

# Defending Transgender Youth Rights with Lambda Legal and the ACLU

## News

March 24, 2022

Jenner & Block filed an amicus brief in Travis County, Texas in *Doe v. Abbott* on behalf of Professor Ron Beal, a Texas administrative law expert, in support of the plaintiffs' application for a temporary injunction and as part of our pro bono work with Lambda Legal and the ACLU to defend transgender youth rights.

In the brief, the plaintiffs challenged the decision of the Texas Department of Family and Protective Services (DFPS) to follow the directive of Governor Abbott to investigate gender-affirming care for transgender minors as "child abuse" under the Texas Family Code pursuant to a non-binding opinion issued by Attorney General Paxton.

Professor Beal argued that the DFPS decision to enforce the Attorney General's novel interpretation of the Texas Family Code in conducting abuse and neglect investigations exceeded the agency's statutory authority. The Texas Legislature previously considered and declined to amend the definition of "child abuse" under the Family Code to include medical procedures identified in the Attorney General's opinion, and neither DFPS nor its commissioner had the authority to expand the definition of "child abuse" under Texas law. The brief also explained that, even if DFPS and its commissioner had the authority to enforce an expanded definition of "child abuse," that the action constituted an interpretive rule, which failed to comply with the mandatory notice, comment, and justification procedures under the Texas Administrative Procedures Act.

Special Counsel Benjamin T. Halbig and Associate Reanne Zheng took the lead in authoring the brief, supervised by Partner Clifford W. Berlow. Partners Adam G. Unikowsky, Mark Davis, and Laurie Edelstein; Associates Steven Tinetti and Chasel Lee; Pro Bono Counsel Nura Maznavi; and Junior Paralegal Grace Liberman assisted.

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