



Statement in Support of Defense of Rights of Transgender/Non-Binary Youth

Endorsed February 2023

WHEREAS, the National Asian Pacific American Bar Association (NAPABA) is the national association of Asian American and Pacific Islander (AAPI) attorneys, judges, law professors and law students, representing the interests of over 60,000 attorneys and about 90 national, state, and local AAPI bar associations; NAPABA members include solo practitioners, large firm lawyers, corporate counsel, legal service and non-profit attorneys, law students, law professors, and lawyers serving at all levels of the government and military; and NAPABA is committed to addressing civil rights issues confronting AAPI communities and people of color;

WHEREAS, NAPABA is the national voice for the AAPI legal profession; promotes justice, equity, and opportunity for AAPI individuals and communities; and fosters professional development, legal scholarship, advocacy, and community involvement;

WHEREAS, NAPABA has a long-standing commitment to supporting the civil rights of all members of our community, including our Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ+) brothers, sisters, and non-binary siblings;

WHEREAS, NAPABA recognizes that there are legal, cultural, and social issues specific to the AAPI LGBTQ+ community;

WHEREAS, NAPABA recognizes that AAPI LGBTQ+ people have a human right to be free from discrimination, threats, and violence based on their LGBTQ+ status and a constitutional right to be treated equally under the law;

WHEREAS, numerous jurisdictions have passed or are considering passing legislation that would discriminate against, harm, or otherwise deny equal rights to AAPIs who identify or are perceived as LGBTQ+, especially including transgender youth; and

WHEREAS, NAPABA condemns all laws, regulations, rules, and practices that discriminate on the basis of gender identity and/or sexual orientation.

THEREFORE BE IT RESOLVED, that NAPABA:

1. Recognizes the right of transgender youth, including those within the AAPI community, to participate in school sports; and to receive the social, educational, leadership development, and physical and mental health benefits of school sport participation;
2. Recognizes that the marginalization of transgender student athletes has roots in the systemic and systematic oppression of LGBTQ+ individuals;

3. Recognizes that state and local laws, regulations, and policies that broadly prohibit transgender students from participating in school sports violate those students' constitutional rights and federal civil rights under Title IX of the Education Amendments of 1972;
4. Urges federal, state, and local governments to support and protect the rights of transgender youth to participate in school sports, and to repeal laws that target this group for discrimination;
5. Recognizes that medical decisions involving gender-affirming care should be made by and among transgender or non-binary youth, their parents, and their doctors;
6. Recognizes that laws, regulations, or policies which restrict or bar the ability of transgender or non-binary youth to receive gender-affirming care violate their constitutional rights under the Fourteenth Amendment;
7. Urges federal, state, and local governments to support and protect the constitutional rights of transgender and non-binary youth to access gender-affirming care, and to repeal laws that discriminate against this group;
8. Authorizes NAPABA's president, board, and staff to communicate the content of this resolution to its members, affiliates, other bar associations, Members of Congress, the Administration, the press, and others to take steps to implement this resolution, as NAPABA deems necessary; and
9. Supports this resolution as a policy position until it is withdrawn or modified by subsequent resolution.