

## Legal Voice Report to Group Health Foundation June 2018



The lessons learned by Legal Voice and our community through the Northwest Reproductive Justice Collaborative were selected by the Foundation to receive a grant. Our answers to the final questions posed are below.

### 1. How have you engaged, convened, and maintained relationships with your community/communities?

Since convening the NRJC in 2006, Legal Voice has continued to work to strengthen our community relationships to build power among the communities we work alongside. As an organization that uses impact litigation and legislation, rather than community organizing and movement building, as our tools for change, we have had to shift some of the ways we work to ensure that communities are increasingly at the forefront of the decision-making. We are still learning from our successes and from our missteps.

One way we work with our communities is to approach each effort, wherever possible, from a position where we are providing legal support to an existing or nascent community-led effort. For example, when Washington State proposed a new system for changing one's gender marker on a birth certificate, Legal Voice worked closely with a coalition of transgender-led and gender non-conforming community organizations, leaders, and individuals. Legal Voice provided legal advice, drafting, and coordination, and messaging support as needed and requested by the community, rather than assuming a leadership role. Legal Voice staff working on this effort were very explicit with our community partners about that role. Similarly, as we work with hotel worker and domestic worker coalitions to develop regulations around workers' rights, and to monitor the resulting rules and enforcement of them, we engage in deep listening and respond with our legal expertise, rather than seeking to impose a vision of what those workers' rights should be.

### 2. How have you co-designed or co-created solutions with your community/communities?

Some examples: Legal Voice brought its legal support to transgender-led community groups who have been seeking equal access to health care and freedom from discrimination in health care. Together, and with other legal organizations and a local law school professor, the community created the Coalition for Inclusive Healthcare. The Coalition has worked to ensure that both public and private insurance programs provide coverage for gender-affirming health care, and to be ready with legal support to represent people who are discriminated against in health care because of gender identity. The Coalition obtained a very important victory when it obtained statewide Medicaid coverage of gender-affirming health care, including surgical procedures that had previously been explicitly excluded.

Similarly, we worked for several years with Open Arms Perinatal Services (in Seattle) and Birth Attendants (in Olympia) to gain access to doulas for pregnant people who were incarcerated. We now work with EmPATH (a coalition of doulas, doula organizations, and

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allies that is a project of Surge Reproductive Justice). Legal Voice provided legislative drafting and analysis of bills and amendments, and we and other members of the coalition testified to the Washington Legislature about this issue; legislation requiring the Department of Corrections to permit doulas to attend incarcerated persons who are pregnant or have recently given birth.

We have also worked to build power by working closely with our reproductive health, rights, and justice community-led organizations to build a coalition where groups who are the most threatened by health care restrictions have our support – of our lobbyists, our lawyers, and our communications staff – behind their leadership.

The principle behind this work is building trusting relationships with our community partners, offering our legal skills as support, and ensuring that the affected community members determine the strategy.

3. How have you addressed systematic inequities that affect health (such as power differentials or racism) as part of your community engagement work?

There are multiple ways we work to address this. The work in our reproductive health coalition is a good example. Both immigrants and transgender people are members of our coalition, as are organizations working with and within these communities. We agreed as a coalition to pursue reproductive health equity legislation that would ensure access to reproductive health care for immigrants and transgender people. The reason that immigrants are experiencing inequitable health outcomes is, in part, because of federal policy that excludes certain immigrants from ever accessing public health insurance, or imposes upon them a time bar to access to public insurance. Our hope is to pass legislation that creates a fund that can fill the gaps in coverage for immigrants, and cover all undocumented people who are categorically excluded from insurance coverage. For transgender people, the health care they need is sometimes excluded from private insurance coverage, and certain services, such as hormones, would be more accessible if cost-sharing were eliminated. Our top priority as an organization is to support legislation that addresses these inequities, and we have worked to ensure that all of our coalition partners know that this is our priority, by offering our legislative drafting skills, lobbying support, and other support.

4. What about your organization's way of working has made you successful? How has your organizational culture or structure changed to allow for authentic community relationships? Include examples of how your staff and your board (if relevant) contributed to the culture and values that enabled your success.

Legal Voice is successful because we bring feminist legal expertise to issues affecting people in our region, and we do that through a multi-pronged strategy. However, working on impact litigation and policy can have the effect of distancing an organization and its staff from its communities and the needs of those communities, and Legal Voice has experienced that. Legal Voice has worked to address that by recognizing that the lawyer and program staff need workplans that reflect community-building and coalition work. Sometimes this means accepting that work takes more time than it might otherwise take; sometimes it means foregoing what looks like a good legal or legislative strategy in favor of the communities' priorities. One example of this is work we wanted to undertake on behalf of domestic workers some years ago. We reached out to Casa Latina to offer our legal expertise on a particular issue, and were told that the issue we had focused on was not the one of most urgency to the community. So we shifted course and instead dealt with the issue they presented. In more recent years we have begun with asking and listening, and *then* started devising potential legal approaches.

5. What have been your most significant challenges, obstacles, and missteps? We know that we can learn as much from setbacks as we can from successes, so please don't hold back! (If you are concerned about sharing challenges publicly, just let us know and we will omit your response to this question from the version we share publicly.)

A significant challenge we still face is that we remain a white-led organization, which means that we have more work to do to show that we have established anti-racism as a core organizational value and an ingrained part of our mission. We have realized that while our hearts, our values, and our strategic plan promote inclusivity, we have not yet examined all of our internal and external systems, approaches, and practices, and changed them to ensure that they too support anti-racism. Without that, we will continue to make missteps.

We remain committed to anti-racism work, and have designated significant funding for organization-wide anti-racism training and for individual staff members to engage in personal and professional development that furthers their understanding and practices. We are also engaging in systems analysis, to evaluate whether – and more likely how – our policies and practices reflect bias and internalized racism.

6. What changes have you seen that give you hope about a future that is more equitable

Ironically, the current political landscape illuminates glimmers of hope in the external setting. While we see and decry the xenophobia, racism, nationalism, and sexism in the media and from political “leaders,” we have also observed heretofore quiet or seemingly unengaged people stepping forward and making their voices heard. These answers were being refined on the day the U.S. Supreme Court upheld the “Muslim ban” and permitted fake clinics to lie to women – while this sickens all who work here, we also know the resistance is strengthening. This is only more true after Justice Anthony Kennedy announced his retirement from the Court, and we hope to capitalize on the outrage (and fear) to mobilize our community in solidarity with others.

Inside Legal Voice, the excitement of the staff and board to dive ever deeper into anti-racism work and to center communities as well as individual clients heartens those of us in leadership positions. The feedback of the community groups with which we work has both informed us and stimulated the hope that we are making progress.