



TITLE: Access to Justice for LGBTQ Youth

SESSION DATE: October 8, 2021

SESSION TIME: 1:45 PM – 3:00 PM

SESSION DESCRIPTION:

LGBTQ youth comprise an estimated 5% to 7% of the overall U.S. youth population but represent 13% to 15% of those currently in the juvenile justice system. LGBTQ youth are also over-represented in the foster care system where 35% identify as LGBTQ. When compared with their heterosexual and cisgender peers, LGBTQ youth are twice as likely to have experienced child abuse, group and foster care placement, and homelessness. This panel will address how familial and state-sponsored discrimination places youth at risk and the justice system can do to support them.

SPEAKERS:



Hon. Rachel Bell – Judge, Davidson County (Tennessee) General Sessions Court

Judge Rachel L. Bell is a third generation Native Nashvillian and proud graduate of Hillsboro Comprehensive High School, where she was a stellar basketball player. Judge Bell received a NCCA, Division I-Women's Basketball scholarship to Auburn University and finished her collegiate career at The University of Memphis earning her Bachelor of Science in Education and her Juris Doctorate Degree from Cecil C. Humphreys School

of Law.

In 2012, Judge Bell, was elected General Sessions Court Judge, Division VIII (8) and unanimously reelected in 2014 to another term, with her campaign slogan: "Nashville's Judge serving ON and OFF the bench, Ringing the BELL for Justice!!"TM

In August, 2014, Judge Bell was elected by her peers to be the Presiding Judge over the Davidson County General Sessions Court for a one (1) year term and re-elected to a second term in August, 2015 to serve until September 1, 2016. Prior to her election to the court in August 2012, Judge Rachel was the Managing Partner of Bell & Kinslow, PLLC and Founder & COO of Pinnacle Title & Escrow, LLC with offices in both Bordeaux- North Nashville, West Nashville, Hermitage and Memphis, TN.

Shortly, after taking the bench in 2012, Judge Bell started working on pilot projects to establish the General Sessions Music City Community Court, Division VIII (8), by joining the TDOT Adopt-AHighway program committing to a portion of Highway 41A (Clarksville Pike) in Davidson County establishing the Judge Rachel L. Bell Beautification Project. She also established a summer literacy program called R.E.A.C.H. (Reaching Every Aspiring Child's Horizon) for rising 1st-4th graders and the FUTURE internship program hosted during the fall, spring and summer for rising 11th & 12th graders. The Music City Community Court's mission is to focus on preventive, diversionary and restorative justice initiatives to move the needle for marginalized people.

In 2014, the court started conducting Saturday Court Dockets bringing Expungement/Legal Clinics & Resource Fairs to the community. In 2016, the court expanded its reach by partnering with the TN Administrative Office of Courts and the TN Supreme Court's Faith and Justice Alliance initiative for better access to justice. In 2016, Judge Rachel became the first active judge certified with the National Safety Council to teach Alive at 25. In 2018, the Court was awarded the United States Department of Justice/Bureau of Justice Assistance and the Center for Court Innovation, Community Court Implementation Grant, to receive technical assistance in launching the C.A.R.E. Diversionary Court, which focuses on Creating Avenues for Restoration and Empowerment for offenders aged 18-30. In 2019, Judge Bell birthed the Bordeaux North Community Justice Center, which is the designated space for the Music City Community Court and all of its programming. In 2021, amid the COVID19 pandemic, Judge Bell created another initiative named the L.E.G.A.C.Y. (Let Every Goal Achieve Continuous Yields) Housing Resource Diversionary Court & Program to assist landlords and tenants experiencing hardship and non-payment of rent. On the horizon is the C.A.R.E. LGBTQ+ Diversionary Court.

Judge Bell is a member of New Covenant Christian Church (Disciples of Christ), Delta Sigma Theta Sorority, Inc.- Nashville Alumnae Chapter, Top Ladies of Distinction- Nashville Capitol City Chapter, GROW (Golfers Recognizing Opportunities for Women), Napier- Looby, Nashville, Tennessee and Stonewall Bar Associations, Lawyers Association for Women, League of Women Voters, Women in Numbers, Davidson County Democratic Women, Interdenominational Ministers Fellowship, Women's Political Collaborative, NAACP, Nashville Chamber of Commerce, the Bordeaux-North Nashville Chamber of Commerce and CABLE.

Throughout her personal and professional life, she currently and previously served on several boards such as Hands on Nashville, Davidson County Industrial Development Board, Juvenile Diabetes Research Foundation, (JDRF), Golfers Recognizing Opportunities for Women (GROW), Women in Numbers (WIN), Disciples Village, Nashville Black Chamber of Commerce, East Nashville Hope Exchange, Disciples of Christ National Convocation Board of Trustees and National Hope Partnership for Transformation Trustees and Board Advisor for Kaplan Career Institute. Judge Bell is also the proud founder of the Ring the BELL Foundation, Inc. and the co-founder and Board Chair/President for the Bordeaux-North Nashville Chamber of Commerce.

In 2017, Judge Rachel married her wife, Dr. Dorsha, an Emergency Medicine Physician, becoming the 1st openly gay Judge in Nashville, TN. Judge Rachel and Dr. Dorsha are Co-CEO's of Solutions NOW, Inc. and founders of myURGENCYMD, a telemedicine company and the "i am . . . just human." movement. Judge Rachel cares deeply about equal justice and her mantra is, "Justice does NOT stop at the courthouse steps!"®



Todd Brower – Judicial Education Director, Williams Institute on Sexual Orientation Law and Public Policy at UCLA School of Law

Todd Brower is the Judicial Education Director for the Williams Institute on Sexual Orientation Law and Public Policy at UCLA School of Law. He is a professor of Constitutional Law at Western State College of Law in California, and is the Director of the Institute for Global Law and Policy there. He has an LL.M from Yale Law School, a J.D. from Stanford Law School, an A.B. from Princeton University, and was a Fulbright scholar in

France. Professor Brower served on the California Judicial Council - Access and Fairness Advisory Committee and is the author of various law review articles, research studies and publications on the treatment of lesbian, gay, bisexual, and transgender persons in the courts of the United Kingdom, California and New Jersey. He has worked with the courts of several nations in Europe, Africa, and North and South America, with many US states and federal agencies on judicial education programs, and with international and national judicial organizations. He is the current President-Elect of the National Association of State Judicial Educators.



Hon. Amy Dawson – Judge, Fourth Judicial District (Hennepin County), Minnesota

Amy Dawson (she/her) is a Fourth Judicial District (Hennepin County) District Court Judge. She is currently assigned to the juvenile bench and is a member of the Equal Justice Committee, and helps to head a workgroup on improving outcomes for systems involved LGBTQ+ youth. Amy's current and past professional memberships include: The Minnesota Lavender Bar Association; the National LGBT Bar Association; the National Association of Women Judges; the International Association of Women Judges; The International Association of LGBTQ+ Judges and, the Minnesota District Judges Association. Amy is a graduate of Oberlin College (B.A., 1989) and Indiana University School of Law (J.D. cum laude, 1992). Amy began her legal career at Faegre & Benson and later founded the Autism Advocacy & Law Center. She was elected to the bench in 2014. Since becoming a judge, Amy has been actively engaged in judicial training and education and has presented on: Understanding Autism; Trauma Responsive Courts for LGBTQ+ Youth; and, Courtroom Tips for Reducing Anti-LGBTQ+ Bias. She is also an adjunct professor at the Mitchell Hamline Law School in St. Paul where she teaches a class on Improving Outcomes for Systems Involved LGBTQ+ Youth. She can be reached at: Amy.Dawson@courts.state.mn.us.



Keith D. Elston – Legal Director, Kentucky Youth Law Project, Inc.

Keith Doniphan Elston has been a practicing attorney since 2006. He was born and raised in Lexington, Kentucky, is a graduate of University of Kentucky, with a degree in Political Science, and received his Juris Doctor from Drake University Law School in Des Moines, Iowa.

In the early 1990s, he was hired by the national office of the American Civil Liberties Union to establish an office in the Dakotas, and later, he was hired by the ACLU of New Mexico as their executive director. In the early 2000s, he and his husband, Mark Schmidt, moved to Vermont so that he could lead a nonprofit advocacy group for LGBTQ+ children and youth, Outright Vermont. This was at a time when the Vermont legislature enacted civil unions, and because he led one of the most visible LGBT organizations in Vermont, the backlash from the religious right was severe. "I had people calling in death threats to my staff," Elston said, "and picketers outside our office building. It was a rather difficult year."

In 2002, he was accepted to law school at Drake University. He became involved in the Outlaws, a student-led group for LGBT law students, and the Drake chapter of the National Lawyers Guild. He also served on the law school's diversity committee for a year and a half. After graduating in 2005, he and Mark moved back to his home state of Kentucky, and he opened a solo family law and estate planning practice in Lexington.

In 2014, after attending a regional meeting of the National LGBT Bar Association's Family Law Institute in Atlanta, where he participated in a group discussion of the challenges for LGBTQ+ youth to have access to the legal system, he decided to form a committee to explore how he could provide legal services for Kentucky's LGBTQ+ children and youth. From that committee came the Kentucky Youth Law Project,

Inc., a nonprofit legal services corporation whose mission is to protect the legal rights and entitlements of LGBTQ+ children and youth through pro-bono legal representation, education, and public policy advocacy.

Mr. Elston is the current Chair (2021-2022) of the Kentucky Bar Association's LGBT Law Section, which is affiliated with the National LGBTQ+ Bar Association. He is also a member of the KBA's Committee on Child Protection and Domestic Violence, the National Bar Association, John Rowe Chapter, and the National Association of Counsel for Children.

He and Mark have been together for 25 years and live with two of their three children, Nick and Allen (their daughter, Kelly, lives in Western Kentucky), and their dog, Marley.

INTRODUCER/FACILITATOR:



***Hon. Emily Chafa – Co-Chair, NAWJ Administrative Judiciary Committee;
Retired ALJ, State of Iowa***

Emily Gould Chafa spent most of her legal career in government practice. She was involved in the administrative hearing process on a day-to-day basis for nine years. Emily served as an Administrative Law Judge (ALJ) or in the capacity as Chief ALJ for the State of Iowa from September 2010 to July 2019. Emily was the Iowa Workforce Development (IWD) UI (Unemployment Insurance) Appeals Bureau Manager (aka Chief ALJ) for four years, from July 2015 to July 2019. She was an ALJ with IWD from April 2015-July 2015. From September 2010 to April 2015, she was an ALJ with Iowa's central panel in the Department of Inspection and Appeals Administrative Hearing Division. She previously worked as the attorney for the Misclassification Unit of Iowa Workforce Development from August 2009-September 2010; as Deputy Director of Litigation for Iowa Legal Aid from January 2007-August 2009; as an Assistant City Attorney for the City of Des Moines from February 1990-January 2007; as a prosecutor for the Cook County State's Attorney's Office from May 1988-February 1990; and as an associate attorney at the Hinshaw & Culbertson law firm in Chicago, Illinois from June 1987-May 1988.

Emily attended Wartburg College for one year, and then received her B.A. degree from Drake University in 1982. She received her J.D. degree from Loyola School of Law in Chicago in 1987. She is licensed to practice law in Iowa and Illinois.

Emily is actively involved in a number of professional associations at the national, state and local level. She served on the Iowa State Bar Association (ISBA) Board of Governors for several years. She currently serves as Chair of the ISBA Diversity & Inclusiveness Committee. She served on the ISBA Administrative Law Section Council and continues to serve on the ISBA Government Practice Section Council. Emily currently serves in leadership roles for NCALJ (National Conference of the Administrative Law Judiciary) for the ABA's Judicial Division. Emily served on the board of NAWJ (National Association of Women Judges) and currently serves as Co-Chair of the NAWJ Administrative Judiciary Committee. She served on the board for NAUIAP (National Association of Unemployment Insurance Appeals Professionals). She is a long-time member of the Iowa Supreme Court's Interpreter Advisory Committee. Emily is a long-time

active member of the Infinity Project, a multi-state group advocating for gender equity on the bench throughout the 8th Circuit.

Emily served as President of the Polk County Bar Association in 2014-2015 and on the PCBA Board for many years. Emily continues to serve as an active member of the PCBA Law Day Committee and the PCBA Bench Bar Committee. She currently serves on the PCBA VLP Board. Emily served a two-year term as President of the Blackstone Inn of Court from 2017-2019. She's served on the I.O.W.A. (Iowa Organization of Women Attorneys) board in various roles over the years. She planned I.O.W.A.'s celebration of the 150th Anniversary of the first woman admitted to practice law in the U.S.: Arabella Babb Mansfield, in Mt. Pleasant, Iowa, on June 15, 1869. The 150th Anniversary celebration took place in the very room where Arabella Mansfield was sworn in as a member of the Iowa bar.

Emily frequently presents CLE programs on a variety of topics, focusing on diversity, equity and inclusion; the importance of preserving the rule of law; voting rights history; language access; judicial ethics on and off the bench; and administrative hearing processes.

PRODUCERS:

Hon. Kristin Rosi