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LAMBDA LEGAL CLIENT
NICK RHOADES



Lambda Legal
making the case for equality

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Change Is on the Way



As this issue of *Impact* goes to press, we await the outcome of historic votes about marriage for same-sex couples in four states, as we also await word on whether the Supreme Court will consider cases that we hope finally strike down Section 3 of the federal Defense of Marriage Act (DOMA). One of the cases the Court may take is Lambda Legal's challenge on behalf of Karen Golinski, a lesbian federal employee in California who was denied spousal health insurance coverage that her heterosexual co-workers receive. Separate DOMA challenges brought by our colleagues at the ACLU and Gay & Lesbian Advocates & Defenders are also under consideration.

The Court has also been asked to review the case challenging the constitutionality of Proposition 8, which amended the California Constitution to exclude same-sex couples from marriage.

And a Lambda Legal case on behalf of seven lesbian and gay Arizona state employees who are challenging the elimination of equal health care benefits is also pending for consideration by the Supreme Court.

Lambda Legal's Legal Director Jon Davidson explains DOMA and the situation at the Supreme Court in this great video: <http://youtu.be/MjnlwZQanQ>

We're constantly updating vital information online about all the LGBT cases at the Supreme Court and about the legal rights of LGBT people facing all kinds of discrimination. Please have a look at our newest Lambda Legal resource, a mobile and online portal geared to helping LGBTQ youth protect their rights, in school and beyond (see page 5).

Also on our radar is an alarming trend in HIV law that this issue of *Impact* highlights with a cover story about Lambda Legal client Nick Rhoades (see opposite page). Rhoades is one of hundreds of Americans prosecuted under so-called "criminal transmission" laws, which feed on common misunderstandings about how the virus spreads. These laws are bad criminal laws and bad public health policy, and we should get rid of them. It is outrageous that 37 states and territories across the U.S. now punish people for potentially exposing others to HIV, regardless of intent or whether HIV is actually transmitted—and in some cases regardless of whether transmission is even possible, given the facts.

Proponents of HIV criminalization laws claim that the statutes help prevent transmission. However, in its National HIV/AIDS Strategy in 2010, the White House wrote that HIV criminalization laws "may make people less willing to disclose their status by making people feel at even greater risk of discrimination" and urged lawmakers to make sure their laws were "consistent with current knowledge of HIV transmission."

Whatever the developments at the ballot and the Supreme Court, we remember that our community faces significant obstacles when it comes to securing many of our basic rights. Lambda Legal will continue to fight so that equality and justice are realities for everyone.

EXECUTIVE DIRECTOR

It is outrageous that 37 states and territories across the U.S. now punish people for potentially exposing others to HIV, regardless of intent or whether HIV is actually transmitted—and in some cases, regardless of whether transmission is even possible, given the facts.

IOWA

Arrested for Safe Sex

An Iowa man was sentenced to 25 years for “exposing” someone to HIV—even though he practiced safe sex. Now Lambda Legal is appealing his conviction

NICK RHOADES IS LIVING WITH HIV. The night he and Adam Plendl had sex in the summer of 2008, they used a condom and Rhoades’ viral load was medically undetectable—facts that make the risk of transmission virtually nonexistent. But Rhoades didn’t mention he was HIV positive and that infuriated Plendl, who called the police and set in motion a four-year nightmare that has included Rhoades’ wrongful conviction for “criminal transmission” of HIV and a sentence of 25 years in prison (later reduced) plus sex offender status.

Sensationalist headlines and stubborn public ignorance about HIV transmission helped make Rhoades’ arrest particularly humiliating, and he suffered a mental breakdown. The young Iowan spent time in an acute psychiatric care facility and then nine months in a maximum-security jail, six weeks of them in solitary confinement. “I never saw a clock; I never looked out a window,” Rhoades recently told *POZ* magazine. Meanwhile, Rhoades was getting bad legal advice from court-appointed counsel, who urged him to plead guilty.

Lambda Legal became involved in the Rhoades case in June 2012 by filing an appeal before the Iowa Supreme Court. Rhoades’ 25-year sentence had been reduced by then to time served and five years probation after a barrage of letters from around the country, but there is still his sex offender status to contest, in addition to the wrongful conviction itself. “To think that for the rest of my life I’ll be branded as a felon and sex offender, all because of a one-time safe sex encounter where no HIV was transmitted, is unimaginable,” Rhoades said when *Nick Rhoades v. State of Iowa* was filed.

In the appeal, Lambda Legal argues that Rhoades’ court-appointed lawyer should not have advised him to plead guilty to “criminal transmission” of HIV because there was no factual basis for the charge. The Iowa law can only be used against someone who intends to expose another to a body fluid in a manner that can transmit HIV. “This conviction cannot stand because someone who engages in safe sex is not guilty of criminal transmission of HIV,” said Christopher Clark, Senior Staff Attorney for Lambda Legal.

Statutes that “criminalize” HIV transmission—37 states and territories now have them—increasingly demand Lambda Legal’s attention. “These



Nick Rhoades hopes to reverse his conviction on criminal HIV transmission charges and erase the lifetime sex offender status that comes with it.

convictions and excessive punishments are fueled by the irrational fears that continue to surround people living with this medical condition,” said Scott Schoettes, Lambda Legal’s HIV Project Director.

The concern goes way beyond the problem of putting innocent people in prison or treating them like sex offenders. The laws are detrimental to public health because they scare people away from getting tested for HIV (some people conclude that if you don’t know you have the virus, you can’t be punished for knowingly transmitting it.) Evidence clearly shows that positive people who find out their HIV status and then take steps to protect their sexual partners from transmission are the ones helping to slow the HIV epidemic.



FOR MORE ON *RHOADES V. IOWA*, VISIT
www.lambdalegal.org/in-court/cases/rhoades-v-iowa



CRIMINALIZATION
— by —
Numbers

37

The number of U.S. states and territories that criminalize HIV transmission.

6
weeks

The amount of time Nick Rhoades spent in solitary confinement while imprisoned under Iowa’s law.

#1

The U.S.’s global ranking for HIV-related prosecutions.

NEW YORK

Married Harlem Couple Wins Housing Case

Regina Hawkins-Balducci has finally been able to add her wife to the lease of the couple's rent-stabilized Harlem apartment after a frustrating ordeal with the building owner and management, who originally refused to respect the couple's marriage. After a campaign led by Lambda Legal, the building owner and management company agreed to comply with state and city laws and include Regina's spouse on the lease.

"Other New York State apartment management companies, landlords and building owners should take note because the New York rent-stabilization laws are clear," said Lambda Legal Staff Attorney Natalie Chin. "Tenants have a right to ensure housing security for a spouse by having their spouse's name added to a rent-stabilized or rent-controlled lease."

When Hawkins-Balducci married her partner of over 11 years in January 2012, she provided a copy of their marriage certificate to DSA Management Inc. requesting to have her wife added to the lease. Representatives of both DSA Management and the building owner, Nicholas Place LLC, replied that Regina's spouse would never be added to the lease—and they openly berated the couple.

That's when Lambda Legal sent a letter to both companies citing the New York Marriage Equality Act, the New York Rent Stabilization Code and several provisions of New York State and City human rights laws.

"After months of insults and harassment, we are happy that this issue is finally resolved," Hawkins-Balducci said after the agreement was reached. "If something should happen to either me or my wife, we now know that our housing is secure because both our names are on the lease."

TEXAS

College Employment Bias Lawsuit Settled

In July 2012, Tarrant County College (TCC) in Hurst, Texas, agreed to a settlement in Lambda Legal's federal discrimination lawsuit on behalf of Jackie Gill, a former TCC professor who claimed the college refused to allow her to interview for a permanent position at TCC solely because she was perceived to be a lesbian. TCC didn't admit to being liable but agreed to pay Gill more than \$160,000 and to provide her with a positive letter of recommendation for future job pursuits. In addition, TCC has implemented a school policy of prohibiting employment discrimination based on sexual orientation or gender identity.

Gill was hired by TCC in 2009 as an English professor, on a temporary basis. She received positive feedback from students, colleagues and supervisors alike during her first year at TCC. But a student whom Gill had reported for stealing an exam falsely claimed that Gill was flirting with female students. When the school subsequently denied Gill's request to interview for permanent positions, Gill's department chair told her that Texas and TCC "don't like homosexuals."

The settlement was secured by Lambda Legal Supervising Senior Staff Attorney Kenneth Upton, who was assisted in the case by *pro bono* cooperating attorney Benjamin Williams, with the firm Gibson, Dunn & Crutcher. Upton said the agreement "makes it clear that public employers can no longer claim ignorance about whether discriminating against employees based on their sexual orientation violates the U.S. Constitution." Jackie Gill said, "I'm pleased to know that there is now a written policy in place at TCC that hopefully will not allow what happened to me to happen to anyone else."



TO READ JACKIE GILL'S PERSONAL ACCOUNT OF THE CASE, VISIT:
www.lambdalegal.org/gill-imow



Liza Friedlander wins justice after attack.

NEW YORK

Restaurant Pays \$25K After Antigay Attack

A Lambda Legal client who was violently attacked while eating out with friends at a New York City restaurant recovered \$25,000 in June 2012 in a lawsuit against the owner and manager.

The incident occurred on September 18, 2010, when Liza Friedlander went to breakfast with friends at Sizzler Restaurant 0489 in the Forest Hills section of Queens and was kicked, shoved and called a "fucking dyke" by the restaurant's manager. In 2011, Lambda Legal filed a lawsuit on Friedlander's behalf against both Waroge Met, Ltd., doing business as Sizzler Restaurant 0489, and the manager, arguing that they violated New York City and State civil and human rights laws.

Recalling the assault, Friedlander said, "On that day, I felt helpless, humiliated and frightened. But today I'm so proud that I stood up and did something about it."

Lambda Legal Staff Attorney Natalie Chin said, "Liza Friedlander experienced violence, discrimination and degradation at this restaurant because she did not conform to the stereotypes of how a woman should look. The result sends a strong message: Violent and discriminatory behavior motivated by bias against lesbians, gay men, bisexuals or transgender people will not be tolerated."



Landlords must respect marriage laws and same-sex couples.

ALASKA

A Grieving Partner Fights for Justice

A year ago, Kerry Fadely was killed by a disgruntled ex-employee at the Anchorage hotel where Fadely worked. The devastation of this loss to Fadely's partner, Deborah Harris, was compounded by learning she had no statutory claim to Fadely's death benefits—which help grieving families



Deborah Harris is barred from receiving death benefits.

deal with the loss of household income—because Alaska does not allow same-sex couples to marry or otherwise access the benefits. Even though the couple had raised children together, the heartbroken Harris was forced to leave their home as she knew the bills would soon pile up around her.

In late September 2012, Lambda Legal filed papers with the Alaska Workers' Compensation Board on behalf of Harris, challenging the state law that provides death benefits only to widows and widowers, defined as "husbands" and "wives," leaving same-sex couples out in the cold. Lambda Legal claims the state law violates the guarantees of equal protection in both the Alaska and the United States Constitutions.

Because the Workers' Compensation Board has no authority to rule on constitutional issues, Lambda Legal attorney Peter Renn's strategy is two-tiered: He is asking the Board to make a final decision on Harris's benefits claim, allowing Lambda Legal to appeal thereafter to the Alaska Supreme Court.

The suit draws on a 2005 ruling by the Alaska Supreme Court that although the state excludes same-sex couples from marriage, it can't deny employee benefits to domestic partners. "This is about basic fairness," Renn said about the Harris case, "because tragedy doesn't discriminate and neither should the state."



Northern Trust

NORTHERN TRUST IS ONE OF THE NATION'S STRONGEST, MOST SECURE FINANCIAL INSTITUTIONS AND A RECOGNIZED LEADER IN WEALTH MANAGEMENT.

As a member of the LGBT community, certain tax advantages and legal rights afforded to others are simply unavailable to you. Experts from our dedicated LGBT & Non-Traditional Family Practice advise lesbian, gay, bisexual and transgender clients on extra steps to help them achieve their financial goals and benefit their surviving loved ones and charities. Our long history of working with complex estate planning issues, tax strategies and family dynamics helps us to address the unique intricacies of your situation.

Please contact John McGowan, Senior Vice President, at 312-557-1394 or jm59@ntrs.com.

www.northerntrust.com/lgbt

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As a Lambda Legal member, you can help support Lambda Legal every time you travel on American Airlines, at no cost to you! It is very simple. When booking on www.AA.com/rainbow, simply enter **541544** at the bottom of the Enter Passenger Details section, in the field for Business ExtrAA Account Number.

ILLINOIS

I Love MARRIAGE FOR SAME-SEX COUPLES



On May 30, 2012, Lambda Legal and the ACLU filed coordinated lawsuits seeking the freedom to marry for same-sex couples in Illinois, arguing that the state's civil union law relegates couples to second-class status. Two days later, the Illinois Attorney General's office bolstered the cases by filing papers agreeing that prohibiting marriage for same-sex couples is unconstitutional. The defendant, the Cook County Clerk, agreed as well, in papers filed a few weeks later.

In July, two clerks from other Illinois counties joined the case to defend the marriage ban. Shortly afterward, the Illinois Family Institute (IFI), an organization designated as a hate group by the Southern Poverty Law Center, and two church organizations asked to intervene in the cases to defend the ban as well. Lambda Legal and the ACLU oppose the efforts of IFI and church groups to intervene.

In addition to the work in the courtroom, Lambda Legal has a statewide educational campaign that over the summer included a presence at Market Days in Chicago and the first-ever LGBT booth at the Illinois State Fair.



WATCH AND SHARE OUR VIDEO OF THE PLAINTIFF COUPLES, KEEP UP WITH DEVELOPMENTS IN THE CASE AND SIGN OUR PLEDGE IN SUPPORT OF THE FREEDOM TO MARRY AT: www.lambdalegal.org/ilove

SOME OF THE PLAINTIFFS IN THE ILLINOIS MARRIAGE LAWSUIT, PICTURED WITH THEIR CHILDREN: DAPHNE SCOTT-HENDERSON, RYAN CANNON, DARYL RIZZO AND JAIME GARCIA.





NEW YORK

Saliva Is Not a “Deadly Weapon”

New York’s highest court ruled unanimously in June 2012 to dismiss aggravated assault charges against an HIV-positive man who had bitten a police officer’s finger while being arrested back in 2006.

The charges against David Plunkett had been elevated to aggravated assault, which applies only to assaults involving a deadly weapon, simply because of his HIV status. The trial court judge allowed Plunkett to be convicted of the charge despite a precedent disqualifying teeth as a weapon, stating that Plunkett’s “saliva, infected with the AIDS virus, is the substance that is a dangerous instrument,” which was “readily capable of causing death or other serious physical injury.” The appellate division upheld the conviction.

Lambda Legal filed a friend-of-the-court brief with the high court on behalf of itself, the American Academy of HIV Medicine, the Association of Nurses in AIDS Care, the HIV Medicine Association and the Center for HIV Law and Policy. The brief argued from a medical perspective that Plunkett’s saliva was not a “dangerous instrument,” because exposure to the saliva of people with HIV has virtually no chance of infecting others. As a legal matter, the brief argued that a naturally present bodily fluid did not fall within the definition of an “instrument” under the high court’s prior interpretation of New York’s Penal Law § 120.11.

The Court of Appeals decision was a major win—a wake-up call for

HIV criminalization laws are not based on current knowledge of how the virus is transmitted.

prosecutors considering bringing aggravated assault charges based on HIV status. For too long, such unscientific and discriminatory efforts have led to unwarranted prosecutions and inappropriate sentences throughout the country.

NATIONAL

Social Security Administration Urged to Reform Transgender Policies

Last May, Lambda Legal joined eight LGBT and civil rights advocacy organizations in signing a letter to the Social Security Administration (SSA) that urged long-needed policy and record-keeping changes affecting transgender people. The changes would make SSA systems more consistent with passport rules and a range of other federal procedures.

The letter asks the SSA to protect the confidentiality of transgender employees who choose to keep their status private. As things stand now, private employers doing background checks are automatically notified if an employee’s gender marker as listed with the SSA does not match what the employee has listed on a job application or resume.

Also protested in the letter are SSA procedures for officially changing one’s gender marker. Currently, a surgeon’s letter must verify a surgical “sex change,” despite mainstream medical consensus that there is no set formula for transitioning. For some, transition involves simply living in accordance with one’s gender identity, while for others there may be medical interventions required such as hormone therapy or sex reassignment surgery (SRS). All this needs to be evaluated on a case-by-case basis. The World Professional Association for Transgender Health (WPATH) urged in 2010 that governments and other bodies should “move to eliminate requirements for identity recognition that require surgical procedures.”

Finally, the advocates’ letter challenges the SSA’s policy for recognizing the marriages of transgender people. Couples where one or both partners is transgender must submit extra paperwork and wait for a judgment on whether a marriage is valid. The letter also objects that this extra layer of scrutiny is being imposed without any basis in law.



READ THE LETTER TO THE SOCIAL SECURITY ADMINISTRATION HERE:
<http://www.lambdalegal.org/ltr-ssa>

Current policies should be revised to protect the confidentiality of transgender employees.



THE GUARDIAN SOCIETY

AS A PHILANTHROPIST, YOU CAN WRITE YOUR LEGACY WHILE PROVIDING FOR THE CAUSES THAT ARE IMPORTANT TO YOU TODAY

When you support Lambda Legal with a planned gift or charitable gift annuity (CGA), you will become a member of the Guardian Society, a growing group of individuals who have taken the extra initiative for equality by including Lambda Legal in their estate plans. More than 1,000 forward-thinking supporters have already joined the Guardian Society by establishing a CGA or by letting us know that they have made Lambda Legal a beneficiary of their wills, retirement plans, life insurance, trusts or other estate planning vehicles.

As a member of the Guardian Society, you will receive additional benefits and recognition for your outstanding support, including a listing in Lambda Legal's Annual Report and invitations to special Lambda Legal events.

For free and confidential information about CGAs or other planned giving opportunities at Lambda Legal, or to let us know that you have included Lambda Legal in your estate plans, please contact Cynde Horne, Director of Life Planning, at chorne@lambdalegal.org or 212-809-8585, or fill out the form on page 10 and send it to us.

It is important that you consult with your attorney, accountant and/or financial advisor to determine the life planning options that are best for you. Contributions to Lambda Legal, a 501(c)3 organization, are tax deductible to the fullest extent of the law. If you choose to include Lambda Legal in your life or estate plans, please use our legal name: Lambda Legal Defense and Education Fund, Inc. Lambda Legal's taxpayer ID# is 23-7395681 and our address is 120 Wall St., 19th Floor, New York, NY 10005.

phi·lan·thro·py

A definition of philanthropy - from Bing.com

1. **desire to benefit humanity:** a desire to improve the material, social, and spiritual welfare of humanity, especially through charitable activities
2. **love for all humanity:** general love for, or benevolence toward, the whole of humankind

Supporting the work of Lambda Legal with an estate gift is truly a high form of philanthropy and a way to write your own legacy. If you desire to improve the welfare of lesbian, gay, bisexual, transgender people and those living with HIV, providing for Lambda Legal through your estate plan will allow you to achieve that goal through a gift that continues to give for years to come. It will also serve as a lasting reminder of the work that mattered to you in your lifetime.

This year Lambda Legal has been exceptionally fortunate to have received a number of substantial bequests from a wide variety of donors. We continue to be humbled and honored by the generosity of our Guardian Society donors. The gifts that we receive from loyal

“FOR MY PART, THE GUARDIAN SOCIETY PROVIDES TWO IMPORTANT BENEFITS. FIRST, THE DONOR IS ABLE TO GIVE LAMBDA LEGAL A LEGACY GIFT THAT WILL BENEFIT THE ORGANIZATION AND ENSURE THAT THE VITAL WORK THAT LAMBDA LEGAL DOES DAY IN, AND DAY OUT, WILL CONTINUE INTO THE FUTURE. SECOND, THERE ARE MANY ALTERNATIVES AVAILABLE TO A DONOR IN STRUCTURING THE GIFT, THEREBY ALLOWING THE DONOR MAXIMUM FLEXIBILITY.”

—CHARLES MARLETT, FORMER LAMBDA LEGAL BOARD CO-CHAIR AND GUARDIAN SOCIETY MEMBER

philanthropists provide us with the resources necessary to continue and expand our work for LGBT equality. We hope that you will consider becoming a member of our Guardian Society, the group of individuals who have taken steps to provide for Lambda Legal through their estate planning.

Planned giving need not be complicated or scary. It can be as simple as listing Lambda Legal as the beneficiary of a retirement account or a life insurance policy. Or you can name Lambda Legal as a beneficiary in your will by leaving a percentage of your estate or the gift of a specific amount. Lambda Legal can be the primary beneficiary or a residuary beneficiary. You can also provide for Lambda Legal by establishing a trust and naming Lambda Legal as a beneficiary under the terms of that trust. Depending on your age, you may want to consider investing in a Charitable Gift Annuity (CGA), which will provide income to you during your lifetime while providing a gift to Lambda Legal upon your death.

More than 1000 donors have already taken steps to name Lambda Legal as a beneficiary of their estate plan and that number continues to grow because our donors believe in Lambda Legal's work and know that we strive every day to improve the lives of the LGBT community and those living with HIV and AIDS. Won't you make the decision today to become a member of Lambda Legal's Guardian Society?

WHAT YOU CAN DO:

MAKE A BEQUEST TO LAMBDA LEGAL

Many of our supporters have chosen to include Lambda Legal in their will as a way of making a meaningful impact on the fight for equality without having to give up crucial assets.

A charitable bequest to Lambda Legal made in your will can take many forms:

- You can designate a specific sum of money.
- You can leave an asset, such as real estate, securities or other property.
- You can leave the remainder of your estate after other beneficiaries receive the portion you designate.
- You can make Lambda Legal the contingent beneficiary of your estate if your partner or other beneficiary passes away before you.
- You can also create a charitable trust to benefit Lambda Legal in your will.



TAX BENEFITS

While you receive no immediate tax benefits from a bequest to Lambda Legal, every dollar contributed is deductible for estate tax purposes, potentially relieving your partner and loved ones of added estate tax burdens.

MAKE A PLANNED GIFT OF RETIREMENT ASSETS TO LAMBDA LEGAL

Retirement assets left to non-federally recognized spouses are subject to high estate and income taxes. When left to Lambda Legal, the full value of your remaining retirement assets will go directly toward our fight for equality. Donors who wish to take advantage of this tax savings will name Lambda Legal as the beneficiary of their retirement plans and provide for their loved ones through other means.

To make a gift of retirement assets, simply name Lambda Legal as the beneficiary or contingent beneficiary of all, or a part of, your retirement plan. When you pass away, or if your beneficiary does not survive you, the remaining assets will pass to Lambda Legal.



TAX BENEFITS

If you are able to provide for your loved ones through other means, making a gift of retirement assets to Lambda Legal may save your partner the significant burden of paying both estate and income taxes on the assets.

CHARITABLE GIFT ANNUITY

ESTABLISH A CHARITABLE GIFT ANNUITY WITH LAMBDA LEGAL

Lambda Legal's charitable gift annuity (CGA) program offers supporters starting at age 55 a way to generate income in retirement, while helping us win the fight for full civil rights for LGBT people and those with HIV. You can establish a CGA with an irrevocable gift of \$10,000 or more to Lambda Legal. Depending on your age and the size of your gift, you will receive guaranteed fixed payments for life at rates that are often higher than you might receive through investments.

LAMBDA LEGAL OFFERS 3 TYPES OF CGAS:

3 TYPES

1 ONE-LIFE CGA: Through this annuity only you or your designated beneficiary (age 60 or older) will receive the income from your contribution. The rate of return on this type of CGA is higher than if two people are designated to receive income.

2 TWO-LIFE CGA: Through this type of annuity you can provide income not only for yourself but also for another beneficiary, such as your same-sex partner or spouse. The age of both recipients (minimum age: 60) will be used to determine your rate of return and the portion of your gift that is tax deductible.

3 DEFERRED CGA: An ideal choice for younger donors or those that have not yet retired, a deferred CGA allows you to defer receipt of your payments on your one-life or two-life CGA after your initial contribution. To make a deferred CGA, you and or your beneficiaries must be at least 55 years old and payments must be deferred until at least age 60.

“Although threats to social justice take different shapes over time, the ongoing role of a strong watchdog and advocate like Lambda Legal that can address injustice in whatever form it occurs is essential. A GCA offered me a wonderful opportunity to help ensure Lambda Legal’s long-term strength while taking care of my own financial needs in the short run.”

—PRUDENCE BROWN, LAMBDA LEGAL DONOR

LAMBDA LEGAL’S LIFE PLANNING TOOLKIT: TAKE THE POWER

As Benjamin Franklin once said, “In this world nothing is certain but death and taxes.” But for lesbians, gay men, bisexuals, transgender (LGBT) people and people living with HIV, there’s an added certainty: You must take extra measures in life and financial planning to protect yourself and your loved ones from the potentially devastating effects of a biased system.

In creating this publication, our legal, planned giving and education and public affairs departments collaborated to provide you with information about the following:

- Preparing your will
- Protecting your health care wishes
- Protecting your assets while you are alive and after you are gone
- Protecting yourself and your relationship
- Protecting your children
- And much more.

This toolkit can provide you with vital information and enables you to “take the power” over your future plans, for the protection of yourself and your family as well as your finances.



 **TO DOWNLOAD A COPY OF THE TOOLKIT, VISIT:**
www.lambdalegal.org/take-the-power

★★★★★

IF YOU WISH TO BECOME A MEMBER OF LAMBDA LEGAL’S GUARDIAN SOCIETY BY NAMING LAMBDA LEGAL AS A BENEFICIARY OF YOUR WILL, A TRUST, YOUR RETIREMENT ACCOUNT, A LIFE INSURANCE POLICY OR OTHER ESTATE PLANNING VEHICLES, PLEASE CONTACT CYNDE HORNE, DIRECTOR OF LIFE PLANNING AT 212.809.8585 OR AT chorne@lambdalegal.org

★★★★★

Charitable Gift Annuity (CGA) rates vary depending on the age of the beneficiary. The older the beneficiary, the greater the annuity rate. Here is a sampling of the return you might receive on your one-life Lambda Legal CGA:

AGE*	60	65	70	75	80	85	90+
RATE	4.4%	4.7%	5.1%	5.8%	6.8%	7.8%	9.0%

Rates as of 9/27/12 *(at time CGA established)



TAX BENEFITS

A CGA with Lambda Legal guarantees you a reliable stream of income during your lifetime and ensures that 100% of the remaining principal will go toward the fight for equality. You also receive an immediate tax deduction based on Lambda Legal’s remainder interest in the annuity, and part of your annuity income is tax-free. If you fund an annuity with appreciated securities, you can defer capital gains taxes as well.

GUARDIAN SOCIETY PROFILE

Bob and Sarah Alsdorf

Bob and Sarah Alsdorf of Seattle, Washington began supporting Lambda Legal as donors in 1999, and after attending the Seattle Garden Party and getting to know our volunteers and staff, Sarah joined Lambda Legal’s Seattle Leadership Committee in 2010. Their son Matt is also a Lambda Legal donor and member of our New York Leadership Committee—perhaps our first bi-coastal volunteer family! This year, Bob and Sarah made the decision to become members of the Guardian Society by naming Lambda Legal as a beneficiary of their wills. They write, “Our respect for the people at Lambda Legal and the work it does just grows and grows. It’s a privilege to make our legacy a part of Lambda Legal’s significant, invaluable and enduring legacy in advancing equality and civil rights for all.” Lambda Legal is grateful to the Alsdorfs for their generous bequest and for all of their time and annual support—thanks to their foresight and that of other Guardian Society members, Lambda Legal will be there for future generations of LGBT people until our shared dream of full equality is a reality.



Bob and Sarah Alsdorf have named Lambda Legal as a beneficiary.

**THE
GUARDIAN
SOCIETY**

THE GUARDIAN SOCIETY

Established in 2000, the Guardian Society is a growing group of individuals who have taken the extra initiative for equality by choosing to benefit Lambda Legal in their wills, retirement plans, life insurance, trusts or other estate planning vehicles. For more information, please contact Cynde Horne, Director of Life Planning, at 212-809-8585 or chorne@lambdalegal.org.



Please send me more information about Life Planning. To request a copy of Lambda Legal’s Life Planning toolkit or for more information about how you can use life planning vehicles to support the work of Lambda Legal, please return this form to our Planned Giving Office, call 212-809-8585 or email chorne@lambdalegal.org.

YOUR NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

DAYTIME PHONE _____ EVENING PHONE _____

EMAIL ADDRESS _____

If you are considering a charitable gift annuity please fill in the information below:

I am considering a gift annuity in the amount of \$ _____ Cash Securities

BENEFICIARY 1 _____ DATE OF BIRTH _____

BENEFICIARY 2 _____ DATE OF BIRTH _____

All information and inquiries will be held in strict confidence.

I AM INTERESTED IN:

Lambda Legal’s Life Planning toolkit

Including Lambda Legal in my estate plans by:

Making a bequest to Lambda Legal

Making Lambda Legal the beneficiary of my retirement assets

Making a gift of life insurance

Making a gift of real estate

Establishing a Charitable trust

Establishing a Charitable Gift Annuity with Lambda Legal:

One-life CGA

Two-life CGA

Deferred CGA

I have already included Lambda Legal in my estate plans by _____

Please list me/us in the Guardian Society as: _____

PLEASE RETURN THIS FORM TO: LAMBDA LEGAL | 120 WALL STREET, 19TH FLOOR | NEW YORK, NY 10005-3919

Staff Attorneys Won High Honors in 2012

A flurry of awards in recent months highlighted the accomplishments of several Lambda Legal attorneys.



— BORELLI —

Tara Borelli Makes Top Women Lawyers List

The Daily Journal has included **Tara Borelli**, Lambda Legal's Western Regional Office Staff Attorney, on its annual list of California's Top Women Lawyers for 2012. The announcement, issued on May 9, 2012, highlights work by Borelli that demonstrates her commitment to equality and preservation of civil rights. The *Daily Journal* is a Los Angeles-based newspaper that reports on California lawsuits, rulings and other legal news.

Among the cases selected for special recognition were *Sevcik v. Sandoval*, an ongoing federal case seeking marriage equality in Nevada, and *Golinski v. US Office of Personnel Management (OPM)*, a case arguing that the so-called Defense of Marriage Act (DOMA) is unconstitutional.



— SOMMER —

Susan Sommer and Lambda Legal Recognized for Marriage Work

In June 2012, the Matrimonial Law Section of the New York County Lawyers' Association (NYCLA) honored Lambda Legal Senior Counsel and Director of Constitutional Litigation **Susan Sommer** for her role in the movement to win marriage equality in New York State, which was finally achieved in the summer of 2011 when the state legislature passed a law granting same-sex couples the freedom to marry.



— TAYLOR —

Camilla Taylor Honored by American Constitution Society

In July 2012, the Chicago Lawyer Chapter of the American Constitution Society (ACS) awarded **Camilla Taylor**, Marriage Project Director for Lambda Legal, the 2012 Ruth Goldman Award, an award that honors a woman in the Chicago legal community who has made significant contributions to advance the status of women in the legal profession. Taylor is the lead attorney in *Darby v. Orr*, an Illinois case launched in May 2012 seeking marriage for same-sex couples. She was also the lead attorney in *Varnum v. Brien*, the historic Iowa case that won the freedom to marry for same-sex couples in Iowa in 2009.



LAMBDA LEGAL WINS CHANEY FREEDOM PRIZE

The Walker County Honorary Committee honored Lambda Legal with its James E. Chaney Freedom Prize on June 22, 2012. The prize, named after a civil rights activist murdered in 1964, is one of seven awards given out annually by the Committee, which was established in 1963 in Dora, Alabama, to acknowledge people and organizations contributing to the wellbeing of society.

Lambda Legal was recognized not just for its daily efforts on behalf of civil rights, but also for the incredible progress the organization has made toward LGBT equality. Roger Poindexter, Lambda Legal South Central Regional Director, said of the prize, "This is an honor for us, to know that Lambda Legal's continuing fight for full equality for LGBT individuals and families resonates not just in New York and Chicago and Los Angeles, but also in Walker County, Alabama."

Espinoza-Madrugal and Bermudez Are "Top Lawyers Under 40"

On August 1, 2012, Lambda Legal attorneys Flor Bermudez and Iván Espinoza-Madrugal were both honored by the Hispanic National Bar Association (HNBA) with its 2012 Top Lawyers Under Forty Award for their work on behalf of LGBT civil rights. Youth in Out-of-Home Care Attorney Bermudez was recognized in particular as an advocate for LGBT homeless youth and child welfare. Staff Attorney Espinoza-Madrugal was recognized by the HNBA for his work on behalf of LGBT immigrants and low-income LGBT communities.



Know Your Rights

A web launch and several new publications make information about legal rights easier to find.



ONLINE KNOW YOUR RIGHTS!

Lambda Legal launched a new web and mobile information hub called **Know Your Rights** (www.lambdalegal.org/know-your-rights) that will make it much easier for LGBT people and people living with HIV to find quick, current facts about their rights. The first section to go live has key information for LGBTQ youth and their allies. Look for tips on creating LGBTQ youth-friendly environments in school, out-of-home care and other settings, as well as ideas for ensuring that proms are welcoming to all, ending bullying and building gay-straight alliances. According to the Gay, Lesbian and Straight Education Network (GLSEN), over 60% of LGBT students report feeling unsafe at school; 40% report being harassed; and nearly 19% report being assaulted.

Plans are in the works to add to the **Know Your Rights** hub next year.



**LGBTQ YOUTH, PARENTS AND TEACHERS!
GO ONLINE HERE:**

www.lambdalegal.org/know-your-rights

Publications

We've updated two key Lambda Legal guides and launched three new transgender fact sheets.



Getting Down to Basics

Lambda Legal has updated the **Getting Down to Basics** toolkit, which offers invaluable tips and information for LGBTQ youth in out-of-home settings like foster care, group homes and juvenile justice, their families and the child welfare professionals who work

with them. The new version covers recent legal developments and provides more current resources, statistics and position statements by professional organizations. The publication is a joint initiative of Lambda Legal and Child Welfare League of America; their partnership, Fostering Transitions, has also published a range of other educational pieces for LGBTQ youth, advocates, and organizations serving LGBT people.



FOR THE LATEST VERSION OF **GETTING DOWN TO BASICS**, VISIT:
www.lambdalegal.org/publications/getting-down-to-basics



A Guide for Serving Homeless LGBT Youth

Also newly available is a reprinted guide for child welfare and other professionals serving LGBTQ youth in out-of-home settings, **National Recommended Best Practices for Serving LGBT Homeless Youth**. Created by Lambda Legal, National Alliance to End Homelessness, Giving Homeless Youth a Voice and the National Center for Lesbian Rights, the informational packet offers comprehensive information about creating LGBTQ-inclusive care, policies, and training. They are the first guidelines in the United States dedicated to building cultural proficiency and positive programmatic practices to meet the needs of LGBT homeless youth.

KRYSTAL NEAL, LEFT, AND ANAND KALRA ARE AMONG THE PEOPLE FEATURED IN OUR TRANSGENDER RIGHTS FACT SHEETS.

NEW! Transgender Rights Fact Sheets on Marriage, Violence, ID Documents

Lambda Legal's growing library of transgender rights materials lately includes several new fact sheets in our *Transgender Rights Toolkit: A Legal Guide for Trans People and Their Advocates* (www.lambdalegal.org/publications/trans-toolkit). With discrimination and misunderstanding still widespread, and the legal landscape so much in flux for transgender people, the practical advice and real-world guidance available in these handouts are especially helpful. Our list of transgender fact sheets now includes this full range of topics:

- | | |
|--|---|
| Equal Access to Public Restrooms* | Transition-Related Health Care* |
| Survival Tips for Trans Youth | Trans Aging: We're Still Here! |
| Transgender Parents | Workplace Rights & Wrongs |
| Identity Documents | Transgender People and Marriage Laws |
| Anti-Transgender Violence | |

* Also available in Spanish



CHECK OUT ALL OUR TRANSGENDER RIGHTS FACT SHEETS HERE:
www.lambdalegal.org/trans-toolkit



**\$1 A DAY
FOR
365 DAYS
EVERY DAY COUNTS**

✂

We're looking for 365 people to join our monthly giving program, the Justice Fund, during our **365 for 365 Campaign!** With your pledge of \$1 or \$2 per day (\$30.42 or \$60.84 per month)—or more—you are making a commitment to equality every day.

To become a Justice Fund member, fill out the information below and mail it back using the enclosed envelope, or visit www.lambdalegal.org/365for365.

CHECK THE AMOUNT YOU WANT TO GIVE EACH MONTH, COMPLETE THE FORM AND WE'LL TAKE CARE OF THE REST!

\$30.42 \$60.84 \$91.26 Other \$ _____

I have made a Justice Fund monthly contribution of at least \$30.42, please send me the Lambda Legal travel mug.***

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SECURITY CODE**

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DAYTIME NUMBER

* information required to make gift by credit card. We won't be able to process your gift if not complete.

** VISA/MC/Discover - 3 digit on the back of card; AmEx - 4 digits on front of card.

***Lambda Legal travel mug is available with Justice Fund (monthly giving) memberships at the \$30.42 level or more. Mug will be mailed after the second consecutive month of Justice Fund membership. Please allow 2 to 4 weeks for delivery. While supplies last. Lambda Legal | 120 Wall Street, 19th Floor | New York, NY 10005

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**LAMBDA LEGAL
IN THE
NEWS**

"There have been several cases of bullying of judges over rulings with which various interest groups did not agree."

—**ERIK LESH**, Fair Courts Project Manager in *The Guardian* on attempts to block the appointment of openly gay judge Tracy Thorne-Begland in Virginia.

"We've really reached the tipping point, and now the government of Illinois refuses to defend the law because it's indefensible."

—**CAMILLA TAYLOR**, Marriage Project Director in the *Chicago Tribune* after Cook County State's Attorney Anita Alvarez agreed with Illinois Attorney General Lisa Madigan that barring same-sex couples from marriage is unconstitutional.

"There is common ground in society's appreciation of the need for basic, safe learning environments for our youth. Establishing public schools' accountability through the Human Rights Law should be a clear, compelling and uncontroversial priority."

—**HAYLEY GORENBERG**, Deputy Legal Director and **THOMAS UDE JR.**, Senior Staff Attorney in an op-ed in the *New York Law Journal* urging the Legislature to act after New York's highest court ruled that the state Human Rights Law does not apply to public school students.



Lambda Legal National Community Educator Holiday Simmons and Legal Assistant Syndi Felin at Atlanta Pride in October with Syndi's triplets.



LAMBDA LEGAL IN SAN DIEGO: National Leadership Council member Rich Segal (left) and Kelly Bounds (center), hosts of the event, with volunteer Mike Hansen on July 18, 2012.



LAMBDA LEGAL & FRIENDS

WEST COAST LIBERTY AWARDS: Eunice Shatz with Defender Liberty Circle member Roberta Conroy and Katherine Gabel on June 14, 2012, at the Petersen Automotive Museum in Los Angeles.



LA WOMEN'S SUMMER SOIREE: Board member Laura Brill and Ellen Evans, hosts of the event, with National Leadership Council member and event co-chair Kathy Paspalis, Congresswoman Linda Sanchez and Sue LaVaccare on August 11, 2012.



DALLAS LANDMARK DINNER: Amicus Liberty Circle members Sheila Bryant and Vanessa Benavides at the August 11, 2012 dinner at the Hotel Palomar. Photo Credit: Debra Gloria Fotogirl



NEW YORK CITY MILLENIALS FOR JUSTICE: Dominique Ciccarelli and Millennials committee chair Brian Delshad with Ashley Ciccarelli at the Midtown Loft & Terrace on June 28, 2012.



SEATTLE GARDEN PARTY: Supreme Liberty Circle member Nan Schaffer and board members Lynn Slaughter and Karen Dixon with Amicus Liberty Circle member Ginny Gilder at the home of Susan and Eric Benson on August 2, 2012.



NATIONAL LIBERTY AWARDS DINNER: Board member Vincent Jones with Liberty Awards co-chair Bill Candelaria and Staff Attorney Iván Espinoza-Madrigal at New York's Pier Sixty on May 7, 2012.



LAMBDA LEGAL IN THE PINES: Host and board member Dan Cochran with Lambda Legal Executive Director Kevin Cathcart on July 14, 2012.



— *VISIT* —
www.lambdalegal.org/EOY
TO GIVE TODAY

LOOK INSIDE THIS ISSUE OF IMPACT TO FIND OUT HOW LAMBDA LEGAL IS FIGHTING:

HIV criminalization
Anti-LGBT violence
Housing discrimination
and more!

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www.lambdalegal.org

HELP DESK: 1-866-542-8336

www.lambdalegal.org/help-form

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.

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