Lambda Legal Impact

INSIDE

Lambda Legal
making the case for equality

FALL 2007

From Sea to Shining Sea: Equality

It's official. The summer of 2007 will go down as Lambda Legal's summer of equality. Just before Labor Day, our big marriage win in Iowa capped a string of victories that touched the lives of many LGBT people, people with HIV and their families. What's astonishing is the sheer breadth of America we covered — coast to coast from New Jersey to Washington State, sweeping through Oklahoma, Ohio and, of course, Iowa.

As a direct result of the New Jersey and Washington cases, a significant number of same-sex couples and their families are now eligible for health insurance they could not get before. Parents who legally adopted children in states across the country can now live or travel in Oklahoma without fear that their children will be considered strangers to them in the eyes of the law. And in two Ohio cases, courts sent strong messages that the state's antigay amendment could not be used to invalidate laws that protect the safety of unmarried couples or to deprive registered domestic partners of important health benefits for their families.

You'll read more about these cases in this issue of Impact. As you do, I ask that you keep in mind the geography.

In the early 1990s, when I became executive director of Lambda Legal, one of the first big decisions I was part of was how to grow the organization. We had recently opened our Los Angeles office to great success. The new outpost gave us direct access to West Coast communities; it also allowed us to hire people who were part of these communities and therefore were more intimately aware of the issues affecting them. We decided to replicate this model and, within a decade, opened three more regional offices: in Chicago, Atlanta (which celebrates its 10th anniversary this month) and Dallas.

I've been thinking about our regional model quite a bit since an Iowa judge ruled that denying same-sex couples the right to marry violates the state's constitutional guarantees of liberty and equality. When we first started talking about a marriage case in Iowa, many people on the coasts were perplexed by the choice. But lawyers in our Midwest Regional Office had carefully analyzed the political and legal landscapes and determined that both could work in our favor. Moreover they understood that the state of Iowa has a long tradition of standing up for civil liberties. And so far they have been right.

Our attorneys and educators working across the country have been right quite a bit recently. But lest I paint too rosy a picture, remember that minutes after the Iowa ruling, extremist politicians — ignoring the role of courts in protecting individual rights — started calling for the judge's impeachment. And as we were going to press, the high court in Maryland ruled against marriage equality in the ACLU's challenge. These are the ups and downs of a civil rights movement — and they will continue until the promise of equality is truly fulfilled nationwide.

KEVIN M. CATHCART
EXECUTIVE DIRECTOR

Impact

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Lambda Legal
making the case for equality

Lambda Legal is a national organization committed to achieving full recognition of the civil rights of lesbians, gay men, bisexuals, transgender people and those with HIV through impact litigation, education and public policy work.

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On the cover:
Lambda Legal strikes down Oklahoma's Adoption Invalidation Law, protecting Heather Finstuen and Ann Magro (pictured with their daughters). Photo: ©Lambda Legal

Impact Magazine is published three times a year in February, June and October.

"Life Without Fair Courts": WE HAVE A WINNER!

Last spring, Lambda Legal and Prism Comics collaborated to host a nationwide contest for a comic strip that would depict what life without fair courts might look like. Our panel of celebrity judges narrowed the field down to five finalists. Six months later, you — our readers and supporters — have spoken! Our winner, Greg Fox, received the majority of nearly 2,000 votes! We are proud to display his winning comic, "4 Reasons for Gays to be Grateful" in this issue of *Impact*.

Visit www.lambdalegal.org/lwfc-winner-feature.html to see our 2nd and 3rd place comics and to read more about our "Courting Justice" program through which we advocate for fair and impartial courts.

ON THE DOCKET

IN WORD AND DEED

When Adola DeWolf and Laura Watts decided to co-own a house, they expected the transition would come with all of life's ups and downs. What the couple didn't expect was to have to fight for the house itself. DeWolf's mortgage company, Countrywide, the self-described "#1 home loan lender" in America, had provided instructions to the couple on how to go about adding Watts to DeWolf's mortgage. They completed everything that was asked of them, which included changing the deed. Countrywide then told the couple that by changing the deed, they had breached their contract, and that Countrywide did not recognize domestic partners as family members. Furthermore, Countrywide said that if the almost $80,000 balance on the mortgage was not paid within 30 days, they would be forced to foreclose on the house and they would lose their home. The couple had to scramble to refinance at a much higher rate in order to save the house. In May of 2007, Lambda Legal and our cooperating firm Shearman & Sterling filed a lawsuit on behalf of DeWolf and Watts. The case will proceed to a jury trial.

IMPACT: The distinction between marriage and domestic partnerships can have dire consequences for LGBT communities. We are pressing forward in this case to ensure that creditors do not discriminate against applicants based on their marital status, in addition to stressing the overall right to marriage equality for same-sex couples.

ABUSIVE AMENDMENT

Recent attempts to use Ohio's antigay constitutional amendment to deny rights to victims of domestic violence illustrate how discrimination against LGBT communities affects the broader community. In 2004, Ohio voters passed an antigay constitutional amendment banning marriage for same-sex couples. This antigay amendment was then manipulated by those being prosecuted for domestic violence, who contended that their unmarried status insulated them from criminal prosecution. Lambda Legal filed friend-of-the-court briefs in six of these domestic violence cases, including the case decided by the Ohio Supreme Court, urging courts not to expand the harmful reach of the 2004 amendment. Lambda Legal lauds the Ohio Supreme Court's decision, which states that the criminal domestic violence law is unaffected by the state's antigay constitutional amendment.

IMPACT: While antigay amendments are presented as efforts to "protect heterosexual marriage," once they are passed, it can turn into open hunting season on all rights for LGBT communities. In these cases, the court plainly ruled that the rights of unmarried people are unaffected by the discriminatory amendment, avoiding further manipulations that might hurt Ohio citizens.

Lambda Legal on the BIG SCREEN

Lambda Legal talked to filmmaker Pilar Prassas about her new documentary, ***In Sickness and In Health****, which portrays the struggle of three same-sex couples fighting for the right to marry in New Jersey. Diane Marini and Marilyn Maneely, plaintiffs in Lambda Legal's New Jersey marriage case, became the emotional epicenter of the film as two years into the project, Marilyn was diagnosed with ALS, or Lou Gehrig's disease, and passed away before the court ruling.*

Q: Lambda Legal: What impact do you hope Marilyn and Diane's story will make with viewers?

A: Pilar Prassas: The story of Marilyn and Diane is a prime example of why same-sex couples are fighting for the right to marry. They not only need these protections in place but they deserve these protections. Marilyn and Diane experienced the absolute worst thing that could ever happen to a couple. Marilyn was diagnosed with a life-threatening disease and she was told she only had a few months to live. I hope that by witnessing this in my documentary, people will begin to realize that this family is just like every other family. Diane and their five children came together to help Marilyn live her final days with dignity and purpose. My goal is to share this personal story with people in hopes of raising awareness about the larger social and political issue at hand.

Learn more about *In Sickness and In Health*:
www.redstarproduction.com

UPS (FINALLY) DELIVERS

In our New Jersey marriage lawsuit, we won a historic ruling from the state supreme court that same-sex couples must be granted the rights and responsibilities of marriage. Unfortunately, the legislature opted for a civil union law to grant these rights, leaving the door open for discrimination by employers — who might, following the legislature's lead, draw a distinction between civil unions and marriage. When Tom Walton and Gabriael "Nickie" Brazier, two New Jersey United Parcel Service (UPS) drivers, attempted to add their respective long-term partners to their employee health care plans, they dealt with this very scenario. UPS denied spousal health insurance to the civil union couples. In July, Lambda Legal with local counsel Leslie Farber brought a legal challenge on behalf of both couples, and the company relented. It now provides benefits to employees' same-sex civil union partners and families.

IMPACT: Our action against UPS and the company's quick decision to correct its policy led to an important breakthrough: People finally understood that the civil union law would not work. When a legislature creates a separate civil union status for same-sex couples, it essentially invites employers to discriminate against these couples as well. Only marriage offers a clear path to equality.

LAMBDA LEGAL 4 STUDENTS

Lambda Legal recently seized upon an opportunity to reaffirm First Amendment freedoms of LGBTQ students in a case that may seem, at first glance, to be unrelated to our work. In 2002, Joseph Frederick, an 18-year-old high school student in Juneau, Alaska, was suspended after he held up a banner reading "Bong Hits 4 Jesus" at a public parade off school grounds. Lambda Legal filed a friend-of-the-court brief because of the implications the decision to bar Frederick's speech might have for LGBTQ students in schools. On June 25, the U.S. Supreme Court held that a school can restrict student speech in certain instances — including those promoting illegal drug use. Fortunately, the court accepted the main argument advanced by Lambda Legal: A school may not prohibit students' expression of ideas simply because those ideas differ from school administrators' personal views.

IMPACT: The power to speak up against discrimination and freedom of expression are arguably even more crucial for LGBTQ youth, and Lambda Legal pledges to maintain these rights for students in their schools and in their communities.

Join the Fight for Justice

By committing to support our work on a monthly basis, members of the Justice Fund provide vital financial security. And because Justice Fund gifts arrive without the expenses involved in other fundraising efforts, more of the contribution goes directly into making the case for equality. Become a member of the Justice Fund today at http://www.lambdalegal.org/take-action/donate/justice-fund.html, and let us stretch your dollar even further!

AA.com/rainbow™

You can help Lambda Legal every time you travel on American Airlines, at no cost to you! When making a reservation on www.AA.com/rainbow or through a travel agent, just provide Lambda Legal's Business ExtrAA Account number: 541544. Simply enter the number at the bottom of the *Enter Passenger Details* section in the field for Business ExtrAA Account Number. The best part is that you still earn your own AAdvantage Miles!

Better than OK

>>> Lambda Legal Shuts Down Oklahoma's Adoption Invalidation Law

Greg Hampel and Ed Swaya, with their daughter Vivian

Remember those family road trips from childhood? That distinctive mix of anticipation and boredom? Imagine, though, a road trip where passing into another state meant that your family — even your identity — was completely up in the air. Your parents cease being your parents — you are, in fact, a legal orphan.

Believe it or not, this was actually a possibility under the Adoption Invalidation Law, an Oklahoma law passed in 2004 and recently struck down by the 10th U.S. Circuit Court of Appeals. Lambda Legal successfully argued that this extreme law was unconstitutional, and in the process won a major breakthrough for LGBT families all over the country. Jon Davidson, Lambda Legal's Legal Director, stated, "This is a monumental decision, not just for the couples involved in the case, but for lesbian and gay parents and their children nationwide."

The Adoption Invalidation Law went beyond keeping families living in Oklahoma from being legally recognized. It also meant that children adopted by same-sex couples traveling through or temporarily staying in Oklahoma lost their legal relationships with their parents once within Oklahoma state lines. In the fall of 2004, Lambda Legal filed a lawsuit against Oklahoma's governor and attorney general. Ken Upton, senior staff attorney in Lambda Legal's Dallas office, put it plainly: "This was the most extreme example of punishing children because you don't approve of their parents."

The law was passed in an apparent reaction to the earlier actions of Greg Hampel and Ed Swaya. Hampel and Swaya, eventually plantiffs in the successful lawsuit against the state, lived in Washington State with their adopted daughter, Vivian. Vivian's birth certificate was issued in Oklahoma, where she was born and adopted by the couple in 2002. When the couple attempted to get an amended certificate that listed both parents, the Oklahoma health department refused. Within weeks of successfully contesting this action with Lambda Legal as counsel, the Oklahoma legislature passed the Adoption Invalidation Law, which forbade police officers, child welfare officials and other representatives of the state from recognizing relationships between same-sex couples and their adoptive children. While this extreme law was defended as an act to protect children, it actually compromised their rights to care by the persons closest to them — their parents, who were denied recognition by the state on the basis of their sexual orientation.

"If Vivian were hurt," said Swaya at the time of filing the lawsuit, "would an Oklahoma hospital recognize Greg and me as her lawful parents? I'm not prepared to take that risk. I have a very real fear that as a parent I wouldn't be allowed to make critical decisions for my daughter when she needs me the most."

Hampel and Swaya, along with two other couples in the case, were eventually awarded justice. The outcome in the case, however, has meaning beyond just righting wrongs in these individual scenarios. It has far-reaching effects for the future of LGBT families.

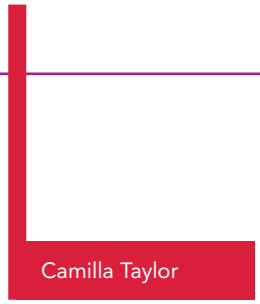
Consider: a birth certificate is an important document in demonstrating a child-parent relationship. Yet many states routinely deny or make it more difficult for gay couples and their children to obtain this document. The court in this case held that the Oklahoma statute violated the United States Constitution by refusing to honor adoption decrees obtained in other states. The U.S. Constitution's Full Faith and Credit clause — requiring states to respect and enforce court judgments issued in other states — is consistently recognized as an important principle in the country's national legal structure. The outcome in this case reflects that recognition. This legal victory will likely discourage other states from attempting to write this type of outrageous discrimination into law.

In a broader sense, the court's decision defeated a new strategy by antigay forces to marginalize LGBT families and render them invisible to society. Ensuring government recognition of our relationships is instrumental in seeking equality. It is much easier for private discrimination against LGBT families to flourish if the government discriminates. This decision protects children's legal relationships with their parents, thereby protecting their overall welfare.

We couldn't be more proud of this victory for same-sex parents and their children all over the country, another legal win in our enormously productive summer of equality!

Marriage IN THE Midwest

BY CAMILLA TAYLOR,
LAMBDA LEGAL
SENIOR STAFF ATTORNEY



Word traveled quickly when Lambda Legal won the first successful decision in a marriage equality case in the American Midwest. At 3:00 p.m. on August 30, 2007, an Iowa trial court ruled that denying same-sex couples the right to marry violates the Iowa Constitution's guarantees of liberty and equality. The next day, same-sex couples all over Iowa woke up to a new world, feeling for the first time as though their families were embraced and treated fairly by their community.

That morning, a line of same-sex couples eager to marry formed outside the county recorder's office in Des Moines to apply for licenses. But attorneys representing the county quickly announced their intention to appeal the ruling and asked the court to put a hold on the issuance of marriage licenses. The court granted their request and temporarily barred marriage licenses for same-sex couples until the Iowa Supreme Court hears the case. This type of hold frequently happens when a ruling significantly changes the status quo and in no way negates our court victory.

One young couple from Ames, Iowa — Tim McQuillan and Sean Fritz — managed to marry each other before a local minister and file their certificate with the recorder's office before the temporary hold went into effect that morning at 11:05 a.m. They now enjoy a valid marriage in their home state of Iowa. The rest of Iowa's happy same-sex couples eagerly await a ruling from the Iowa Supreme Court.

The trial court's decision striking down the exclusion of gay and lesbian couples from marriage is a ringing call for full equality, holding that Iowa's discriminatory marriage ban must be "nullified, severed and stricken" from Iowa law. The ruling also deserves praise for the respect with which it treats gay and lesbian parents and their children: "[T]his Court does not accept as valid any assertion that same-sex couples, as a class, are in any way inferior to opposite-sex couples insofar as their child-rearing capabilities are concerned." It went on to say that the exclusion of gay and lesbian couples from marriage "defeats the state's admitted interest in the welfare of all of its children, regardless of whether they are parented by different-sex couples, same-sex couples or any other family unit."

Putting the case in historical context, the court noted that striking down the marriage ban falls within Iowa's noble tradition of courageously standing up for civil liberties long before its sister states. The court wrote: "Iowa Courts have generally been at the forefront in preserving the civil rights of their citizens in areas such as race, gender and sexual orientation." It pointed to cases from 1839 to the present in which Iowa courts were leaders in rejecting claims by slave owners under the Fugitive Slave Act, in calling for a gender-neutral rule in custody battles between spouses and in overturning antigay restrictions on parents' visitation with their children.

We are optimistic that the Iowa Supreme Court, too, will live up to its longstanding commitment to fair treatment for all Iowans. Meanwhile couples including Lambda Legal's plaintiffs will have to wait for the Iowa Supreme Court to rule before they get to walk down the aisle. But they are thrilled to be one step closer. "This is kind of the American Dream," Jen BarbouRoske told the *Des Moines Register* on decision day. "I'm still feeling kind of shaky. It's pure elation, I just cannot believe it."

Newlyweds Tim McQuillan and Sean Fritz embrace. AP Photos.

CASE HIGHLIGHTS

- December 2005: Lambda Legal files marriage lawsuit in Iowa District Court.
- April 2006: Twenty-six state legislators represented by an antigay legal organization move to intervene in the case as defendants.
- August 2006: Court denies legislators' application.
- December 2006: Court grants our motion to add three of our clients' children as parties to the case.
- January 2007: Plaintiffs file affidavits from leading child development and other experts who explain the need for marriage rights for same-sex couples.
- May 2007: Court hears oral arguments.
- August 2007: Victory! The Iowa District Court rules that it is unconstitutional to deny same-sex couples access to marriage. The opposition appealed and asked for a "stay" on the issuance of marriage licenses the next day, which was granted.

Cheryl Bachmann is a teacher who tried to protect her students from antigay discrimination. Deputy Legal Director Hayley Gorenberg chronicles this fight.

NOTES from the FRONT LINE

BY HAYLEY GORENBERG

PHOTO OF CHERYL BACHMANN (ABOVE) © LISA ROSS

They filled the folding chairs, jammed the stairway at the back of the gymnasium, and still the students and parents kept coming. It was a school board meeting in West Milford, New Jersey, on a Tuesday night in May. The audience usually consisted of a small handful of community die-hards. Tonight was different.

The main event on the agenda concerned the firing of Cheryl Bachmann, a 25-year-old high school history teacher who enforced a "zero-tolerance" policy for antigay harassment in her classroom. After three years of terrific reviews, her supervisor had recommended her for tenure. Soon afterward, two students used the word *faggot* in her class, and she duly sent them to school administrators for disciplinary action.

One of the students roamed the halls, shouting death threats. When alarmed teachers confronted the student, she flippantly offered to "just stab" Bachmann instead. Bachmann requested the student's transfer to another class, and — despite half a dozen prior evaluations commending her teaching and "excellent classroom management skills" — promptly had her tenure recommendation revoked, the administration saying: "Due to recent incidents, we have serious concerns about [Bachmann's] classroom management and ability to effectively control and tolerate unacceptable behavior."

Never in union leaders' memories had a teacher waived the right to hold a tenure revocation hearing behind closed doors — until that night in the gym. Bachmann wasn't going to back down, and she was willing to show this determination in a public forum. The school board chose to enter an extensive executive session, delaying the start of the hearing until 10:30 p.m. on a school night. No one left.

As Bachmann's counsel, I was there to defend her and drive home the importance of teachers taking a stand for safe and respectful classrooms. I could feel that the night was highly charged, that the end result of the hearing would make a serious impact on the school and surrounding community. With Bachmann's colleagues from the history department seated behind me, wearing red shirts and jackets to signal their support, I presented an extensive analysis of the facts and reviewed the federal and local laws that require teachers and school administrators to counter antigay harassment in schools. Careful scrutiny of the timeline of events, Bachmann's glowing reviews and the schools' hasty actions indicated that the purported reasons for firing were misleading and retaliatory. I asserted that a court case would bring this to light and end up favoring a teacher who did the right thing by seeking to protect her students.

The gym errupted in shouts, applause and tears. Bachmann's challenge had ended.

At the close of the hearing, the superintendent stuck to his decision to fire with a speech that dismissed further debate and offered no further justification. Some school board members who had not met my eyes during the hearing began to shift in their seats. The board members, generally on hand to ratify the superintendent's decisions, were individually polled. When the five-to-four decision came down in our favor, the gym erupted in shouts, applause and tears. Bachmann's challenge ended mere days after we agreed to take it on.

Cases such as these constitute a next wave of challenges for LGBT advocacy in schools. We are now building upon the backbone of our past successes in antiharassment cases, like Jamie Nabozny's federal lawsuit in 1995 against his Wisconsin high school for ignoring the vicious physical and mental antigay abuse he suffered by his classmates. We are readying ourselves for trial in Holmdel, New Jersey, representing Nancy Wadington — another victim of relentless abuse at her school and administrators' neglect, and we have already begun to fight school officials' appeal against Joey Ramelli and Megan Donovan, two students involved in a parallel case in San Diego. All of these LGBT students suffered torment and abuse at the hands of their peers, unabated by the actions of school officials.

But LGBT students' allies, like Cheryl Bachmann, are raising their voices and evidently putting their careers on the line to enforce the law we've developed, making these legal wins count for the next generations of students. As we continue our battle to win safe and healthy learning environments for students, we are including more teachers and school officials in our outreach, advocacy and litigation.

NEW OPENNESS, NEW OPPOSITION

The support from these allies is timely. Even as LGBT students begin coming out at earlier ages, and their heterosexual peers become more welcoming, LGBT-related controversies have frequently erupted at schools, particularly as our opponents have attempted to shut down LGBT-friendly clubs, curricula and events.

We believe the ramped-up opposition stems from the general recognition that young people are America's next wave of political, business and family leaders. A recent survey by CIRCLE, the Center for Information & Research on Civic Learning & Engagement, showed that young people are "the most tolerant group, with 60 percent believing society should accept homosexuality … [and when] youth know someone who is gay, they are more likely to support rights" for

all gay people, leading to the conclusion that "it seems like exposure to difference encourages tolerance." If familiarity supports equality and respect, then LGBT people who come out at earlier ages are helping to propel civil rights.

But these sorts of advances have triggered a backlash from antigay groups such as Liberty Counsel, which often funds lawsuits opposing gay rights, including many of Lambda Legal's efforts. Last year Liberty Counsel and the group Parents and Friends of Ex-Gays and Gays (PFOX) announced the launch of their "Change is Possible Campaign," which promotes the discredited idea that gays and lesbians can be "converted" to heterosexuality. The nation's leading medical and therapeutic organizations, including the American Academy of Pediatrics, the American Counseling Association and the American Psychiatric Association, to name a few, have concluded that being gay is not a mental disorder and thus needs no "cure" — much less so-called reparative therapy to change sexual orientation, which is not only ineffective but downright dangerous. More and more frequently, we find ourselves advising student groups, as well as parents, teachers and school officials. Students may seek to form gay-straight alliances (GSAs), and supportive authority figures look to build accurate and inclusive health curricula and create and enforce policies that protect against peer harassment. Countering the opposition they face often requires legal analyses and advocacy. And that's where we come in.

For instance, our litigation and advocacy to support GSAs taps the federal Equal Access Act, which generally requires that noncurricular clubs have equal opportunities for sponsorship, meeting space and other school support, regardless of their point of view. This doesn't mean, however, that the Montgomery County public school system in Maryland needs to give in to demands that its new health curriculum include plugs by "ex-gays" for reparative therapy to change sexual orientation. A First Amendment free speech or "equal access" argument shouldn't derail a school's selected curriculum. The proper legal analysis shows that schools may "speak" in the curricular sense without opening up a forum for all views.

And of course inclusive and accurate curricula are particularly important to help counteract the government-funded, multimillion-dollar wave of "abstinence until marriage" programs that effectively erase LGBT students' and parents' identity — or acknowledge gay people only in discussions of HIV, thus equating being gay with being "diseased" and misleading all students about the facts of HIV. On this front, Lambda Legal's efforts have run the gamut from formal presentations with legal peers, such as my talk last fall at Legal Momentum's Harvard University colloquium on the harms of abstinence-only programming, to informing courts through friend-of-the-court briefs that urge judges to respectthe importance of both student speech and antiharassment measures. Our Community Education teams are also involved on local levels in all of our regions, packaging our work and our message in thorough yet accessible ways.

If familiarity supports equality and respect, then LGBT people who come out at earlier ages are helping to propel civil rights.

As legal and policy debates about freedom of speech in schools and the responsibilities of educators continue, I am spurred on by the young people who motivate our mission, who inspire teachers and others to step forward. I think back to the public comments before the hearing in that gymnasium this spring, and recall the brave words from supportive students. One student, a roiling mixture of supremely uncomfortable but grimly determined, voiced her support for teachers who commit to providing a safe learning environment. "I was supposed to have a gymnastics thing tonight," she explained. "But, like…I think this is more important." Another student, a self-assured young debater, reminded the crowd that they had opened the meeting with the Pledge of Allegiance and urged the superintendent and board to show that "liberty and justice for all" would prevail. In the struggle to advance civil rights for LGBT students into the next era, these students give voice to the vision and idealism we need.

Haley Gorenberg

Love AND Pride + Lambda Legal =

An Expression of Love, Peace and Hope

1138. It's not a secret code. It's not the address of the newest hotspot. It's one number, but it adds up.

At last count, the United States General Accounting Office reported 1,138 federal rights, protections and benefits that come with marriage. That means heterosexual married couples automatically receive these rights and protections, while same-sex couples — even those in civil unions, domestic partnerships and marriages — do not.

Many of these benefits, such as tax credits, are well known and may even factor into a heterosexual couple's decision to marry. Others can be taken for granted but have a great impact on the lives of committed same-sex partners. Some of these benefits, protections, and rights include the right to petition for a partner's immigration, the use of The Family and Medical Leave Act — which allows up to 12 weeks unpaid leave to care for sick partners — and social security benefits for surviving partners and their dependents.

These are just a few of the provisions and protections provided exclusively for heterosexual married couples. Lambda Legal remains in the forefront of the battle for marriage equality, pushing to end discrimination in civil marriage.

We are proud to announce our partnership with Love and Pride on two new jewelry collections designed to support marriage equality: the 1138 Collection and the Love, Peace and Hope Bridal Jewelry Collection. Loveandpride.com is the premier online jewelry destination for people who believe in diversity, equality and tolerance.

The 1138 Collection of necklaces, bracelets and earrings features the number 1138 in every design and is designed to get people talking about the issue of marriage equality. The Love, Peace and Hope Collection offers engagement, wedding and anniversary rings that pair original and classic designs to a contemporary message of marriage equality for same-sex couples. Love, Peace and Hope rings are also available featuring a trillion diamond located on the inside of the setting — creating a private message of support for a very public issue, and backing it up with a generous donation. Ten percent of every purchase from these collections, available at loveandpride.com and lovepeaceandhope.com, is donated to Lambda Legal.

Udi Behr, designer at Love and Pride, says, "When you tell someone there are more than a thousand rights married couples receive that same-sex couples don't, it creates the kind of 'a-ha' moment that can change hearts and minds."

To launch the campaign with a public "a-ha" moment, Love and Pride distributed 1,138 roses in Union Square on October 10, 2007, at 11:38 a.m. Attached to each flower was a card listing one of the 1,138 rights.

"Same-sex couples in this country should have the same choices — and the same rights — as other couples," says Kevin Cathcart, executive director of Lambda Legal. "1138 reminds us of how much is at stake and why marriage is worth fighting for."

It is too soon to say *everything* is coming up roses, but in recent years we have made enormous strides for LGBT communities. Each rose and each piece of jewelry sold can help start a conversation — a conversation about the many rights still denied to LGBT communities — pushing us further along the road to equality. L

LAMBDA LEGAL: EVENTS CALENDAR

OCTOBER

10.13.07	Lambda Legal in Atlanta: Celebrating 10 Years in the South
10.21.07	Orange County House Party – Irvine, CA
10.25.07	Lambda Legal in Miami – Miami, FL

NOVEMBER

11.17.07	Lambda Legal Liberty Circle Black Tie Dinner – Dallas, TX

FEBRUARY

2.2.08	Lambda Legal in Palm Beach – Palm Beach, FL

MARCH

3.8.08	Lambda Legal in Ft. Lauderdale – Ft. Lauderdale, FL

SAVE THE DATE:

5.5.08 Liberty Awards National Dinner – New York City

For more information or to purchase tickets for any of these events, please visit www.lambdalegal.org/events or contact National Events Director Adam Pedersen-Doherty at events@lambdalegal.org.

Q&A

KEVIN M. CATHCART AND JOAN HEIFETZ HOLLINGER

In Defense of Our Families

CATHCART'S PHOTO BY LISA ROSS
HOLLINGER'S PHOTO BY JIM BLOCK

Lambda Legal's Executive Director Kevin Cathcart and Joan Heifetz Hollinger, UC Berkeley law professor and renowned adoption expert, discuss recent parenting wins, *amicus* work and the future of LGBT family law.

JH: I wrote my first *amicus* brief in 1995, arguing on behalf of the child's interest in maintaining some kind of legally protective relationship with the nonbiological former partner of a biological mother. There were very few precedents that supported the argument we were making at the time. But the Wisconsin Supreme Court bought the argument, which was a huge victory because the court was willing to look at the case from the standpoint of the child's needs without regard to the absence of a biological connection or the lack of a marital tie.

KC: The expertise you bring to your amicus work in these cases is extremely important. Ignorance and prejudice are so often intertwined in the cases that we're fighting, so we need to shine light on the facts and reality and move the judges away from whatever perceived wisdom they think they have always had about lesbian or gay families. It's an interesting time to be having this conversation, because we just won the marriage case in Iowa. In that decision, the judge looked at the "experts" that the state brought forward and ruled that they didn't fall under the legal definition of experts and therefore he didn't admit their testimony. It's important that the courts make sure that what's being put forward from either side really qualifies as the kind of information that will help the fact finder make a decision in the case.

JH: This is especially important when we're talking about children. For all the legitimate ways people have historically criticized aspects of the marital relationship, marriage serves as an umbrella for protecting not just the relationship between the two married spouses but between them and their children. Children benefit from the legal stability and from the expectation of the emotional and psychological stability that comes along with legal marriage.

KC: Unfortunately, the vast majority of same-sex couples in this country do not have the option of getting married unless they leave the country. And most states do not yet recognize relationships if couples get married in Canada. We're going to be seeing battles for years about what happens when people from Massachusetts start moving in larger numbers. What happens if someone moves to a different state that has a different set of marriage or adoption laws? This is what Lambda Legal's Oklahoma case was about.

JH: There's a long list of questions about children: providing medical care, getting third party benefits and securing legal identity. And all of those circumstances can be addressed so much more comfortably if both parents are married to each other.

KC: One of the problems that we face is that many people just don't like to go to lawyers. You have people in committed relationships with children, who know that they should do adoptions and who aren't barred by financial considerations, and yet they don't do it. And then children are more vulnerable because a legal relationship has not been solidified. The ability to be married and to have relationships recognized provides protection for children in those families.

JH: I do think that the courts are generally and increasingly drawn to the view that they are there in order to promote and protect the welfare of children. There is a momentum in the direction of protecting children's legal ties to individuals who have actually made a commitment to taking care of them. And yet, there is the *Lofton v. Kearney* decision from Florida. In *Lofton*, it's overwhelming clear, including to the judges who ultimately upheld the Florida law [denying gay people the right to adopt], that the foster parents in that case were doing heroic service as parental caregivers to children with very special and serious needs. The opinion upholding the Florida statute is allegedly based on the state's obligation to provide for the welfare of children. However, they construed the welfare of

"I am confident that the understanding that families should exist within the law rather than outside the law will eventually catch on, not just in courts and in legislatures, but in the public at large."

- JOAN HEIFETZ HOLLINGER

children as being linked to some notion of optimality — the best possible parents, not just "OK" parents in the court's eyes. According to the court, the state could have any plausible reason for excluding someone under this standard, including sexual orientation. Many of us were appalled by that decision, but renewed by it at the same time, because outside of the 11th Circuit the momentum is in a very different direction.

KC: I agree that the momentum is in a different direction. But though Florida is the worst, it's not alone. We see a lot more of these cases with the recent baby booms in the gay and lesbian communities. As more and more lesbian and gay couples raise children, you naturally end up with more people dealing with custody issues if they break up. It happens with straight people and it happens with gay people. But we're much more vulnerable.

JH: Yes, the cases where relationships have ended are among the most heart-wrenching and the most difficult to deal with case-by-case, particularly in jurisdictions that do not have clear protection of these relationships. But even in the circumstances where families are not splitting apart, the consensual situations where everyone is happy and where you have a couple who jointly want to be recognized as legal parents — there is still a long way to go. Nonetheless, Lambda Legal had an enormous victory in the Oklahoma case. I participated in an earlier case before the Virginia Supreme Court, where the issue was also whether Virginia, which does not grant adoptions to unmarried couples, would nonetheless be obligated to recognize adoptions granted to same-sex couples in other states with respect to children born in Virginia. The registrar's decision not to issue a revised birth certificate to the new adoptive parents was eventually overturned by the Virginia Supreme Court, which was a very important victory upholding the principle of an adoption judgment being entitled to recognition everywhere.

KC: We're now fighting that same issue in another state that is refusing to issue a new birth certificate to a child who was adopted by a gay couple from another state. So, I do believe there is a very positive trend as we move forward, but some states are still going to take a lot more work than others. I don't want that to sound negative. It's frustrating and we shouldn't have to deal with families being torn apart, but if you compare this to 20 years ago, or even 10 years ago, we have so many more rights. There are so many more families who have protections today that weren't possible in recent memory.

JH: In the long run, I have faith that reason and common sense and the rule of law will prevail. I am confident that the understanding that families should exist within the law rather than outside the law will eventually catch on, not just in courts and in legislatures, but in the public at large. I also think that within the next 10 or 20 years, you'll be hearing from many of the children who have been born into gay and lesbian households. Those children will soon be adolescents and in their 20s and 30s, and they will have a lot to say and a lot to contribute.

KC: Well, I agree with that completely. There are just more and more same-sex couples with children every day. More and more of America is going to be exposed to children growing up with same-sex parents — at school and in their neighborhoods — and that has a way of trickling into the court's decisions. It's curious how judges are educated. It's not just what happens in the courtrooms. They live in the real world, as well. So, it's extremely powerful when people from the academy, who are not representing a party but are representing unbiased knowledge and science, come forward with this information. It helps our work immensely. I think we're going to be doing this work for many years to come, and there is going to be an ongoing role for people like you, Joan.

JH: Well, I'm not expecting to pull back any time soon.

KC: Neither is Lambda Legal. That's why we're going to win in the end, because no one is pulling back.

For more information on parenting and adoption law, request Lambda Legal's pamphlet *What You Need to Know to Protect Your Family*, available on our website www.lambdalegal.org.

Serving up Justice with a Side of Grit

Celebrating Lambda Legal's 10 Years in the Southern Region

BY JUDI O'KELLEY, HECTOR VARGAS AND JANE MORRISON

It's been 10 years *already?* Fighting for the civil rights of LGBT people and those living with HIV is an uphill battle anywhere. In the South, it is yeoman's duty. Yet despite the challenges, Lambda Legal has secured enormous victories that have considerably advanced the individual rights and liberties of LGBT and HIV-positive people across the Southern region.

As former and current regional directors of the Southern Regional Office (SRO) in Atlanta, we are thrilled to celebrate a decade's worth of progress. We've seen our office grow from a staff of three people with one telephone (and a cranky old typewriter that Jane brought from home!) to an office with 10 full-time staff and a proud history of groundbreaking legal work and community education. Throughout the years of growth, staff transitions, and the occasional shift of perspective, two constants underscore our commitment to Lambda Legal's mission: the top-quality legal and educational work that is our hallmark, and the compelling personal stories of our courageous plaintiffs.

Sodomy Laws

When the SRO's doors opened in Atlanta in 1997, the law of the land held that states were free to criminalize same-sex sexual activity. Ten states across the South had sodomy laws in place. The 1986 U.S. Supreme Court case *Bowers v. Hardwick*, which involved a Georgia police officer walking in on two men engaged in private, consensual sex, had upheld Georgia's statute criminalizing sodomy. Sodomy statutes not only branded gay and lesbian people as criminals, but also were being used as a basis for denying employment, parenting and housing rights for LGBT people.

Robin Shahar was one of the SRO's first clients and a victim of the broad shadow cast by sodomy laws. Her choice to hold a commitment ceremony with her partner cost her a job opportunity with the Georgia Attorney General's office — one that had been offered to her after an exemplary work record with the office. We participated in this case, ultimately suffering defeat. The courts cited the sodomy law once again, this time ruling that the attorney general was within his right to withdraw the job offer in part because Shahar's commitment ceremony presented a conflict with the attorney general's interpretation of Georgia's sodomy statutes. In other words, her commitment to her partner was seen as compromising her ability to do her job.

A year later, Lambda Legal participated in a case that successfully overturned the Georgia sodomy statutes, winning a monumental ruling from the Georgia Supreme Court. Yet despite this victory, the U.S. Supreme Court's holding in the *Bowers* case still stood. It remained legal for other states to continue banning gay and lesbian sexual activity and to undermine basic civil liberties through the use of sodomy laws.

Finally, in 2003, the shadow lifted as Lambda Legal won an unprecedented victory. *Lawrence v. Texas* reversed the U.S. Supreme Court's 1986 decision and held that lesbians and gay men share the same fundamental right to private sexual intimacy that heterosexuals have. A new era for LGBT

A DECADE OF PROGRESS

[1997]

***City of Atlanta v. Morgan*:** Georgia Supreme Court upholds Atlanta domestic partnership benefits ordinance.

The SRO holds inaugural reception on June 25 at the Carter Presidential Center.

[1998]

Powell v. State: Georgia Supreme Court strikes down state sodomy statute.

[2000]

***Jacoby v. Jacoby*:** Florida appellate court rules that neither a mother's sexual orientation nor societal prejudice against gays and lesbians can be considered in a custody determination without demonstrating an impact on the child.

[2002]

Lambda Legal files ethics complaint against Alabama Chief Justice Roy Moore following his homophobic and religiously based opinion rejecting a lesbian mother's appeal to remove her children from the custody of their abusive father.

rights in the South had begun. The court not only struck down all sodomy laws across the country in one fell swoop, but also removed the legal rationale used for decades by state and federal courts to permit discrimination against our clients and other members of the LGBT community. Case closed.

Progress through Education

In addition to our efforts battling sodomy laws, we have helped our clients stand up for their rights in all other aspects of their lives. We have secured increased rights for workers, and we've fought for expanded relationship recognition and insurance benefits for same-sex couples. We have stood up for fair courts, and we've gained legal advances for gay, lesbian and HIV-positive parents.

One such case involved a family nearly broken apart due to ignorance and prejudice directed at people living with HIV. Keri Rowell, a mother of three, was living in Mississippi and wanted to live with her sister, Tanya Watkins, who is HIV-positive. In a custody hearing, a judge granted temporary custody of the children to Rowell under the explicit order she keep her children away from their aunt. Watkins was very closely involved in the lives of her sister's children and this decision, based on fear and misinformation, threatened to break their bond. In 2005, Lambda Legal filed a brief on behalf of Rowell that advised the court of accurate information on the transmission of HIV. Five days later, the court reversed the custody restriction.

Our legal work commonly makes use of expertise from the medical community and other trusted independent sources in order to make our case for equality. This naturally dovetails into public education campaigns that take those messages into the larger community, including advocating for respectful and fair treatment for people living with HIV. Lambda Legal has always relied heavily upon public education and outreach to support our mission. We credit our community education team for creating initiatives that have built support, visibility and mobilization in our region. For instance, our workplace discrimination suit on behalf of Kevin Dunbar against Foot Locker led to a major campaign — "Blow the Whistle on Workplace Discrimination." Community meetings held in Dunbar's hometown of Columbia, South Carolina, stirred up passionate community involvement in securing fair on-the-job treatment of LGBT workers.

The Next Decade

Certainly, many challenges remain. Lambda Legal continues to keep a watchful eye on our courts to help keep the bench filled with fair, unbiased judges who will decide cases based on fact rather than ideology. We also continue to battle negative stereotyping of LGBT people, their relationships and their families throughout the South. Florida has an extreme law on the books banning those engaging in "homosexual activity" from adopting children, and other states join Florida in denying second-parent adoptions that would provide greater security for their children. Relationship recognition presents particular challenges in the SRO states, some of which have enacted so-called "defense of marriage" laws, and seven (AL, GA, KY, MS, SC, TN and VA) have gone even further, passing constitutional amendments purporting to ban marriages and/or other legally recognized unions for same-sex partners.

Nevertheless, we are seeing steady, sure progress on the road to equality. It has been an immense honor and joy to build relationships and do meaningful work in partnership with individuals and organizations across the region. We thank you — our donors, our cooperating attorneys, our volunteers, our community partners, and most of all, our plaintiffs — for being committed to our mission and for contributing to Lambda Legal's growth in the Southern region and across the country. We look forward to the next 10 years with cautious optimism, living and working for the day when all lesbians, gay men, bisexuals, transgender people and people living with HIV gain full equality under the laws across the nation.

Jane Morrison served as the SRO's first Regional Director from 1997 through 2000, and has been a member of Lambda Legal's national Board of Directors since 2004. Hector Vargas came on board as Regional Director from 2001 to 2006, and is now the Deputy Director of the Education and Public Affairs Department. Judi O'Kelley was a cooperating attorney in 1999 and 2000. She joined Lambda Legal's staff as Regional Director in the summer of 2006.

***Lawrence v. Texas*:** Landmark U.S. Supreme Court case upholds the constitutional right to privacy in cases involving consensual sexual conduct and strikes down all remaining sodomy laws in the nation.

Dunbar v. Footlocker: Lambda Legal settles antigay harassment, discrimination and termination case of South Carolina employee of Foot Locker; settlement includes implementing a discrimination training policy by company.

Miller-Jenkins v. Miller-Jenkins: Lambda Legal wins visitation rights in the Virginia appellate courts for a lesbian mother and the daughter she raised with a former partner while in a Vermont civil union.

[2003] **[2004]** **[2006]** **[2007]**

***Perdue v. Mississippi State Board of Health*:** Trial court grants recognition of an adoption of a newborn from Mississippi to a Vermont lesbian couple.

***In re Vickee Gatliff*:** Lambda Legal wins case seeking name change for transgender woman in Augusta, Georgia.

***Pelala v. Mike and Katy's Causeway Café*:** Lambda Legal successfully settles a lawsuit by a North Carolina man who was fired from his job as a cook because he had HIV.

In My Own Words

DEGROEN ET AL V. CITY OF BELLEVUE ET AL

Larry deGroen, a 45-year-old veteran firefighter and paramedic, has worked for the city of Bellevue, Washington for 12 years. His sexual orientation was never much of an issue, until two years ago, when he made a simple request of his employer — that the city give him a paid day off to attend the funeral of his partner's father in Michigan. The city's refusal to offer something it regularly gives its heterosexual married employees led him to Lambda Legal. Here's Larry's own story of why he chose to file a lawsuit against his employer.

Larry deGroen

All I wanted to do was be the best at my job while also supporting my family.

I've been a firefighter and paramedic for the city of Bellevue, Washington, since 1995. I've always enjoyed my work and have taken great satisfaction in helping people in their time of need. When I was hired, the fact that Bellevue did not grant domestic partner benefits to same-sex couples didn't really bother me because my partner, Tom, had benefits from his own job. I thought that, in time, things would change and Bellevue would join Seattle, King County and other municipalities in offering us those benefits. I was willing to wait and not make a fuss.

> "I felt hurt and betrayed after all of my years of loyal service."

All of that changed when Tom's father passed away in December of 2005. The city denied my request for a single day of paid bereavement leave to attend the funeral in Detroit — because Tom was not considered part of my family. On top of that, the city made me work overtime without pay in compensation for being at Tom's side. I felt hurt and betrayed after all of my years of loyal service. I was no longer willing to wait patiently for the same benefits my heterosexual colleagues already got for their spouses.

So I decided to take action. I met with chiefs and deputy chiefs of the fire department, as well as the mayor, city manager and several city council members, in an attempt to push them toward granting domestic partner benefits. Despite a lot of encouraging talk, over a year passed with absolutely no progress. Finally, in frustration, I contacted Lambda Legal. Filing a lawsuit was the last thing I wanted to do, but I was becoming convinced it was the only way to get the council's attention.

Two other potential plaintiffs joined me: firefighter and paramedic Faun Patzer, and lead 911 dispatcher George Einsetler. Like me, both were longtime city employees. Both had also asked city officials for the same benefits they gave our heterosexual co-workers. After some careful strategic planning between the three of us, along with the union representing Faun and me, Lambda Legal staff attorney Tara Borelli filed suit in April 2007. Tara, Faun and I spoke at a press conference at the entrance of Bellevue City Hall in front of crews from three television stations, at least two radio stations, the *Seattle Times* and the *Seattle Post-Intelligencer*.

Maybe it was the glare from the camera lights, but the city finally seemed to wake up. Just a week later, Bellevue decided it was time to give domestic partner benefits not only to same-sex couples, but to unmarried different-sex couples as well. Lambda Legal's efforts in drafting a convincing lawsuit and getting the media to the press conference made all the difference.

In the months following Bellevue's change of heart, the neighboring cities of Newcastle and Redmond, as well as Pierce County to the south, have all taken steps toward providing domestic partner benefits to their employees. It's heartening to see that our efforts have made such an impact beyond our own lives — and our own city.

Doing the Right Thing: **CONTAGIOUS!**

The city of Redmond, Washington, has joined its neighbor Bellevue in offering the same family benefits to all public employees and their partners, regardless of sexual orientation.

As veteran police officers, Cmdr. Kristi Wilson and Lt. Betsy Lawrence have protected and served Redmond for a combined 30 years. Both are in committed relationships and raise children with their respective partners, but they were unable to obtain family coverage under the city's health plan. Lambda Legal demanded that the city recognize the basic rights of these community members, including those who are entrusted with the safety and well-being of their fellow residents. Shortly thereafter, the city council voted in a late-night session to extend family benefits to city employees with same-sex partners. **Equal and fair treatment: it's spreading...**

EQUALITY:366 Days a Year!

Don't watch 2008 (a leap year!) go by with kittens in baskets or babies dressed as sunflowers. This year hang the **2008 Lambda Legal — Life Without Fair Courts Calendar** on your wall. Now through December 31st, when you join or make an additional gift to Lambda Legal of $25 or more, you get the **2008 Lambda Legal — Life Without Fair Courts Calendar**. A Lambda Legal membership and calendar also makes a great holiday gift for someone you love!

This calendar features comic strips by professional artist Mikhaela Reid, depicting what life would be like if courts had not upheld the Constitution in landmark cases like *Lawrence v. Texas*. Three finalists from our national cartoon contest are also featured. As a part of Lambda Legal's Courting Justice program, the calendar seeks to educate the public about our need for fair and unbiased courts in an entertaining and colorful way.

Get your calendar by joining Lambda Legal or making an additional gift this year. Just mail in the enclosed envelope or visit www.lambdalegal.org/calendar to view the calendar and secure your membership online.

Learn more about the importance of fair courts and what you can do to help insure an independent judiciary by visiting www.lambdalegal.org/courtingjustice.

Lambda Legal In the News

"Adopted kids deserve to feel every bit as secure as their playmates. Now their parents can breathe easier, knowing the Constitution is on their side."

Deb Price with the *Detroit News* discussing Lambda Legal's victory in *Finstuen v. Edmondson*

AUGUST 20, 2007

"We have long endorsed same-sex marriage and have called on the Legislature to do so. In just the few months that New Jersey's civil union law has been in effect, it has become clear that the halfway approach won't work. The legislature's semantical games only serve to unfairly complicate the lives of spouses. "

Star-Ledger editorial in support of marriage equality for same-sex couples following Lambda Legal's challenge to UPS

JULY 10, 2007

"The court was willing to treat children born to a couple in a civil union the same way that it would treat children born to people who are married."

Legal Director Jon W. Davidson on CNN discussing a favorable Vermont court decision in *Miller-Jenkins v. Miller-Jenkins*

JUNE 27, 2007

The Legal Landscape

In most of Lambda Legal's lawsuits, we represent those people who are parties to the case, that is, those who filed the litigation, those who were sued or those who later intervened in the lawsuit. But throughout Lambda Legal's history, we have also helped achieve tremendous civil rights gains for the LGBT communities and those living with HIV by submitting *amicus curiae* (literally, "friend-of-the-court") briefs in cases filed by others.

By filing these briefs, we bring the expertise related to LGBT and HIV-associated legal issues that we have developed in our nearly 35 years of existence. We are also able to provide perspectives different from those who are parties in the litigation, who may be more focused on winning than on the impact of their lawsuit on LGBT and HIV-affected people.

Our *amicus* work makes a difference in a number of ways. Our experience and past successes can lend credence to briefs we file in later cases.

For example, we submitted *amicus* briefs in two pending appeals challenging the military's "Don't Ask, Don't Tell" policy. We showed why the government has no authority to discharge service members when it learns they are in relationships with same-sex partners by pointing to the Supreme Court's ruling in *Lawrence v. Texas* — that every person, regardless of sexual orientation, has a constitutional right to establish an intimate relationship with another consenting adult. Because Lambda Legal won *Lawrence*, our explanation of that decision's import will likely carry extra weight with the judges deciding those cases.

Another way *amicus* briefs can serve our communities' interests is by bringing relevant social science, medical and economic information to the attention of courts. By documenting expert consensus that gender reassignment is medically necessary for some transgender people, we have supported efforts to obtain crucial treatment for youth in out-of-home care and those dependent on Medicaid. By presenting the findings of experts like the American Academy of Pediatrics, we have helped dispel myths about lesbian, gay and bisexual parents in numerous custody disputes. And by analyzing the experience of employers providing health insurance to employees' domestic partners, we have made sure that courts appreciate that the costs of providing those benefits is small and their beneficial effects on the workplace large.

Over the years, we have submitted dozens of *amicus* briefs to the U.S. Supreme Court alone. Some cases have directly addressed sexual orientation, gender identity or HIV issues, but in others we have supported allies whose cases are likely to have legal "spillover" effects on the rights of LGBT people or those with HIV. That is why we have submitted or joined *amicus* briefs to the Supreme Court in "nongay" cases addressing the free speech rights of students, reproductive freedom, disability rights and the proper application of federal sex discrimination law.

A recent study asked 70 former Supreme Court law clerks if the *amicus* briefs of any particular groups are considered more carefully than others. In addition to briefs filed by the U.S. Solicitor General, state and local governments, and professional associations, the polled clerks named the briefs of eight organizations as the most carefully considered, including the ACLU, the NAACP, the AFL-CIO and … Lambda Legal. It's gratifying to know that we are making a huge impact, even in cases we did not file. In a way, that's what *amici* (that is, "friends") are for.

JON W. DAVIDSON
LEGAL DIRECTOR

When you join or upgrade your membership, you'll receive an exclusive **2008 Lambda Legal — Life Without Fair Courts Calendar** to keep track of Lambda Legal Events all year round!

See page 11 for Fall and Winter events scheduled near you.

Lambda Legal
making the case for equality

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