

EMBRACING THE RAINBOW:

An overview of unique legal challenges faced by the LGBTQIA+ Community and tips on how to provide a safe space and affirming environment for LGBTQIA+ clients

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BIO

Melissa has lived in North Carolina since she was seven years old, raised in the small town of Four Oaks. She graduated from South Johnston High School and then attended North Carolina State University where she completed her undergraduate education with a Bachelor of Science in Applied Sociology with a Criminal Justice Concentration.

After graduating from North Carolina State University, Melissa opted to remain in the Raleigh area. She worked in various levels of State and Local government as a Case Manager with both the State of North Carolina and Wake County Child Support Enforcement. After having worked in Child Support Enforcement for nearly nine years, she chose to leave her full-time job to attend North Carolina Central University School of Law. For two summers during law school, Melissa was an intern at the North Carolina Attorney General's Office, where she worked in both the Special Litigation and Public Assistance Divisions.

Melissa is licensed to practice law in North Carolina and is an active member of The North Carolina State Bar, The North Carolina Bar Association, The Tenth Judicial District Bar, The Wake County Bar Association, North Carolina Advocates for Justice, The National LGBTQ+ Bar, and The Pauli Murray LGBTQ+ Bar Association. Melissa is a member of the Fuquay-Varina Chamber of Commerce and a member ("friend") of the Fuquay-Varina Downtown Association. In addition, Melissa is a former member of the Development Committee of the LGBT Center of Raleigh and a former member of the Fuquay-Varina Chamber of Commerce Board of Directors.

Melissa opened her solo practice in 2017 with the goal of promoting an affirming, welcoming, and safe space for ALL families in need of legal services. She strives to assist clients by connecting them with outside resources to help them through their family's transition. She is committed to the communities she serves on both a personal and professional level, and her firm is active in her local community and beyond.

Melissa and her husband John have lived in Fuquay-Varina for nearly sixteen years. They enjoy trying new local restaurants and breweries and love to spend time with friends, family, and their rescued German Shepherds, Karen and Kyle.

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I. ALPHABET SOUP: WHAT DOES LGBTQIA+ MEAN¹

A. It is an acronym for lesbian, bisexual, transgender, queer, Intersex, asexual with a “+” to recognize the limitless sexual orientation and gender identities used by members of the community:

1. **L**ESBIAN: A woman who is emotionally, romantically, or sexually attracted to other women. Women and non-binary people may use this term to describe themselves.
2. **B**ISEXUAL: A person emotionally, romantically, or sexually attracted to more than one gender, though not necessarily simultaneously, in the same way or to the same degree. Sometimes used interchangeably with pansexual.
3. **G**AY: A person who is emotionally, romantically, or sexually attracted to members of the same gender. Men, women, and non-binary people may use this term to describe themselves.
4. **T**RANSGENDER: An umbrella term for people whose gender identity and/or expression is different from cultural expectations based on the sex they were assigned at birth. Being transgender does not imply any specific sexual orientation. Therefore, transgender people may identify as straight, gay, lesbian, bisexual, etc.
5. **Q**UEER: A term people often use to express a spectrum of identities and orientations that are counter to the mainstream. Queer is often used as a catch-all to include many people, including those who do not identify as exclusively straight and/or folks who have non-binary or gender-expansive identities. This term was previously used as a slur, but has been reclaimed by many parts of the LGBTQ+ movement, **--AND/OR--**

QUESTIONING: A term used to describe people who are in the process of exploring their sexual orientation or gender identity.

6. **I**NTERSEX: Intersex people are born with a variety of differences in their sex traits and reproductive anatomy. There is a wide variety of difference among intersex variations, including differences in genitalia, chromosomes, gonads, internal sex organs, hormone production, hormone response, and/or secondary sex traits.
7. **A**SEXUAL: Often called “ace” for short, asexual refers to a complete or partial lack of sexual attraction or lack of interest in sexual activity with others. Asexuality exists on a spectrum, and asexual people may experience no, little, or conditional sexual attraction.

¹ *Glossary of Terms*, HUMAN RIGHTS CAMPAIGN FOUNDATION, <https://www.hrc.org/resources/glossary-of-terms> (last visited March 18, 2024)

II. LANGUAGE MATTERS

A. SOGI

1. Acronym that stands for **S**exual **O**rientation and **G**ender **I**dentify

B. Gender Terminology

1. Gender attribution: How one's gender is perceived by others
2. Sex assigned at birth: What the medical community labels you
3. Gender Identity: How one personally views one's own gender, doesn't have to be just one identity, can be a blend of all or none (transgender, cisgender, non-binary, gender nonconforming, genderqueer, agender, queer)
4. Gender Expression: How one wants to display one's own gender
5. Sexual Orientation: Describes a person's physical, romantic, or emotional attraction to another person (lesbian, gay, bisexual, pansexual, asexual, or queer)

C. What are some terms and phrases to avoid?

1. Homosexual
2. Non-Straight Persons
3. Gay Lifestyle
4. Sexual Preference
5. Same-Sex Attraction
6. Sexual Identity
7. Transgendered
8. Transgenders
9. Transsexual
10. Pre-op/post-op
11. Transvestite
12. Hermaphrodite²

D. Pronouns

1. "Pronouns" as defined by Merriam-Webster Dictionary:

(1) any of a small set of words (such as *I, she, he, you, it, we, or they*) in a language that are used as substitutes for nouns or noun phrases and whose referents are named or understood in the context

² Kern, Rebbly, *Supporting and Understanding LGBTQ Clients*, EQUALITY NC LGBT BEST PRACTICES, May 24, 2021.

(2) the third person personal pronouns (such as *he/him*, *she/her*, and *they/them*) that a person goes by³

2. Examples of Pronouns:
 - a. She/her/hers
 - b. He/him/his
 - c. They/them/theirs
 - d. Zie/hir/hirs
3. But what if someone is non-binary?
 - a. Non-binary people may ask to just use their name or might recommend that you use any respectful pronoun.⁴
 - b. If the person who identifies as non-binary has not provided their pronouns, it's usually a safe bet to use the person's name with gender-neutral pronouns.
4. Why are pronouns so important anyway?
 - a. How many times have you been called the wrong name or pronoun? Think about why this is important.
 - b. Misgendering is hurtful and uncomfortable, not just for you, but for the person who has been misgendered.
5. How do I even bring up the topic of pronouns?
 - a. First and foremost, avoid assumptions.
 - b. Give your name as well as your pronouns in one-on-one conversations or introductions, in meetings, and in your email signature right next to your name.
6. What if I misgender someone?
 - a. If you make a mistake, apologize and move on. It is not helpful to dwell on the mistake.
 - b. Use correct pronouns consistently and PRACTICE!
7. What if someone misgenders another person in front of you?
 - a. If others are misgendered in front of you, gently correct the person.⁵
 - b. It is important that you advocate for your clients by encouraging others to use the client's correct pronouns.
8. Are there times where you might not use the client's correct pronouns?
 - a. Yes, if a client is not "out" to everyone.

³ "Pronoun." Merriam-Webster.com Dictionary, Merriam-Webster, <https://www.merriam-webster.com/dictionary/pronoun>, (Last Visited March 18, 2024).

⁴ McCool, Amily, *LGBTQ+ 101: Ethical Considerations for Working with Clients & Colleagues*, WCBA Breakfast Discussion Series, September 15, 2021.

⁵ *All Children-All Families: Pronouns 101*, HUMAN RIGHTS CAMPAIGN FOUNDATION, <https://www.thehrcfoundation.org/professional-resources/all-children-all-families-pronouns-101>, (last visited March 18, 2024)

- b. A client just might not want to publicly use their correct pronouns, oftentimes for safety or privacy concerns.
- c. If you are unsure, clarify with your client!

9. Pronoun Don'ts:

- a. DO NOT use the terminology “preferred pronouns” and check out this article that explains reasons why: <https://www.forbes.com/sites/ashleefowlkes/2020/02/27/why-you-should-not-say-preferred-gender-pronouns/?sh=21cb3ad41bd6>
- b. DO NOT force someone to provide their pronouns. There may be a good reason the person has not provided them. Instead, use the person’s name and gender-neutral pronouns, such as they/them.⁶
- c. DO NOT SAY “it’s not grammatically correct to use ‘they’ as a singular pronoun.”
- d. DO NOT ASSUME that a person’s pronouns will remain consistent—they are fluid and subject to change.⁷

E. Non-Gendered Terminology

- 1. What are some examples of non-gendered terminology?
 - a. Spouse, partner, significant other, BUT NOT wife, husband, boyfriend, or girlfriend
 - b. Parent, BUT NOT mother or father
 - c. Child, BUT NOT son or daughter
 - d. Honored guests or folks, BUT NOT ladies and gentlemen
 - e. Friend BUT NOT sir or ma’am
 - f. “Yes, thank you” or “no, thank you,” BUT NOT of “yes, sir/ma’am” or “no, sir/ma’am”

⁶ Pham, Milan T. and Saint, Collins, *NCBA Expert Series CLE What Practitioners need to know: Sexual Orientation and Gender Identity Considerations When Working with Individuals, Families, and Organizations*, November 30, 2022.

⁷ McCool, Amily, *LGBTQ+ 101: Ethical Considerations for Working with Clients & Colleagues, WCBA Breakfast Discussion Series*, September 15, 2021.

III. EDUCATION IS KEY

A. How can I ensure that I'm fully informed of changes?

1. Take continuing education classes regularly to increase your knowledge and competency.
2. Make sure you have knowledge of current LGBTQIA+ specific legal issues.
3. Educate yourself, period! If you don't know what a term means, look it up. (It is usually best to ask your client first)
4. If your client uses unknown terminology, gently ask what it means to the client.
5. If there is something you have a question about, reach out to an attorney who regularly handles cases with LGBTQIA+ clients. They are a wonderful source of information, and in my case, have always been friendly and willing to help.
6. Encourage in-office training.
7. Get feedback from clients and suggestions for improvement.
8. Ensure the language you use is not rooted in heterocentrism or cissexism, which assume that one is straight/heterosexual and cisgender. Language is fluid, and it is a good idea to know what words are currently rooted in heterocentrism or cissexism.

IV. CREATING AN AFFIRMING OFFICE SPACE

A. Visual Representation: Visual representation allows LGBTQIA+ clients to be seen and validated. Here are some ideas:

1. Website with specific affirming language, symbols, and photographs
2. Hanging a flag outside office (pride or ally)
3. Provide inclusive literature
4. Have non-gendered restrooms
5. Put up “safe space” signs or stickers
6. Provide a private and safe meeting space

B. Resource Lists

1. Be knowledgeable of accessible resources in your area and your network and keep your list updated!
2. Your inclusive environment can be undone if you make a referral to an outside agency or colleague that is ill-equipped to deal with LGBTQIA+ individuals or is discriminatory.
3. All clients should have access to LGBTQIA+ competent referral lists (because you should not make assumptions about which clients might need this list).
4. Include a description or specific information about each referral.
5. Foster a relationship with your local LGBTQIA+ community center. The staff can assist you in identifying resources that have proven LGBTQIA+ competent and welcoming.⁸

⁸ *All Children-All Families: LGBTQ Competent Referrals*, HUMAN RIGHTS CAMPAIGN FOUNDATION, <https://www.thehrcfoundation.org/professional-resources/all-children-all-families-lgbtq-competent-referrals>. (last visited March 18, 2024).

V. SHOWING AFFIRMATION AND ALLYSHIP

A. Showing Affirmation and Allyship in the Local Community

1. Intentionally show outward solidarity/allyship, and that you are a safe person or work in a safe place
2. Be involved in local LGBTQIA+ events
3. Maintain your referral networks
4. Marking holidays such as Transgender Day of Remembrance, Pride Month, and so many more!
5. Make affirming posts on office social media accounts
6. Build and maintain community partnerships, LGBT Centers

B. Affirmation and Allyship in the Legal Community

1. Encourage attorneys and court staff to use your client's requested pronouns and gently educate them when necessary.
2. Advocate for your client by correcting others who misgender them.
3. Define your client's name in documents, and use the name that reflects your client's gender identity

C. **Resource Lists:** It applies when showing affirmation and allyship in your community AND in your office.

VI. IMPORTANCE OF INTAKE FORMS

A. Why does your office need to have affirming/inclusive intake agreements?

1. The first contact a client has with your office is likely through your intake forms. Remember that first impressions are everything!
2. Even minor changes to existing intake forms have a HUGE impact on LGBTQIA+ clients.

B. What are examples of simple changes you can make to intake forms?

1. Have a place for a client's legal name but also a space for them to indicate what name they would like to be called.
2. Use spouse or partner as opposed to husband and wife.
3. Use "Parent 1" and "Parent 2" rather than "Mother" or "Father."
4. For gender, provide three options, "male," "female," "other," (and leave a blank space next to "other")⁹
5. Ask if there are times when your client would like to use different pronouns.
6. Find out who is aware of the client's LGBTQIA+ identity, as they may not be "out" to everyone. This can also be something you discuss in your initial consultation.

⁹ *All Children-All Families: Inclusive Agency Forms*, HUMAN RIGHTS CAMPAIGN FOUNDATION, <https://www.thehrcfoundation.org/professional-resources/all-children-all-families-inclusive-agency-forms> (last visited March 18, 2024).

VII. ETHICS

A. Rule 1.6: Confidentiality of Information¹⁰

- (a) A lawyer shall not reveal information acquired during the professional relationship with a client unless the client gives informed consent, the disclosure is impliedly authorized in order to carry out the representation or the disclosure is permitted by paragraph (b).
- (b) A lawyer may reveal information protected from disclosure by paragraph (a) to the extent the lawyer reasonably believes necessary:
 - (1) to comply with the Rules of Professional Conduct, the law or court order;
 - (2) to prevent the commission of a crime by the client;
 - (3) to prevent reasonably certain death or bodily harm;
 - (4) to prevent, mitigate, or rectify the consequences of a client's criminal or fraudulent act in the commission of which the lawyer's services were used;
 - (5) to secure legal advice about the lawyer's compliance with these Rules;
 - (6) to establish a claim or defense on behalf of the lawyer in a controversy between the lawyer and the client; to establish a defense to a criminal charge or civil claim against the lawyer based upon conduct in which the client was involved; or to respond to allegations in any proceeding concerning the lawyer's representation of the client;
 - (7) to comply with the rules of a lawyers' or judges' assistance program approved by the North Carolina State Bar or the North Carolina Supreme Court; or
 - (8) to detect and resolve conflicts of interest arising from the lawyer's change of employment or from changes in the composition or ownership of a firm, but only if the revealed information would not compromise the attorney-client privilege or otherwise prejudice the client.
- (c) A lawyer shall make reasonable efforts to prevent the inadvertent or unauthorized disclosure of, or unauthorized access to, information relating to the representation of a client.
- (d) The duty of confidentiality described in this Rule encompasses information received by a lawyer then acting as an agent of a lawyers' or judges' assistance program approved by the North Carolina State Bar or the North Carolina Supreme Court regarding another lawyer or judge seeking assistance or to whom assistance is being offered. For the purposes of this Rule, "client" refers to

¹⁰ N.C. Rules of Prof'l Conduct r. 16 (N.C. State Bar 2024).

lawyers seeking assistance from lawyers' or judges' assistance programs approved by the North Carolina State Bar or the North Carolina Supreme Court.

B. How do legal ethics come into play when serving LGBTQIA+ clients?

1. Rule 1.6 (Confidentiality of Information): Listed above.
2. Find out from client what persons are aware of their LGBTQIA+ identity (for purposes of consent and disclosure)
3. **DO NOT DISCLOSE A CLIENT'S LGBTQIA+ IDENTITY TO ANYONE** without client's consent, unless it is required by State or Federal law or a court order!
4. Limit disclosure to information necessary for a beneficial legal purpose—not simply to satisfy your own curiosity.¹¹

¹¹ McCool, Amily, *LGBTQ+ 101: Ethical Considerations for Working with Clients & Colleagues*, *WCBA Breakfast Discussion Series*, September 15, 2021.

VIII. EMERGING LEGAL ISSUES FOR THE LGBTQIA+ COMMUNITY

*****To be provided on or before date of CLE****

IX. GLOSSARY OF TERMS¹²

Ally | A term used to describe someone who is actively supportive of LGBTQ+ people. It encompasses straight and cisgender allies, as well as those within the LGBTQ+ community who support each other (e.g., a lesbian who is an ally to the bisexual community).

Asexual | Often called “ace” for short, asexual refers to a complete or partial lack of sexual attraction or lack of interest in sexual activity with others. Asexuality exists on a spectrum, and asexual people may experience no, little or conditional sexual attraction.

Biphobia | The fear and hatred of, or discomfort with, people who love and are sexually attracted to more than one gender

Bisexual | A person emotionally, romantically or sexually attracted to more than one gender, though not necessarily simultaneously, in the same way or to the same degree. Sometimes used interchangeably with pansexual.

Gay | A person who is emotionally, romantically or sexually attracted to members of the same gender. Men, women and non-binary people may use this term to describe themselves.

Genderqueer | Genderqueer people typically reject notions of static categories of gender and embrace a fluidity of gender identity and often, though not always, sexual orientation. People who identify as "genderqueer" may see themselves as being both male and female, neither male nor female or as falling completely outside these categories.

Gender binary | A system in which gender is constructed into two strict categories of male or female. Gender identity is expected to align with the sex assigned at birth and gender expressions and roles fit traditional expectations.

Gender dysphoria | Clinically significant distress caused when a person's assigned birth gender is not the same as the one with which they identify.

Gender-expansive | A person with a wider, more flexible range of gender identity and/or expression than typically associated with the binary gender system. Often used as an umbrella term when referring to young people still exploring the possibilities of their gender expression and/or gender identity.

Gender expression | External appearance of one's gender identity, usually expressed through behavior, clothing, body characteristics or voice, and which may or may not conform to socially defined behaviors and characteristics typically associated with being either masculine or feminine.

Gender-fluid | A person who does not identify with a single fixed gender or has a fluid or unfixed gender identity.

Homophobia | The fear and hatred of or discomfort with people who are attracted to members of the same sex.

¹² *Glossary of Terms*, HUMAN RIGHTS CAMPAIGN FOUNDATION, <https://www.hrc.org/resources/glossary-of-terms> (last visited March 18, 2024)

Intersex | Intersex people are born with a variety of differences in their sex traits and reproductive anatomy. There is a wide variety of difference among intersex variations, including differences in genitalia, chromosomes, gonads, internal sex organs, hormone production, hormone response, and/or secondary sex traits.

Lesbian | A woman who is emotionally, romantically, or sexually attracted to other women. Women and non-binary people may use this term to describe themselves.

LGBTQ+ | An acronym for “lesbian, gay, bisexual, transgender and queer” with a “+” sign to recognize the limitless sexual orientations and gender identities used by members of our community.

Non-binary | An adjective describing a person who does not identify exclusively as a man or a woman. Non-binary people may identify as being both a man and a woman, somewhere in between, or as falling completely outside these categories. While many also identify as transgender, not all non-binary people do. Non-binary can also be used as an umbrella term encompassing identities such as agender, bigender, genderqueer or gender-fluid.

Outing | Exposing someone’s lesbian, gay, bisexual, transgender, or gender non-binary identity to others without their permission. Outing someone can have serious repercussions on employment, economic stability, personal safety or religious or family situations.

Pansexual | Describes someone who has the potential for emotional, romantic, or sexual attraction to people of any gender though not necessarily simultaneously, in the same way or to the same degree. Sometimes used interchangeably with bisexual.

Queer | A term people often use to express a spectrum of identities and orientations that are counter to the mainstream. Queer is often used as a catch-all to include many people, including those who do not identify as exclusively straight and/or folks who have non-binary or gender-expansive identities. This term was previously used as a slur, but has been reclaimed by many parts of the LGBTQ+ movement.

Questioning | A term used to describe people who are in the process of exploring their sexual orientation or gender identity.

Same-gender loving | A term some prefer to use instead of lesbian, gay or bisexual to express attraction to and love of people of the same gender.

Sex assigned at birth | The sex, male, female or intersex, that a doctor or midwife uses to describe a child at birth based on their external anatomy.

Sexual orientation | An inherent or immutable enduring emotional, romantic, or sexual attraction to other people. Note: an individual’s sexual orientation is independent of their gender identity.

Transgender | An umbrella term for people whose gender identity and/or expression is different from cultural expectations based on the sex they were assigned at birth. Being transgender does not imply any specific sexual orientation. Therefore, transgender people may identify as straight, gay, lesbian, bisexual, etc.

Transitioning | A series of processes that some transgender people may undergo in order to live more fully as their true gender. This typically includes social transition, such as changing name and pronouns, medical transition, which may include hormone therapy or gender affirming surgeries, and legal transition, which

may include changing legal name and sex on government identity documents. Transgender people may choose to undergo some, all, or none of these processes.

X. LGBTQIA+ TERMINOLOGY QUIZ

FINDING A COMMON LANGUAGE

A Quiz of Essential Vocabulary for Working with the LGBT Community

Please match each term to its definition in the corresponding section.

Sexual Orientation Terms

1. ___ Lesbian
2. ___ Bisexual
3. ___ Gay
4. ___ Homosexual
5. ___ Queer
6. ___ Fag/Dyke/etc.
7. ___ LGBT
8. ___ Homophobia
9. ___ Biphobia
10. ___ Heterosexism
11. ___ Heterosexual Privilege

Sexual Orientation Definitions

- A. An abbreviation some people use to refer to lesbians, gay men, bisexual, transgender, queer & questioning folks collectively.
- B. The belief that heterosexual relationships and people are ideal and better or more normal than queer relationships and people.
- C. A person whose sexual and romantic feelings may be for people of "either" sex.
- D. Unearned privileges that go to straight people simply because they are straight: e.g., the ability to legally marry a partner and talk publicly about crushes and intimate relationships.
- E. An inclusive term which refers collectively to lesbians, gay men, bisexual and transgender folks and others who may not identify with any of these categories but do identify with this term. While once used as a hurtful, oppressive term, many people have reclaimed it as an expression of power and pride.
- F. A man or boy whose primary sexual and romantic feelings are for people of the same sex. While many people use this word only to refer to men, others use it as a general term to include both men and women, e.g. "the ___ community."
- G. Terms which may be oppressive when used by people outside the community but which some people have chosen to reclaim despite their history of being used in hurtful ways.
- H. The systematic oppression of lesbians and gay men based on their sexuality.
- I. A woman or girl whose primary sexual and romantic feelings are for people of the same sex.
- J. Refers to any person whose sexual and romantic feelings are for people of the same sex. While once widely used, it is generally not preferred as it did not emerge from within the community and was used to describe a mental illness.
- K. The systematic oppression of bisexual people specifically because they are neither gay nor straight.

Gender, Intersex, & Trans Terms

- 12. ___ Sex
- 13. ___ Gender Identity
- 14. ___ Gender Role
- 15. ___ Transphobia
- 16. ___ Intersex
- 17. ___ Transsexual
- 18. ___ FtM, MtF
- 19. ___ Non-Op, Post-Op, Mid-Op, Pre-Op
- 20. ___ Cross-Dresser
- 21. ___ Drag King/Queen
- 22. ___ Transgender
- 23. ___ Gender Expression

Gender, Intersex, & Trans Terms

- L. External and socially perceived. May include one's behaviors, dress, mannerisms, speech patterns, and social interactions. How one communicates their gender.
- M. Female-to-Male, Male-to-Female
- N. Someone who wears clothes that social custom dictates belong to a different gender role. Gender identity and assignment still match.
- O. The systematic oppression of transgender people because they do not fit societal expectations of how men and women are supposed to act and look.
- P. The collection of a society's assumptions, expectations and traditions for how a person of a particular gender is supposed to act and be acted upon socially.
- Q. A medical term used to describe the physical characteristics one has such as genitalia, chromosomes, and hormones. Because usually subdivided into 'male' and 'female', this category does not recognize the existence of intersexed bodies.
- R. Having a gender identity of man/boy or woman/girl not matching their physical sex. Typically people bring their gender expression into congruence with their gender identity.
- S. One's personal view of one's own gender.
- T. Referring to transsexual people, these terms indicate people who: decided against surgeries; completed all intended surgeries, completed some intended surgeries, and have not yet had any intended surgeries.
- U. Cross-dressing for performances and not as often interested in having gender attributed on basis of clothing.
- V. An umbrella term that encompasses anyone whose identity falls outside of the binary, stereotypical gender dichotomy, such as transsexuals, cross-dressers, or drag kings/queens. Also known as gender variant, gender queer, or gender non-conforming.
- W. A category that reflects biological variation in sex.

XI. LGBTQIA+ TERMINOLOGY QUIZ ANSWERS

Directions: Distribute quiz to participants, tell them how much time they have to take it, if they can work in pairs/groups, and that the definitions and terms on the front of the page match one another, while the definitions and terms on the back of the page match. When completed, review the quiz and answers with the group. Be sure to further explain terms that are confusing or that people struggled with.

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- P. The collection of a society's assumptions, expectations and traditions for how a person of a particular gender is supposed to act and be acted upon socially.
- Q. A medical term used to describe the physical characteristics one has such as genitalia, chromosomes, and hormones. Because usually subdivided into 'male' and 'female', this category does not recognize the existence of intersexed bodies.
- R. Having a gender identity of man/boy or woman/girl not matching their physical sex. Typically people bring their gender expression into congruence with their gender identity.
- S. One's personal view of one's own gender.
- T. Referring to transsexual people, these terms indicate people who: decided against surgeries; completed all intended surgeries, completed some intended surgeries, and have not yet had any intended surgeries.
- U. Cross-dressing for performances and not as often interested in having gender attributed on basis of clothing.
- V. An umbrella term that encompasses anyone whose identity falls outside of the binary, stereotypical gender dichotomy, such as transsexuals, cross-dressers, or drag kings/queens. Also known as gender variant, gender queer, or gender non-conforming.
- W. A category that reflects biological variation in sex.

XII. EXAMPLES OF INCLUSIVE INTAKE FORMS

*****To be provided on or before date of CLE****

**XIII. NON-GENDERED LANGUAGE FOR CONTRACTS AND
CORRESPONDENCE**

*****To be provided on or before date of CLE****

XIII. NON-GENDERED LANGUAGE FOR CONTRACTS AND CORRESPONDENCE

THIS SEPARATION AGREEMENT AND PROPERTY SETTLEMENT, by and between JOHN ROBERT DOE of Wake County, North Carolina, hereinafter referred to as “Jane,” and ELIZABETH ANNE DOE, of Wake County, North Carolina, hereinafter referred to as “Michael,” both of whom are also referred to from time to time as “party” or “parties,” shall become effective as of the date that it has been executed by each party hereto;

1. MOTOR VEHICLES. The parties agree to the following distribution of their automobiles:
 - A. Jane’s Vehicles. The parties own a 2016 Honda Civic titled in Jane’s sole name which the parties agree shall be distributed to Jane as their (Jane’s) sole and separate property. The 2016 Honda Civic is unencumbered by any loans. Michael hereby transfers, assigns, and relinquishes unto Jane all their (Michael’s) right, title, and interest in the 2016 Honda Civic. Jane shall be solely responsible for all liens, taxes, insurance, and all other costs related to the 2016 Honda Civic, and shall indemnify and hold Michael harmless from the same. If applicable, Michael shall execute and deliver to Jane all documents of title necessary to transfer their (Michael’s) ownership interest in the vehicle to Jane.
 - B. Negligent Operation. Each party shall be solely responsible for all taxes, costs, insurance, and all other liabilities associated with the ownership, possession, use, and operation of any of the motor vehicles herein transferred or released to them and shall indemnify and hold the other party harmless from any liability associated with the operation of said vehicle. Each party shall obtain liability insurance in their separate name for their respective vehicle(s) and shall pay the premiums on said policy as it becomes due.

IN WITNESS WHEREOF, the parties have signed, sealed, and acknowledged this Agreement in duplicate originals, one of which is retained by each of the parties.

_____ (SEAL)
John Robert Doe (“Jane”)

STATE OF NORTH CAROLINA
COUNTY OF WAKE

I, _____, a Notary Public in and for said County and State, do hereby certify that JOHN ROBERT DOE (“JANE”) of Wake County personally appeared before me this day, and acknowledged the due execution of the foregoing Separation Agreement and Property Settlement; that the said party acknowledged to me that they voluntarily signed the foregoing document for the purpose stated therein, and in the capacity indicated.

Witness my hand and seal this _____ day of _____, 2024.

Notary Public
My Commission Expires: _____

NO!!!

Overnight Guests. Neither Plaintiff nor Defendant shall have any overnight guests or roommates present with **him/her**, who are not related by blood or marriage to **him/her**, when the minor child is in **his/her** physical custody and control, whether at a residence or at any other location, without first notifying the other party in writing (email/text) at least seven (7) days in advance and providing sufficient information for the other party to perform a background check on the intended overnight guest, including but not limited to full legal name, birthdate, and residential county and state.

YES!!!

Overnight Guests¹. Neither Plaintiff nor Defendant shall have any overnight guests **or roommates** present with **them** (who are unrelated by blood or marriage), when the minor child is in their physical custody and control, whether at a residence or at any other location, **during the six (6) months immediately following the execution of this Agreement.** **“Overnight” shall be defined as between the hours of 10:00 p.m. and 7:00 a.m. without first notifying the other party in writing (email/text) at least seven (7) days in advance and providing sufficient information for the other party to perform a background check on the intended overnight guest, including but not limited to full legal name, birthdate, and residential county and state.**

NO!!!

International Travel. Both parties may travel with the minor child out of the country so long as each provides the dates of travel and the location where the party will be staying with the minor child to the other party in writing at least thirty (30) days in advance of the trip. If requested, the other party will provide written documentation of consent for the duration of the trip. Each party must schedule trips during **his own or her** own regularly scheduled custodial time unless the other party agrees in writing to allow the trip during **his or her** custodial time.

YES!!!

International Travel. Both parties may travel with the minor child out of the country so long as each provides the dates of travel and the location where the party and the minor child will be staying **with the minor child to the other party in writing** at least thirty (30) days in advance of the trip. If requested, the other party will provide written documentation of consent for the duration of the trip. Each party must schedule trips during **their** own regularly scheduled custodial time unless the other party agrees in writing to allow the trip during **their** custodial time.

¹ This type of paragraph is commonly used to shame LGBTQIA+ clients, and I obviously requested that this entire paragraph be stricken, or at least, be modified.

VII. EXAMPLES OF INCLUSIVE INTAKE FORMS



FUQUAY-VARINA FAMILY LAW
serving all families

INITIAL CONSULTATION INFORMATION FORM

Fuquay-Varina Family Law offers an initial one (1) hour consultations for a flat fee of [REDACTED]. Any additional time beyond one (1) hour shall be charged at Attorney Flanagan's hourly rate of [REDACTED]. The additional charge will be calculated in tenths of an hour and will be rounded up to the nearest one-tenth of an hour. The consultation fee *must* be paid prior to the initial consultation and is considered earned upon receipt.

During the consultation, we will be happy to discuss various methods of payment for legal services. Some future services may be billed as a flat fee depending on the nature of the services to be rendered. Other services may be billed at an hourly rate and will require an initial advance deposit.

It may be impossible for us to determine whether you have a good claim or whether the matter is a case that this firm will accept without reviewing documents and existing court files. If we must undertake a lengthy review of files or documents, you should expect to be billed for this service unless I specifically waive the fee in writing, or your case is accepted and other billing arrangements are made. You should expect to be charged for case evaluations, preliminary research, telephone consultations, and the preparation of opinion letters at my hourly billing rate when you are provided such services.

THIS IS NOT A CONTRACT FOR LEGAL REPRESENTATION. *This firm will not render any legal services after your initial consultation unless a formal Engagement Letter is executed, and you pay the invoice required to pay for subsequent services. It is understood that the consultation fee is for the initial consultation only, that no further obligation is incurred by either party because of this consultation, and that Fuquay-Varina Family Law has not yet been retained to represent _____.*

If you have any questions regarding the initial consultation, please ask us!

Full Legal Name: _____

Pronouns: _____

Full Address: _____

Phone Number: _____

Secure Email Address: _____

Type of Matter: _____

Do you have any upcoming court dates? If so, when? _____

Your Previous or Current Attorney: _____

Opposing Party's Full Legal Name: _____

Opposing Party's Previous or Current Attorney: _____

Children and Ages: _____

Referred by: _____

Date: _____

Signature _____

This preview allows you to see what clients will see. No data will be collected or recorded.



General Family Law Intake Form (NC)

Required general information for our records

CLIENT INFORMATION

Your Full Legal Name (First, Middle, Last) *

What name do you wish to be called? *

Pronoun(s) *

Your Date of Birth *



Your Current Address (including City, State, and ZIP) *

Length of Time at this Address *

County Where You Currently Live *

- Wake
 Harnett

Your Preferred Phone Number (NOT WORK NUMBER) *

Your Preferred Email Address (NOT WORK NUMBER) *

Date of Separation (If Applicable)



Date of Marriage (If Applicable)



Location of Marriage (County & State) *

(FOR DIVORCES ONLY) If you wish to change your name, what name would you like to resume (first, middle, last)?

Do you have a pre-marital/pre-nuptial agreement? *

- Yes No

Do you have a post-marital/post-nuptial agreement? *

- Yes No

Do you have a separation agreement in place? *

Yes No

OTHER PARTY/SPOUSE INFORMATION

Other Party/Spouse's Full Legal Name (First, Middle, Last) *

What name does the other party/spouse go by? *

Other Party/Spouse's Date of Birth *



Other Party/Spouse's Current Address *

Other Party/Spouse's Length of Time at this Address *

County Where the Other Party/Spouse Currently Lives *

Other Party/Spouse's Phone Number (NOT WORK NUMBER) *

Other Party/Spouse's Email Address (NOT WORK EMAIL) *

YOUR PREFERENCES REGARDING DELIVERY OF INFORMATION AND DOCUMENTS

Do you consent to receiving texts from us? *

Yes No

Do you consent to receiving emails from us? *

Yes No

Do you consent to us sending you electronic copies of filed documents? *

Yes No

This preview allows you to see what clients will see. No data will be collected or recorded.



General Family Law Intake Form (C)

Required general information for our records

CLIENT INFORMATION

Your Full Legal Name (First, Middle, Last) *

Pronoun(s) *

What name do you wish to be called? *

Your Date of Birth *



Your Current Address (including City, State, and ZIP) *

Length of Time at this Address *

Your Preferred Phone Number (NOT WORK NUMBER) *

Your Preferred Email Address (NOT WORK NUMBER) *

What county do you currently live in? *

- Wake
 Harnett

Date of Separation (If Applicable)



Date of Marriage (If Applicable)



Location of Marriage (County, State) *

(FOR DIVORCES ONLY) If you change your name, what name would you like to resume (first, middle, last)?

Do you have a pre-marital/pre-nuptial agreement? *

- Yes No

Do you have a post-marital/post-nuptial agreement? *

- Yes No

Do you have a separation agreement in place? *

Yes No

OTHER PARTY/SPOUSE INFORMATION

Other Party/Spouse's Full Legal Name (First, Middle, Last) *

What name does the other party/spouse go by? *

Other Party/Spouse's Date of Birth *



Other Party/Spouse's Current Address *

Other Party/Spouse's Length of Time at this Address *

What county does the other party/spouse currently live in? *

Other Party/Spouse's Phone Number (NOT A WORK NUMBER) *

Other Party/Spouse's Email Address (NOT WORK EMAIL) *

CHILDREN'S INFORMATION

Child 1 Name (First, Middle, Last)

Child 1 Date of Birth



What school does Child 1 attend?

What grade is Child 1 in?

Is Child 1's school on a traditional or year-round calendar?

- Traditional Calendar
 Year-Round Calendar

Child 2 Name (Full Legal Name)

Child 2 Date of Birth



What school does Child 2 attend?

What grade is Child 2 in?

Is Child 2's school on a traditional or year-round calendar?

- Traditional Calendar
- Year-Round Calendar

Child 3 Name (Full Legal Name)

Child 3 Date of Birth

What school does Child 3 attend?

What grade is Child 3 in?

Is Child 3's school on a traditional or year-round calendar?

- Traditional Calendar
- Year-Round Calendar

Child 4 Name (Full Legal Name)

Child 4 Date of Birth

What school does Child 4 attend?

What grade is Child 4 in?

Is Child 4's school on a traditional or year-round calendar?

- Traditional Calendar
- Year-Round Calendar

YOUR PREFERENCES REGARDING DELIVERY OF INFORMATION AND DOCUMENTS

Do you consent to receiving texts from us? *

- Yes
- No

Do you consent to receiving emails from us? *

- Yes
- No

Do you consent to us sending you electronic copies of filed documents? *

- Yes
- No



Custody and Child Support Intake Form

CHILD(REN)'S ADDRESS HISTORY FOR THE PAST FIVE YEARS

Please list every address where your child(ren) lived for the last five years, and the dates they lived at each address. *

OTHER CHILDREN

Do you have children with any other person? *

Yes No

Does opposing party have any other children? *

Yes No

CHILDCARE EXPENSES

Which of your children attend daycare or preschool, if any?

What is the name and address of your child(ren)'s daycare or preschool?

How much do you pay for your child(ren)'s daycare or preschool each month?

Which of your children attend before/after school care, if any?

How much do you pay for before/after school care for your child(ren) each month?

Which of your children, if any, attend track-out camps?

How much do you pay for your child(ren)'s track-out camps?

CHILD(REN)'S MEDICAL/DENTAL/VISION INSURANCE COSTS

Who pays for your child(ren)'s medical/dental/vision insurance each month?

How much does it cost to cover just your child(ren) on medical/dental/vision insurance each month?

Do any of your children have monthly medical expenses that are not covered by insurance (such as copays, coinsurance)?

Yes No

Please list any recurring monthly medical expenses that are not covered by insurance.

YOUR EMPLOYMENT AND INCOME

Please list the name and address of your employer.

What is your job title?

When did you begin working for this employer (month and year)?

Are you paid hourly or do you receive a salary?

- Hourly
 Salary

How often are you paid?

Please list either your yearly salary or your hourly rate of pay, whichever is applicable.

Please list any other source of monthly income you have, and the average amount of this income.

OTHER PARENT'S EMPLOYMENT AND INCOME

Please list the name and address of their employer.

What is their job title?

When did they begin working for this employer (month and year)?

Are they paid hourly or do they receive a salary?

- Hourly
 Salary

How often are they paid?

Please list either their yearly salary or their hourly rate of pay, whichever is applicable.

Please list any other source of monthly income they have, and the average amount of this income.