

Trans Matters: Key Concepts and Terms

Gender Identity:

- One's inner sense of one's own gender, generally as male or female.
- Everyone has a gender identity, which may or may not match their sex.
- Gender identity is different from sexual orientation (which is about who you are attracted to).

Sex/Gender Stereotypes:

- Social (including professional) expectations about the "appropriate" appearance, mannerisms and behavior based on whether a person is male or female.

Transgender or Trans:

- A broad term that encompasses people who identify and/or express their gender differently from cultural expectations or stereotypes.
- Many, but not all, transgender people desire to live life as a gender different than the one they were assigned at birth.

Gender Transition:

- Refers to the process or time period when a person's lived, expressed gender changes from one gender to another.
- Transition is different for everyone:
 - For everyone, **social transition**: preferred first name, pronouns, changing clothing and appearance.
 - For some, **medical transition**: other health care such as counseling, hormone therapy, or different types of surgery.
 - For some, **legal transition**: legal name change order, updated ID documents and records.
- A person's transition process can happen in any order and at any pace, depending on needs and circumstances. In the workplace, what matters most is respecting each individual's process.

Transgender Women and Transgender Men:

- Transgender women were born and raised as boys but identify as women. They use the pronouns "she" and "her."
- Transgender men were born and raised as girls but identify as men. They use the pronouns "he" and "him."
- If you don't know what pronouns to use for someone, ask politely: "What pronouns do you use?" Then make sure to use them.

Genderqueer and Gender Non-Conforming People:

Some people don't identify as 100% male or female, but instead as genderqueer or another term they prefer.

- Genderqueer people may prefer neutral pronouns like "they" and "them" or "ze" and "hir," may be happy with "he" and "him" or "she" and "her," or may prefer no use of pronouns at all (e.g. use of their name only).
- Again, if you don't know what pronouns to use for someone, just ask, and then respect their preference.

Respectful Interactions with Transgender Law Students and Attorneys

Respect is the key to working with everyone, including transgender people and gender non-conforming people.

- Use a person's preferred name and pronoun in every circumstance.
- If you are unsure of the pronoun someone prefers, ask them nicely.
- Inquire about identity and gender transition only when relevant to your work (almost never).
- If others are not respecting a person's gender identity, do something!
 - Example: "Actually, Jane uses female pronouns – "she" and "her" – so we all need to use them when talking to and about her."

Non-Offensive Terms:

- Transgender People
- Transgender Woman
- Transgender Man
- Gender Transition
- Trans
- Whatever the person says they prefer

Offensive Questions and Comments:

- "Did you have the surgery?"
- "What surgeries have you had?"
- "What was your old name?"
- "Does this mean you are gay/straight?"
- "I would never be able to tell you're trans. You are doing a really good job."
- "You'd look better if you...."

Best Policy Practices for Working with Transgender Students and Attorneys

- Make sure that your school, firm, or organization has non-discrimination policies that cover gender identity and expression. Include policies on:
 - Usage of names, preferred names, and gender markers on IDs, in organizational records, on class rosters, employee lists, and on diplomas
 - Access to facilities, dorms, bathrooms
 - Confidentiality
- Update your health insurance policies to cover transition-related care.
- Advocate for or provide basic trans 101 training to all staff.
- Educate coworkers about supporting transgender students and attorneys.
- Develop mentor network of transgender or trans-supportive attorneys.

A Few Resources

- National Center for Transgender Equality – www.transequality.org
- Transgender Law Center – www.transgenderlawcenter.org

Or feel free to contact us!

- Melanie Rowen: Associate Director, Public Interest Programs, Career Development Office, Berkeley Law, mrowen@law.berkeley.edu, 510.664.4862
- Morgan Lynn: Assistant Director, Office of Public Interest and Community Service, Georgetown Law, mjl47@law.georgetown.edu, 202.662.9878