

KNOW YOUR RIGHTS:

A Guide for Families of Transgender Children in Texas

[Disclaimer: This document includes resources and information and it is not legal advice. Moreover, due to the rapidly changing nature of this situation and our reliance on information provided by outside sources, we make no warranty or guarantee. For legal advice, it is advised to consult an attorney.]

Families of transgender children in Texas are grappling with uncertainty and fear in the face of an unprecedented political attack from the Governor and Attorney General that classifies providing trans-affirming care as “child abuse” and directs the Department of Family & Protective Services to open investigations. Here is a straightforward guide for what Texas families can do to get prepared and how to respond:

In preparation for a possible investigation:

- ◇ Create a “[safe folder](#)” documenting your child’s history of gender dysphoria, including legal, medical and personal records.
- ◇ Meet with an attorney and discuss your situation with them. If you need an attorney in Texas, please contact us at info@southernequality.org and we can provide support.
- ◇ Explain to your attorney that you have a “safe folder” for your child and offer them a copy for their file.
- ◇ While it would require a court order to remove your child and there are no documented cases of a child being removed for trans-affirming care, take steps to reach out to affirming friends and family to see if they would be willing to take your child in the event that CPS attempts to remove your child.
- ◇ Have a list of emergency contacts easily accessible.
- ◇ Inform any caretakers, babysitters, and school personnel that you do not give them permission to allow CPS to interview your child. Ask them to call you immediately if a CPS worker shows up and asks their permission to interview your child.

What do you do if a child protective services social worker knocks on your door or approaches you and your family?

- ◇ Speak in a firm and polite voice.
- ◇ Tell the social worker that you do not consent or agree to let them in your house without a warrant or court order. Speak with them in front of your closed, front door.
- ◇ Tell the social worker they can set up an appointment to meet with you at your attorney’s office, and hand them your attorney’s business card.
- ◇ Do not give them permission to speak with your child.
- ◇ Do not sign any releases of information to CPS, including your child’s medical, therapeutic, and educational records.
- ◇ Do not sign any papers handed to you by CPS without first reviewing them with your attorney.
- ◇ Document all contacts with CPS, including name of person speaking with you and substance of conversation.
- ◇ Do not give the CPS worker your “safe folder” unless directed by your attorney.
- ◇ Call your attorney as soon as it is safe to do so.

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Additional Resources

There are many advocates, attorneys, community support organizations, and organizers working to push back on anti-transgender attacks in Texas and provide support to impacted families. Here are additional resources that you can consult:

Legal Support

If you are in Texas and are contacted by DFPS because you support your transgender child or teen, please reach out to:

- ♦ Lambda Legal Help Desk – [online](http://www.lambdalegal.org/helpdesk) (www.lambdalegal.org/helpdesk) and 214-219-8585
- ♦ The ACLU of Texas – [online](http://www.intake.aclutx.org) (www.intake.aclutx.org)
- ♦ National Center for Lesbian Rights – 1-800-528-6257 or 415.392.6257
- ♦ And contact Equality Texas at info@equalitytexas.org, as they are tracking reports of active investigations and enforcement.

Emergency Grants for Trans Youth and their Families:

The Campaign for Southern Equality is making \$250 emergency grants to trans youth and their families for legal services, health care and mental health services, and other urgent needs.

- ♦ [English Application](http://www.southernequality.org/fund-your-work/tx-emergency): www.southernequality.org/fund-your-work/tx-emergency
- ♦ [Spanish Application](http://www.southernequality.org/financia-tu-trabajo/tx-emergencia/): www.southernequality.org/financia-tu-trabajo/tx-emergencia/

Community Support

Get connected with these Texas-based organizations:

- ♦ [Transgender Education Network of Texas](http://www.transtexas.org): www.transtexas.org
- ♦ [Equality Texas](http://www.equalitytexas.org): www.equalitytexas.org
- ♦ [Out Youth](http://www.outyouth.org): www.outyouth.org

Crisis Support

- ♦ If you are in need of immediate medical assistance or need law enforcement assistance, call 911.
- ♦ If you are thinking about hurting yourself, call the National Suicide Prevention Lifeline at 1-800-273-TALK (8255).
- ♦ If you are a LGBTQ youth who is thinking about hurting yourself or is in crisis, call The Trevor Project's 24-Hour Suicide Prevention Hotline at 866-488-7386.
- ♦ If you are a transgender person in crisis or needing support, call Trans Lifeline at 877-565-8860.

“Safe Folders”

For a primer on “safe folders,” view this website from TransYouth Families Allies. <http://imatyfa.org/safe-folder.html>