

CIVIL UNIONS FOR ILLINOIS

ILLINOIS HAS JOINED THE GROWING LIST OF STATES EXTENDING BROAD LEGAL PROTECTIONS TO SAME-SEX COUPLES.

The Religious Freedom Protection and Civil Unions Act was first introduced by Representative Greg Harris in March 2007, and in the Illinois Senate by David Koehler. After passionate speeches and floor debate in both chambers, the bill passed 61-52 in the House on November 30 and 32-24 in the Senate the next day. Governor Pat Quinn is expected to sign the bill in January 2011 and it will go into effect June 1. Lambda Legal's Midwest Regional Office, based in Chicago, provided extensive legal analysis and drafting assistance for the act as well as public education and legislative advocacy pressing for its passage.

A couple who enters into an Illinois civil union will have access to the rights, benefits and responsibilities that married couples have. The major benefits of the new law include hospital visitation, health care decision-making rights, the spousal presumption of parentage for families rearing children, and joint filing of state income taxes.

In addition, couples married in any jurisdiction that legally marries same-sex couples will be recognized as civil union partners in Illinois. Couples who have a civil union from New Jersey or a similarly broad status like domestic partnerships in Oregon, Washington, Nevada and California will also be recognized as having a civil union in Illinois. However, Wisconsin, a border state to Illinois, has a more limited domestic partnership law (see "On the Defensive," page 13) and a Wisconsin domestic partnership therefore is unlikely to be treated as a civil union in Illinois.

The law benefits married Iowa couples who commute or travel to Illinois for work. In fact, depending upon the couple's individual circumstances it may be advantageous for same-sex Illinois couples to wed in a state where they can do so and return to Illinois where their marriage will be respected as a civil union.
—Jim Bennett, Regional Director, Midwest Regional Office



Jim Bennett, Regional Director of Lambda Legal's Midwest Regional Office and Illinois State Rep. Greg Harris celebrate the passage of the civil union bill at the State Capitol in Springfield.



CHECK OUR FAQ AT www.lambdalegal.org/illinois-civil-unions-faq or call our Help Desk in Chicago at 312-663-4413.

WHAT YOU'RE SAYING

RE: LAMBDA LEGAL'S NAUGHTY V NICE CAMPAIGN
via Facebook

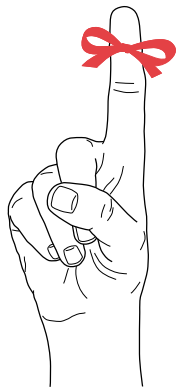
CAMPBELLDE: @lambdalegal #lInice Everyone who came out publicly this year and every queer who refused to be silenced.

RE: DADT REPEAL
via Facebook

K.J. BEARD: As a veteran of the Navy that was discharged under DADT, I am very happy with the repeal of this obviously discriminatory practice.

RE: ILLINOIS CIVIL UNIONS
via Facebook

JAMES CLEMENS: It is great! May all remaining states wise up and realize it is time to STOP denying equal rights for ALL.



SAVE THE DATE!

FEBRUARY	MARCH	APRIL	MAY
<p>8 Lambda Legal Freedom to Marry Reception National Museum of Mexican Art Chicago</p> <p>27 TransAction! Day</p>	<p>8 Lambda Legal's Spring Theater Event: Priscilla Queen of the Desert The Palace Theater New York City</p> <p>13-14 Pride South Florida Ft. Lauderdale, FL</p> <p>27 Lambda Legal in Ft. Lauderdale Bonnet House Museum and Gardens Ft. Lauderdale, FL</p> <p>28 Jeffrey Fashion Cares Benefit The Intrepid, Pier 86 New York City</p>	<p>15 National Day of Silence</p> <p>16-17 Miami Beach Pride</p> <p>21 Lambda Legal's San Francisco Celebration The Four Seasons Hotel San Francisco</p> <p>24-30 Philadelphia Black Pride</p> <p>28 Lambda Legal's Annual Bon Foster Gala The Spertus Institute Chicago</p>	<p>2 Liberty Awards National Dinner Pier 60, Chelsea Piers New York City</p> <p>17 International Day Against Homophobia and Transphobia</p> <p>22 Harvey Milk Day</p> <p>26-29 DC Black Pride</p>

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WISCONSIN

JUSTICE FOR WOMAN DENIED SURGERY

Lambda Legal and the AIDS Resource Center of Wisconsin (ACRW) announced in December the resolution of their lawsuit on behalf of a woman living with HIV who was denied surgery. In 2008, **Melody Rose** (right), sought treatment for her gallbladder disease from Dr. Steven M. Cahee at the Fond du Lac Clinic in Wisconsin. Cahee, however, refused to remove her gallbladder, citing concerns for his own health, despite widespread scientific consensus that the risk of transmission in such a situation is almost zero. A few months later, a surgeon at a different facility performed the necessary procedure. Subsequently, Lambda Legal sued Dr. Cahee, his employer, and Agnesian Healthcare, the operator of the clinic, in federal court under various federal and state antidiscrimination statutes. In July 2010, the court denied the defendants' motions for summary judgment and set the case for trial in late November.

"Ms. Rose is pleased that this lawsuit has been resolved," said Staff Attorney Scott Schoettes, who was recently appointed director of Lambda Legal's HIV Project. "This lawsuit put doctors everywhere on notice: You don't get a free pass to discriminate based on unsubstantiated fears regarding the transmission of HIV."



NEW YORK

FEDS BACK SCHOOL ANTIBULLYING CASE

The Justice Department has filed a friend-of-the-court brief supporting *Pratt v. Indian River Central School District*, Lambda Legal's federal lawsuit against an upstate New York school district. Teachers and officials turned their backs as student **Charlie Pratt** (left) suffered years of relentless antigay and sexist harassment. "School officials have a legal duty to protect their students, and it's time for them to live up to that responsibility," said Senior Staff Attorney Thomas W. Ude Jr. "We are pleased to see that the Department of Justice agrees that a school district does not escape liability for its inaction because of school vacations and summer recess—which, unbelievably, is what this school district argues."

CALIFORNIA

LEGAL COALITION DEMANDS HIV PRIVACY

Lambda Legal continues to demand an explanation from state officials regarding a drastic breach of privacy that affected some 5,000 Californians living with HIV. The Department of Health Care Services released their names to a third-party provider between February and December 2009. In September 2010, Lambda Legal, the ACLU of Northern California and the HIV & AIDS Legal Services Alliance demanded that the agency act immediately to protect the confidentiality of HIV patients, or face further steps that may include legal action. "The state's actions are unacceptable and illegal," said Staff Attorney Peter Renn. "And they affect everyone, because when people do not have confidence that their privacy will be respected, they may choose not to seek testing or medical care."



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Merrill Lynch Wealth Management is one of the top national corporate sponsors of Lambda Legal. As a national sponsor of Lambda Legal, Merrill Lynch has assembled a dedicated team of financial advisers to help educate the LGBT community on the financial issues that arise in domestic partnerships, civil unions and marriage. The members of the LGBT Financial Team, with this in mind, offer individual strategies and solutions tailored to meet these unique needs. To help you locate an adviser near you, please call 1-877-MER-LGBT or visit www.totalmerrill.com/domesticpartners.



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