

## How Can Legal Services Better Meet the Needs of Low-Income LGBT Seniors?

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### Introduction

Free and low cost legal assistance provides a critical service for low-income Americans of all ages. Without these services, those of limited means would have no way of accessing

the courts to protect their rights and interests. But the low-income population is diverse, and different populations experience unique legal problems that are seldom served in a one-size-fits-all manner. This special report addresses specifically how legal services can best meet the unique legal needs of low-income LGBT older adults. Overall, low-income older adults frequently require legal help accessing health care and public benefits, retaining housing, and avoiding eviction or foreclosure. They may also need assistance making decisions if they develop dementia or other cognitive impairments. Low-income LGBT older adults often have additional legal needs layered on top of those common needs. For example, many LGBT individuals have suffered housing or employment discrimination, and continue to experience this discrimination, or the effects of it, as they age. Additionally, because equal access to marriage is a recent development, many LGBT older adults may need legal help to ensure access to spousal benefits. Transgender older adults may have similar legal needs, while also needing help specific to their gender identity, such as name change documents. Though there are legal services organizations that specialize in serving LGBT individuals, and subsets of this population, and there are legal services organizations serving low-income

seniors, there are currently none that specialize in the intersecting needs of low-income and LGBT older adults. That's why all legal services organizations need to be prepared to competently reach and serve LGBT older adults.

This special report provides an overview of some of the most pressing legal issues facing low-income LGBT older adults as well as some best practices for reaching and serving this population. While some resources already exist to help legal aid organizations provide services to seniors, these resources are not usually specific to the LGBT community. Although Title IIIB of the Older Americans Act (OAA) provides funding for legal services for seniors, that funding is not sufficient to meet the current or future needs if poverty among Older Americans grows as projected. OAA services are required to be dedicated to older adults with the greatest economic and social needs,<sup>1</sup> so it is critically important that legal services organizations seeking to serve low-income older LGBT clients focus on and become expert in solving the legal issues that cause the most harm. The first section of this report focuses on the role discrimination plays in the higher rates of poverty in the LGBT community in relation to the larger population. The second section of the report identifies the most pressing legal issues affecting older low-income LGBT individuals. The third section focuses on best practices for legal service organizations.

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## Higher Rates of Poverty in the LGBT Community

As an aging population and rising inequality lead to higher rates of poverty among all older adults in coming years, LGBT individuals are even more likely to age into poverty due to a variety of reasons.<sup>2</sup> Employment discrimination leads to lower earnings over a lifetime and lower lifetime social security benefits. Lack of traditional access to the financial benefits of marriage have left many older LGBT individuals without access to partner pension benefits. Anti-LGBT marriage laws have also meant that many LGBT individuals have been excluded from some of the social safety net benefits that protect the economic security of low-income older Americans, making LGBT individuals more vulnerable to economic insecurity as they age.<sup>3</sup>

Though recent civil rights laws have guaranteed equal access to marriage, and some of the rampant discrimination of the past has been remedied in some parts of the country, (though many states still have no or few protections for LGBT individuals on the books) older LGBT individuals are still living with the legacy of past discrimination. As a result, older LGBT individuals continue to have a higher risk of poverty than the general population. Past and current discrimination also leaves older LGBT individuals at a higher risk of social isolation with less robust social and familial support systems, which are both risk factors for poverty and mental health conditions.

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1 Administration on Aging, Legal Assistance, Title III-B, Providers, available at [http://www.aoa.acl.gov/AoA\\_Programs/Elder\\_Rights/Legal/title\\_providers.aspx](http://www.aoa.acl.gov/AoA_Programs/Elder_Rights/Legal/title_providers.aspx).

2 The National Gay and Lesbian Task Force, *No Golden Years at the End of the Rainbow: How a Lifetime of Discrimination Compounds Economic and Health Disparities for LGBT Older Adults*, (August 2013) available at [http://www.thetaskforce.org/static\\_html/downloads/reports/reports/no\\_golden\\_years.pdf](http://www.thetaskforce.org/static_html/downloads/reports/reports/no_golden_years.pdf).

3 *Id.*

Even younger LGBT individuals who live alone have a higher risk of poverty than non-LGBT individuals. And poverty tends to compound as people grow older. In 2012, 21% of LGBT adults living alone reported incomes of less than \$12,000 a year, compared to 17% of non LGBT adults.<sup>4</sup> Among certain groups in the LGBT community, including women, people of color, and transgender individuals, poverty is both deeper and more prevalent. For example, because women can experience both the gender wage gap and employment discrimination based on their sexual orientation, a two-woman household is much more likely to be poor. One study noted that lesbian couples over 65 had poverty rates twice that of heterosexual married couples over 65.<sup>5</sup> Being both LGBT and a person of color also increases poverty rates dramatically. For example, Hispanic lesbian couples have poverty rates three times as high as non-Hispanic lesbian couples, and African American same-sex couples have poverty rates twice as high as African American heterosexual couples.<sup>6</sup> Because poverty generally follows a person throughout their lives, similarly high rates of poverty can be assumed for older LGBT individuals and couples of color.

Transgender people still face such pervasive discrimination that the likelihood of a transgender person aging into poverty is remarkably high. Consider South Carolina's recent efforts to restrict which bathrooms transgender people can use.<sup>7</sup> Such laws governing a basic human function can prevent a transgender individual from fully functioning in their workplace or school, leading to less opportunity over time, lower lifetime earnings, and poverty as they grow older. Employment, housing, health care, and banking discrimination against transgender individuals are still common. There continues to be a lack of legal protections against most forms of discrimination for transgender people, meaning the effects of discrimination will be felt by transgender individuals for decades to come. The poverty numbers for transgender individuals are sobering. Transgender people are nearly four times more likely to have a household income of less than \$10,000 per year than the general population (15% vs. 4%)<sup>8</sup> and this is despite the finding that 87% of transgender people have completed at least some college, and 47% have obtained college or graduate degrees.<sup>9</sup>

The lack of legal protections for LGBT individuals in the areas of housing, health care, education, and employment financially penalize LGBT people throughout their lives.<sup>10</sup> The resulting poverty, in turn, leads to an increased need for social safety net programs like Supplemental Security Income (SSI) and Medicaid that help them attain economic security and access health care. It is therefore essential that these programs are themselves delivered in a way that doesn't discriminate against

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4 Center for American Progress, Map, *et al*, *Paying an Unfair Price: The Financial Penalty for Being Gay in America*, (September 2014; Updated November 2014), available at <http://www.lgbtmap.org/file/paying-an-unfair-price-full-report.pdf>.

5 The Williams Institute, *Poverty in the Lesbian, Gay, and Bisexual Community*, (March 2009), available at <http://williamsinstitute.law.ucla.edu/wp-content/uploads/Albelda-Badgett-Schneebaum-Gates-LGB-Poverty-Report-March-2009.pdf>.

6 The Williams Institute (June 2013), *New Patterns of Poverty in the Lesbian, Gay, and Bisexual Community*, available at <http://williamsinstitute.law.ucla.edu/wp-content/uploads/LGB-Poverty-Update-Jun-2013.pdf>.

7 *The Advocate*, *South Carolina Senator Introduces Anti-Trans "Bathroom Bill"*, (April 7, 2016) available at <http://www.advocate.com/transgender/2016/4/07/south-carolina-senator-introduces-anti-trans-bathroom-bill>.

8 Center for American Progress, Map, *et al*, *Paying an Unfair Price: The Financial Penalty for Being Gay in America*, (September 2014; Updated November 2014), available at <http://www.lgbtmap.org/file/paying-an-unfair-price-full-report.pdf>.

9 *Id.*

10 Center for American Progress, Map, *et al*, *Paying an Unfair Price: The Financial Penalty for Being Gay in America*, (September 2014; Updated November 2014), available at <http://www.lgbtmap.org/file/paying-an-unfair-price-full-report.pdf>.

LGBT individuals and, in fact, proactively meet their needs. Federal benefits programs are just beginning to remedy past discrimination, but there are still many lingering areas of discrimination where older LGBT individuals require legal help to access the benefits they need and protect themselves.

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## Unique Legal Needs of Low-Income LGBT Older Adults

### Access to Economic Security Benefits

Low-income older adults rely on safety net benefits like Social Security and SSI to survive. Likewise, private and public pension income can make the difference between paying the rent and becoming homeless. Because recent legal decisions such as the federal decision that struck down the Defense of Marriage Act (DOMA) have cleared the way for LGBT individuals to marry, more and more are entering into marriage, which can provide additional financial security through Social Security survivor benefits if a spouse dies. But for very low-income individuals married to a person with a higher income, the additional income can prevent them from receiving benefits they may rely on, or cut existing benefits, such as SSI.<sup>11</sup> Likewise, marriage can also impact eligibility for private or public pension benefits. For this reason, LGBT older adults need legal counseling to understand how marriage may affect their eligibility for benefits or the amount they receive. To successfully counsel their clients, legal services advocates need to fully understand the impact marriage can have on Social Security, SSI, and pension income.

### Health Disparities and Discrimination in Health Care

LGBT older adults suffer a range of health disparities that make access to health care even more imperative for this population. LGBT individuals experience discrimination in health care delivery and lack of health insurance throughout their lifespan. These barriers to inclusive and competent health care<sup>12</sup> can cause compounding health disparities over time as LGBT individuals age. The cycle of poor health outcomes continues, leading to higher health care costs, which themselves can push older LGBT individuals into poverty, even if they weren't already poor.<sup>13</sup> Further, difficulty finding culturally competent care providers exacerbates these challenges.<sup>14</sup> For example, only 16% of surveyed hospitals have reported having any LGBT comprehensive training for their physicians.<sup>15</sup>

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11 Justice in Aging, *Held v. Colvin* (filed March 2015) against the Social Security Administration for collecting mistaken overpayments from low-income SSI recipients married to a person of the same sex. More info: <http://www.justiceinaging.org/our-work/litigation/held-v-colvin-litigation/>.

12 Journal of Health Care Law and Policy, "Going to Pieces" over LGBT Health Disparities: How an Amended Affordable Care Act Could Cure the Discrimination that Ails the LGBT Community, (2013), available at <http://digitalcommons.law.umaryland.edu/cgi/viewcontent.cgi?article=1309&context=jhclp>.

13 The National Gay and Lesbian Task Force, *No Golden Years at the End of the Rainbow: How a Lifetime of Discrimination Compounds Economic and Health Disparities for LGBT Older Adults*, (August, 2013), available at [http://www.thetaskforce.org/static\\_html/downloads/reports/reports/no\\_golden\\_years.pdf](http://www.thetaskforce.org/static_html/downloads/reports/reports/no_golden_years.pdf).

14 American Journal of Public Health, (April 16, 2015), <http://ajph.aphapublications.org/doi/10.2105/AJPH.2014.302448>.

15 *Id.*

The Affordable Care Act included increased protection against discrimination in health care settings through Section 1557.<sup>16</sup> New regulations issued under Section 1557 specifically prohibit discrimination on the basis of sex, including but not limited to discrimination based on sex stereotypes and gender identity.<sup>17</sup> While these protections do not fully address discrimination against the LGBT community,<sup>18</sup> they will be powerful legal tools for legal services advocates to use on behalf of their LGBT clients.

## Medicare and Medicaid

Many low-income older adults, including LGBT older adults, rely on a combination of Medicare and Medicaid to provide needed health care coverage. Legal services advocates, many of whom have expertise in these essential health programs, must be aware of additional help that LGBT older adults may require to access needed Medicare and Medicaid services.<sup>19</sup> For example, recent legal changes related to same-sex marriage may change LGBT older adults' eligibility for Medicaid and Medicare Savings Programs such as the Qualified Medicare Beneficiary (QMB) program, and the Part D Medicare Low Income Subsidy Program. Being married may also allow a LGBT older adult to qualify for Medicare Part A coverage based on a spouse's work history. If same-sex married couples need Medicaid-funded home and community based services (HCBS), they will now receive protections against spousal impoverishment.

For transgender older adults, Medicare will not deny coverage for procedures that are sex-specific just because a person's Medicare card or other identification reflects a different gender identity. Further, in 2013, Medicare changed its policy and began covering medically necessary Gender Reassignment Surgery, which is determined on a case-by-case basis, meaning transgender older adults may require legal services advocacy to ensure that they can access these services if needed. Currently Health and Human Services (HHS) is deciding whether to issue specific guidelines for coverage determination or continue case-by-case determinations.

## Fighting Housing Discrimination, Evictions, and Accessibility Challenges

Housing affordability poses a critical challenge to all low income seniors, and LGBT older adults also experience difficulty finding and retaining accessible, LGBT-friendly housing. When searching for housing, one in eight LGBT older people report they have been discriminated against on the basis of their sexual orientation, and one in four transgender older people report discrimination on the basis of their gender identity.<sup>20</sup> LGBT couples also report differential treatment in seeking placement in senior housing facilities. In 200 tests across 10 different states, 48% of same-sex

<sup>16</sup> Section 1557 of the Affordable Care Act, 42 U.S.C. § 18116 (2012).

<sup>17</sup> U.S. Dep't of Health & Human Servs., *Nondiscrimination in Health Programs and Activities; Final Rule*, 45 C.F.R. Part 92, 81 FR 31375, available at <https://www.federalregister.gov/articles/2016/05/18/2016-11458/nondiscrimination-in-health-programs-and-activities>.

<sup>18</sup> Journal of Health Care Law and Policy, "Going to Pieces" over LGBT Health Disparities: How an Amended Affordable Care Act Could Cure the Discrimination that Ails the LGBT Community, (2013), available at <http://digitalcommons.law.umaryland.edu/cgi/viewcontent.cgi?article=1309&context=jhclp>.

<sup>19</sup> Justice in Aging, Focus Populations, <http://www.justiceinaging.org/our-work/focus-populations/>.

<sup>20</sup> Services and Advocacy for GLBT Elders, *Out and Visible: The Experiences and Attitudes of Lesbian, Gay, Bisexual and Transgender Older Adults, Ages 45-75*, (2014), available at <http://www.sageusa.org/resources/publications.cfm?ID=223>.

couples seeking housing experienced differential treatment (as compared to heterosexual couples) when inquiring about housing in a senior living facility.<sup>21</sup> It is important for legal services professionals to understand the barriers low-income LGBT individuals face in securing housing. Legal services programs should be prepared to assist clients or refer them to other advocates when potential housing rights violations have occurred.

## Long-Term Care Needs

LGBT older adults also face specific challenges and discrimination in finding and retaining long-term care in places where they can be themselves. Many LGBT individuals have reported going back into the closet. In one survey, when asked if they felt comfortable being open about their sexual orientation or gender identity to facility staff, 78% of LGBT residents of nursing homes, assisted living facilities, and long-term care facilities said, “no”, or “not sure.” In the same survey, half of all respondents refused admission to a nursing facility were LGBT older adults. One third of respondents who were refused re-admission were LGBT older adults. As a result, LGBT older adults may require legal assistance to contest nursing facility involuntary discharge cases. They may also need legal help to assert their basic residents’ rights, such as a right to choose their own physician or to have visitors.<sup>22</sup>

## Wills, Powers of Attorney, and Health Care Advance Directives

Advance planning documents are critical legal documents for LGBT couples. These advance planning documents include wills, financial powers of attorney, and health care advance directives (sometimes called living wills, appointments of health care agent, or health care powers of attorney). With the legalization of same-sex marriage, even if same-sex spouses do not have wills, the laws of intestate succession will now apply. In the health care setting, same-sex spouses are now included in surrogate decision maker statutes as well. However, even with these increased legal protections for same sex-married couples, advance planning documents are still essential to ensure that a LGBT individual’s choices are honored. Legal aid attorneys should continue to talk with individual clients and conduct community outreach about the importance of wills, powers of attorney and health care advance directives. From deciding how their property should be divided after their death, to appointing loved ones to make important health care or financial decisions during their lifetime, these documents can help LGBT individuals keep control over their decisions and choices. Wills, powers of attorney, and health care advance directives can limit the need for courts to get involved in family disputes. Particularly for low-income individuals, wills can also help prevent future problems with title to property. Even with the new protections afforded by same-sex marriage, LGBT individuals still need wills, powers of attorney, and advance directives to express their choices and maintain their autonomy.

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21 Equal Rights Center, *Opening Doors: An Investigation of Barriers to Senior Housing for Same Sex Couples*, (2014), available at [http://www.equalrightscenter.org/site/DocServer/Senior\\_Housing\\_Report.pdf?docID=2361](http://www.equalrightscenter.org/site/DocServer/Senior_Housing_Report.pdf?docID=2361).

22 Justice in Aging, *20 Common Nursing Home Problems and How to Resolve Them*, (2015), available at <http://www.justiceinaging.org/20-common-nursing-home-problems/>.

## Assistance with Name Change Documents and Paperwork

While many legal services providers may not include name changes as higher level case priorities, the need for name change documents and paperwork is different for transgender individuals, particularly transgender older adults. Not only may transgender older adults have difficulty with service providers or getting help with public benefits if the name they use is different from the name on their documents, but if they're living as their preferred gender, it's important that their documents don't "out" them.<sup>23</sup> For these reasons, going through the process of changing one's legal name and gender is highly important for transgender individuals. The process, however, can be incredibly complicated, especially for older people with decades of identity documents and public records. Frequently, the process takes place online. So for older transgender individuals who don't have access to the internet or lack digital skills, navigating the maze of documents can be paralyzing. Legal services attorneys can meet an important need in helping transgender older adults navigate this complexity and should be well-versed in the process in their state.

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## Best Practices in Outreach, Intakes, and Environment

In addition to developing expertise in the most pressing and harmful legal issues that the low-income LGBT older adult community faces, it is also important for legal services attorneys to develop ways to effectively reach out to the older LGBT community. The best practices outlined in the section below will help legal services providers serve a community whose members may not be easy to find, develop screening processes that will bring out hidden issues, and welcome and serve the older LGBT community in a culturally competent manner.

### Outreach

Social isolation is something many seniors face, but for low-income LGBT individuals the risk is even greater. LGBT seniors are more likely to live alone and have thinner support networks.<sup>24</sup> Among older LGBT adults who came of age during a time of rampant discrimination, the fear of mistreatment or discrimination may prevent them from seeking the legal help they need.<sup>25</sup> Or they may seek legal help for one issue, but not mention sexual orientation or gender identity, effectively hiding other issues that they need assistance with.

For legal services organizations to effectively reach LGBT older adults, a good first step is to build partnerships with local organizations such as LGBT centers and faith-based groups that serve LGBT populations. Many of these organizations may have senior groups that would welcome someone

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23 Psychology Benefits Society, *Invisibility Squared: The Challenges of Living as a Transgender Older Adult*, March 9, 2015 <https://psychologybenefits.org/2015/03/09/invisibility-squared-the-challenges-of-living-as-a-transgender-older-adult/>.

24 Services and Advocacy for GLBT Elders, *Social Isolation*, available at <https://www.sageusa.org/issues/isolation.cfm>.

25 Services and Advocacy for GLBT Elders, *Inclusive Services for LGBT Older Adults: A Practical Guide to Creating Welcoming Agencies*, available at <https://issuu.com/lgbtagingcenter/docs/nrcinclusiveservicesguide2012/28?e=2766558/5225381>.

from your organization as a speaker. Legal services organizations could also offer to do free legal clinics for these groups on specific issues such as advance planning documents and perhaps even co-locate these services within the centers on an ongoing basis. You may also consider asking these organizations if they'd be willing to list your legal services organization as a legal resource on their website and if possible, provide referral information to their social services staff, and ask permission to leave informational materials in common spaces or with program staff. Another way to reach an older LGBT population would be to advertise in local LGBT publications, especially those that might be read by an older audience. In your outreach and advertising of your intake process and services, consider explicitly naming issues around LGBT seniors as a topic your organization works on. This specificity helps create an environment even prior to the intake process that welcomes LGBT older adults to seek services. You may also reach out to a local senior center, meal program, and adult day health care center staff about your services and emphasize that you have expertise in the legal issues facing LGBT older adults. Finally, if your community has a Pride event, and there are contingents of older people participating, you may think about setting up an information booth.

## Intake Process

The intake process must be both comprehensive and culturally competent in order to best serve low-income LGBT seniors. Regardless of the legal issue the client presents, intake questions should be comprehensive so as to discover hidden legal issues an individual might be facing that require action. Cultural competence is also important in order to build trust between attorney and client. There are a few basic best practices to follow. Gender identity or sexual orientation should never be assumed. It's common, particularly when talking to an older person, to assume heterosexuality. Providing culturally competent services includes not making assumptions about people's sexuality regardless of how they "present" or their age. Review call scripts with an eye toward inclusive language and ask questions about sexual orientation and gender identity neutrally and factually.<sup>26</sup> An example of inclusive language is to ask if someone has a spouse, partner, or significant other. Look over forms to ensure that they include inclusive language, such as a blank space for gender identity, rather than two check boxes for Male and Female. If a person seems uncomfortable with any of your questions, move on.<sup>27</sup> After you have developed a relationship, and if they feel they can trust you, they may come back to the question later.

When asking sensitive questions, emphasize that that the information you're gathering is subject to attorney client privilege. The information you gather could be used to provide broader help to the individual in addition to the problem they are presenting to you, and may even be used to identify systemic issues affecting similarly situated clients. Keep in mind that because many initial intakes are conducted by telephone, you may not always be able to gauge body language and other in-person visual cues, so consider preparing more open-ended questions that help reveal other unmet legal needs and provide you with more audio cues about your client.

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<sup>26</sup> *Id.*

<sup>27</sup> *Id.*

The information may also prompt you to refer the individual for further help. For example, a person may simply be asking for help with legal name change documents. But asking questions about income, health insurance, or living situation could lead you to discover that the person qualifies for SSI but doesn't know it, or needs to get on Medicaid, or is at risk of eviction. If your legal services program does not offer advice or representation with housing or benefits, you could then refer the individual to an organization with expertise in those areas.

## Welcoming Environment

It is important to make your organization affirmatively welcoming to LGBT older adults, rather than simply neutral. There are a few simple ways to ensure that LGBT older adults know that they've arrived in a place that can serve them sensitively. Visual cues such as rainbow flags, or Pride stickers or posters are one way. If you have marketing materials or posters with photos of people displayed, you should ensure that the people pictured show a diverse spectrum, not just of race, but also show same-sex couples, and diversity of gender presentation.<sup>28</sup> Flyers that advertise senior centers that provide services aimed at LGBT older adults in your community can also signal that your organization is aware of this population and the challenges that it faces. Likewise, educational materials that include legal information specific to the LGBT older adults, such as the information produced by the National Resource Center on LGBT Aging, can serve as additional cues. Restrooms should also be well-signed, making it clear that they are for all genders.<sup>29</sup> Another crucial component of a welcoming environment is to ensure that you are affirmatively welcoming to LGBT older adults in a way that is visible to other clients to signal to both LGBT and non-LGBT clients that any disrespect toward LGBT people is unacceptable.

## Cultural Competency

The fear of not being welcomed or understood can prevent LGBT elders from seeking help when they need it. Area Agencies on Aging report that when staff have received some form of LGBT cultural competency training, they were twice as likely to receive requests of help from LGBT individuals and three times more likely to receive requests from transgender individuals.<sup>30</sup> Cultural competency is a broad term that can be effectuated through many different practices, but the basic outcome is that it signals that you have an understanding of the unique issues, concerns, experiences, and history of a group. Legal organizations that seek to serve LGBT elders should have staff undergo a comprehensive training in cultural competency. And part of that training could include building an understanding that LGBT older adults have lived through years of discrimination and stigma, and may feel fearful or apprehensive about seeking help.<sup>31</sup> A few specific best practices are also critical. In addition to having inclusive language on intake forms, staff should

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28 Services and Advocacy for GLBT Elders, *Inclusive Services for LGBT Older Adults: A Practical Guide to Creating Welcoming Agencies*, available at <https://issuu.com/lgbtagingcenter/docs/nrcinclusiveservicesguide2012/28?e=2766558/5225381>.

29 Services and Advocacy for GLBT Elders (SAGE) & National Center for Transgender Equality, *Improving the Lives of Transgender Older Adults*, available at <http://issuu.com/diverseelders/docs/transagingpolicyreportfull/33?e=6085256/1938916>.

30 Services and Advocacy for GLBT Elders, *Cultural Competence*, available at <https://www.sageusa.org/issues/cultural.cfm>.

31 Services and Advocacy for GLBT Elders, *Inclusive Services for LGBT Older Adults: A Practical Guide to Creating Welcoming Agencies*, available at <https://issuu.com/lgbtagingcenter/docs/nrcinclusiveservicesguide2012/28?e=2766558/5225381>.

always ask clients which pronouns and names they prefer and then take care to use the desired pronoun and name. Both legal and non-legal staff should also be familiar with the issues and latest legal developments that impact older LGBT clients, such as how marriage affects benefits, and the new Medicaid regulations for transitional care.

## Hiring and Training of Staff

Diverse hiring practices are crucial, not just to better serve an LGBT population, but to bring diverse viewpoints and skills to your organization, and to provide opportunities to underrepresented individuals. At the same time, it's also important to avoid relying on LGBT staff members to know all the issues and serve all LGBT clients. All staff should be trained in the legal issues that low-income LGBT seniors might face both to better serve clients and to avoid tokenizing LGBT staff members. All staff should be trained in cultural competency, not just with LGBT populations, but across diverse populations.

## Conclusion

Legal services organizations play an important role in alleviating the effects of poverty on all low-income Americans. Because low-income LGBT older adults have lived with decades of discrimination that have led to higher rates of poverty, this group of older Americans has an even greater need for legal services to defend their rights and ensure they have access to the income supports, health care, and housing they need. Low-income LGBT older adults also have distinct legal needs that some other groups don't have, such as the need to fight discrimination in housing and health care, to navigate the legal complexities of name and gender changes, and to understand how new laws around same-sex marriage may impact their particular situation. Further, a lifetime of discrimination and the resulting stress and fear also may mean that LGBT individuals don't mention their sexual orientation or gender identity and affirmatively seek the legal help they need. Legal services organizations can help ensure that all low-income LGBT older adults have an opportunity to age in dignity with the services and supports they need by gaining competence in the legal issues facing this group, by finding creative ways to reach older LGBT individuals who need help, and by developing the cultural competency to build trust.

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