGBTQ2S+ children and parents, or the effects on intimate partner violence among the LGBTQ2S+ community and the experiences of LGBTQ2S+ survivor parents seeking resources and support. LGBTQ2S+ parents and children are at increased risk of entering the child welfare system, and this risk is growing as more and more states move to implement discriminatory laws and policies. Moreover, the current anti-LGBTQ2S+ movement increases the likelihood that children might not be protected from harmful practices, like conversion therapy, and that states might further reinforce the rights of parents to subject children to non-affirming treatment and interventions.

It will be critical for continued research to document and evaluate the harm caused by these policies to provide support for efforts to establish protections at the federal level. Along these lines, research should examine state and local level differences, comparing experiences of youth and families in states with greater protections to those in states passing anti-LGBTQ2S+ bills. Moving forward, increased inclusion and emphasis on trans- and queer-led research, including those with lived experience of domestic violence and/or the child welfare system, is also needed to help ensure that LGBTQ2S+ voices

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are integral in shaping the future directions of research, policy, and advocacy on behalf of LGBTQ2S+ youth and families.

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**NATIONAL CENTER TO ADVANCE PEACE**  
for Children, Youth, and Families

The National Center to Advance Peace for Children, Youth, and Families (NCAP) is a coalition led by Caminar Latino-Latinos United for Peace and Equity and includes Ujima: National Center on Violence Against Women in the Black Community, the Alaska Native Women's Resource Center, the National Indigenous Women's Resource Center, and Futures Without Violence.



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