

Impact

WINTER 2016

THANKS, KEVIN!

An interview with Kevin Cathcart about his 24 years at Lambda Legal and the organization's vision for the future

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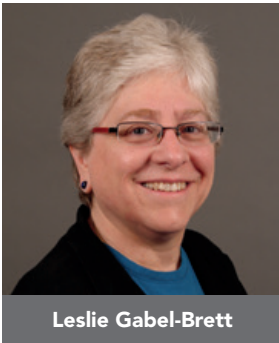
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 **Lambda Legal**
making the case for equality

The House That Kevin Cathcart Built



Jon Davidson



Leslie Gabel-Brett

The house that Kevin Cathcart built is sturdy, distinguished and populated by more than 100 gifted staff. With five offices and more high-impact cases on our docket than ever, our advocacy, tools and education efforts annually reach hundreds of thousands of LGBT people and people living with HIV.

When Kevin became our Executive Director 24 years ago, the organization and nation were quite different. While already well respected, Lambda Legal had fewer than 20 employees in only two offices. Sodomy laws were still on the books in many states, marriage equality was barely on the radar and few protections sheltered our community against discrimination or violence.

It is neither an accident nor inevitable that our world changed as much as it has. Leaders with vision, persistence and courage made it so. Kevin is one such leader, and we are proud and grateful to have worked by his side.

One hallmark of leadership is building a strong infrastructure that attracts talented employees and dedicated supporters who make an organization more than the sum of its parts. Kevin has ensured that we are ready to confront the challenges ahead.

This issue of *Impact* magazine illustrates the breadth of our work—representing an intersex person seeking an accurate passport; defending a gay man assaulted when visiting his partner in prison; strengthening federal antidiscrimination protections; supporting affirmative action; fighting for equal treatment of married same-sex couples; reducing bias in the courts.

Kevin has left his mark on Lambda Legal: Our HIV and transgender rights projects are strong and effective; our work for youth and seniors keeps growing; we continue to address injustice at the intersections of multiple forms of discrimination; and because of Kevin's vision, our presence in every region of the country allows us to hear more voices, learn and lead the way forward.

We will miss Kevin's leadership and wish him well in the retirement he has more than earned. And we will do what we know he wants us to do—we'll keep working, every day, to protect and advance the rights of LGBT people and people living with HIV.

Jon Davidson, Legal Director and Eden/Rushing Chair

Leslie Gabel-Brett, Director of Education and Public Affairs

Impact

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THE GOLD STANDARD

Kevin Cathcart is leaving Lambda Legal after 24 extraordinary years as Executive Director. In this interview, he remembers tears of joy at the Supreme Court, early internal marriage debates and surprising developments on transgender rights, criminal justice issues and more. And he shares his vision of a future where Lambda Legal remains the “gold standard” of the movement for LGBT and HIV rights.

YOU WERE THE EXECUTIVE DIRECTOR OF GLAD (GAY & LESBIAN ADVOCATES & DEFENDERS) FOR EIGHT YEARS AFTER LAW SCHOOL. HOW DID YOU FIRST BECOME INVOLVED?

Cathcart: When I was in law school, I was a work-study student at GLAD. After I graduated, I went on the board of directors. And then, within a year and a half, I became the executive director; at that time, the only employee. It was a different time: There was no guarantee that you were going to get your paycheck every two weeks and there was a sense that working full-time in the movement was a resume-killer and—especially as a lawyer—you’d never get another job.

WHAT WAS YOUR FIRST IMPRESSION OF LAMBDA LEGAL BEFORE YOU WORKED HERE?

Cathcart: My first impression in the early 1980s was that Lambda Legal was the gold standard for LGBT civil rights law. Lambda Legal probably had four employees, but GLAD only had one at the time, and NCLR (National Center for Lesbian Rights) maybe had two. Everybody always hoped to have the resources and the scope and impact that Lambda Legal did—and I think that is still true.

WHAT EXCITED YOU IN PARTICULAR WHEN YOU JOINED LAMBDA LEGAL?

Cathcart: One of the things that was very appealing to me about Lambda Legal was its interest in opening regional offices. When I was at GLAD—which is focused on New England—I had tried but never managed to convince people in other parts of the country to create their own regional legal organizations. There was already a Lambda Legal office in L.A. and there were conversations going on about opening one in Chicago for the Midwest; Bon Foster had died in September of 1991, just before I arrived, and left money to Lambda Legal for the express purpose of doing that. I’m very proud that we now have added offices in Atlanta and Dallas as well, because they position Lambda Legal to reach people throughout the country.

SO WHAT WAS HAPPENING IN THE LGBT LANDSCAPE AT THE TIME?

Cathcart: I think it’s hard for people today to remember how completely out of control the AIDS epidemic was. Things were extremely grim. The tragedy and urgency of the epidemic did bring lots of people out of the closet. It caused people to get angry and start organizing. HIV organizations like ACT UP were being formed and more people were getting involved—as donors, volunteers and then staff—in existing organizations like Lambda Legal.

Another big thing going on at the time was a debate inside Lambda Legal over marriage and whether or not it was something that we should get involved in.

WHERE DID YOU STAND ON MARRIAGE?

Cathcart: I felt that we should get involved. I wasn’t particularly interested in marriage personally, but it was a big issue politically.



Cathcart with U.S. Attorney General Loretta Lynch at last year's annual Lambda Legal reception in Washington, DC.

"WHAT LAMBDA LEGAL HAS CONTINUED TO DO IS EXPAND THE BOUNDARIES OF WHAT PEOPLE UNDERSTAND LGBT CIVIL RIGHTS WORK TO INCLUDE."



Cathcart with Coretta Scott King, who delivered the Bon Foster Memorial Civil Rights Lecture in Chicago in 1998 to mark Lambda Legal's 25th Anniversary, along with Pat Logue (standing), Midwest Regional Office Managing Attorney at the time, and Maggie Daley, first lady of the city of Chicago and honorary co-chair of the event.

Not long after I got here, Lambda Legal chose to get involved with the Hawai'i marriage case.

You know, it is one of the ironies of my career that I have spent a great deal of time fighting to get gay people into the military, marriage and the Boy Scouts—three things that I wasn't interested in on my own. However, this work is about options for LGBT people. I still think you have to go after the stuff that the other side is trying the hardest to keep you out of. And we shouldn't forget how the AIDS epidemic tragically illustrated gay couples' need for legal protections.

There have always been lots of LGBT people who were in the military or wanted to be. The military has a huge impact on enormous numbers of people, particularly poor and working class people, providing employment and access to education.

WHAT WAS IT LIKE BEING INVITED TO THE WHITE HOUSE TO MEET WITH PRESIDENT CLINTON AND OTHER SENIOR OFFICIALS?

Cathcart: It was an amazing breakthrough. Lesbian and gay civil rights activists had never been invited to the White House before to talk about civil rights. But what was just as important in those days was that we had access at the Justice Department and to the President's Counsel. Obviously, presidents have a big impact on their own, but there are a lot of important players. It's the same with President Obama. It's not just that he is now on the right side and has meetings with our community. It's actually the way the Justice Department changed under Eric Holder and now Loretta Lynch, and our access to a broad range of federal agencies. Lambda Legal's policy work continues to grow and to bear fruit.

WHAT DO YOU REMEMBER MOST ABOUT YOUR EXPERIENCES AT THE SUPREME COURT?

Cathcart: I was there for almost all of the big arguments. But the thing that was so powerful for me about *Lawrence* (the 2003 ruling that overturned sodomy laws) and *Obergefell* (the 2015 marriage case) is that I was also there for the decisions. Normally you can't be there for the decisions, because the Supreme Court doesn't tell you when they're going to rule. But with *Lawrence*, when it came down to the last two days of the term, I went home, packed a suit and got on the train, because I knew it was about to happen. I could work myself up right now again and start to cry like I did in the Supreme Court that June—and then again last June.

WHAT MAKES YOU ESPECIALLY PROUD AMONG LAMBDA LEGAL'S ACHIEVEMENTS IN THESE 24 YEARS?

Cathcart: I think the greatest thing that Lambda Legal has achieved is becoming a civil rights institution that covers the country with a broad range of work and that people know will be here for them in the future.

To me, one of the other great things about Lambda Legal is that it has never moved away from HIV-related work; there was a big split between most gay and HIV organizations, but that didn't happen with us.

What Lambda Legal has continued to do is expand the boundaries of what people understand LGBT civil rights work to include. Growing out of our experience with LGBT communities

"I THINK IT'S HARD FOR PEOPLE TODAY TO REMEMBER HOW COMPLETELY OUT OF CONTROL THE AIDS EPIDEMIC WAS. THINGS WERE EXTREMELY GRIM. THE TRAGEDY AND URGENCY OF THE EPIDEMIC DID BRING LOTS OF PEOPLE OUT OF THE CLOSET. IT CAUSED PEOPLE TO GET ANGRY AND START ORGANIZING."



Lambda Legal plaintiffs Ninia Baehr (left) and Genora Dancel (right), whose Hawai'i case kicked off the first court debates about marriage between same-sex couples. They are pictured here with Cathcart in 1996 after the U.S. Senate approved the antigay Defense of Marriage Act.

nationwide, we have taken positions on the death penalty, reproductive rights, immigration, criminal justice and youth issues. There was a long time when youth work was like the third rail of LGBT political work because of all the now seemingly old-fashioned and outdated stereotypes about gay people as child molesters. LGBT youth were invisible and LGBT adults were often afraid to touch the issue.

I think our wide scope is particularly notable because sometimes people think of legal organizations as too mainstream or even conservative. Lambda Legal will always be cutting edge and strategic.

WHAT ARE YOU MOST SURPRISED ABOUT 24 YEARS LATER?

Cathcart: I could not have imagined that the HIV epidemic and HIV-related discrimination would continue like this. I'm also amazed at the incredible growth of trans work, particularly in the last couple of years, and the way that whole part of our movement just went from zero to 80. Of course, if I were a transgender person waiting for all this to happen, it might not seem really fast. There's a long way to go.

WHAT WORRIES YOU? MAKES YOU HOPEFUL?

Cathcart: I'm worried about the next presidential election and the Supreme Court. Every four years, I'm in a panic about the Supreme Court, but right now the Court is very closely balanced. We did extremely well at the Court this term, with victories on all five of the cases that Lambda Legal was involved in. But I'm very worried about what could happen to the court over the next couple of years.

I'm extremely hopeful overall. I feel like the movement is very strong. There are more people involved every year than there were

the year before. I don't think that's going to change.

Yes, there will be shifts. We're part of a social change movement and we have to adapt and lead. There are new challenges and opportunities to make change, and Lambda Legal will continue to lead the way.

There are also serious setbacks. Look at the vote in Houston (see page 9). When I get too carried away with how positive and upbeat things are, I remember that. We lost because HERO, the antidiscrimination ordinance, would have covered transgender people and also to a certain extent because it covered gay people—and our opponents were able to create fear. Lambda Legal is not done yet, and we're not giving up on Houston or any community.

Lambda Legal is doing really well, winning in the courts, changing public policy, educating people about our civil rights. Lambda Legal—and our movement—are accomplishing more than anyone could have predicted 24 years ago. But the world turns, and the world can turn again. Our opponents are still out there and aren't giving up. And so one of the messages of all this is: We can't be complacent.

I'm always saying to donors, "I hope when you read about our victories, you feel a sense ownership, because you made this work possible." And I think they do feel it. They recognize that Lambda Legal is a good investment of their civil rights contributions. Lambda Legal's donors really trust us and let us figure out what work needs to be done and how best to do it.

I believe Lambda Legal will continue to be the gold standard. I don't see any close competition for that.



MAKING HISTORY

Highlights from 24 Years of Leadership

- * Three game-changing wins at the Supreme Court, in *Lawrence* (sodomy, 2003), *Romer* (antigay state constitutional amendment, 1996) and *Obergefell* (marriage, 2015).
- * Increased capacity for work on behalf of people living with HIV, people who are transgender, seniors, youth and more.
- * Groundbreaking victories including *Cammermeyer* (military, 1994), *Nabozny* (school harassment, 1996) and *Glenn* (transgender rights, 2011).
- * Three new Lambda Legal offices in the southeast, southwest and midwest to reach people wherever they live.



Dana Zzyym

COLORADO

Lambda Legal Sues State Department for Denying Intersex Passport

The usually straightforward process of applying for a passport got complicated for Dana Zzyym when the U.S. Department of State refused to respect Zzyym's gender as an intersex person—prompting Lambda Legal to file a federal discrimination lawsuit on October 26.

Zzyym was turned down for a passport because the only gender options on the application form were “male” and “female,” and the Colorado Navy veteran could not accurately choose either one. Some intersex people identify as male or female, but Zzyym does not, using the pronouns “they” and “them.”

“In a classic Catch-22, the application itself and Department of State policy make it impossible for a person who is inherently neither male nor female to list their gender,” said Lambda Legal Staff Attorney Paul D. Castillo.

In effect, Zzyym is confined within U.S. borders and precluded from international travel. The State Department's refusal to issue a passport prevented Zzyym from attending a 2014 conference in Mexico City. Australia and New Zealand are among several countries where passport applications include a non-specific “X” gender marker that can be used by people who are neither male nor female.

INTERSEX 101

WHAT DOES INTERSEX MEAN?

Intersex is an umbrella term used to describe a wide range of natural bodily variations. Intersex people are born with sex characteristics that do not fit typical binary notions of bodies designated “male” or “female.” In some cases, intersex traits are visible at birth, while in others they are not apparent until puberty. Some intersex variations may not be visibly apparent at all.

Experts estimate that between 0.05% and 1.7% of people are born with intersex traits.

From a fact sheet published by the United Nations Office of the High Commission of Human Rights (September 7, 2015).

ABOUT THE DIVERSITY OF GENDER IDENTITIES

Moments after a child is born, the general practice in the United States is for a physician to visually assess the newborn's genitalia and assign the newborn's sex as “male” or “female” on that basis. But sex is much more complex, and is determined by a number of factors, including chromosomes, gonads, hormones, genitalia and gender identity.

A person's gender identity, meaning the innate sense of being male, female, both or neither, is the most important determinant of that person's sex. Although there is not yet one definitive explanation for what determines gender identity, recent research points to the influence of biological factors, most notably the role of sex differentiation in the brain in gender identity development.

When a child is born with mixed or ambiguous markers of sex, doctors often assign a sex they guess is likely to match the child's gender identity. But it is impossible to predict with certainty how an intersex infant's gender identity will develop. As with any other person, an intersex person eventually may identify as male, female, both or neither.



NEW YORK

Antigay Attack at Rikers Island Prison Prompts Federal Lawsuit

Lambda Legal joined a federal lawsuit against New York City and Department of Correction (DOC) officers and supervisors on behalf of a gay man brutally attacked while visiting his incarcerated partner at a Rikers Island correctional facility.

During the May 2014 visit, corrections officers ordered plaintiff Thomas Hamm and his partner, P.F. (pictured above) not to embrace or hold hands—even though DOC rules allowed such physical contact during visits and heterosexual

couples around them were hugging and holding hands.

As Hamm was leaving the jail, officers showered him with homophobic slurs and beat him so viciously that he was taken by ambulance to the hospital with facial fractures. Hamm was shackled to his hospital bed overnight and then falsely charged with attacking the officers who had beaten him without provocation.

The lawsuit asserts violations to Hamm's constitutional rights and to New York prohibitions against sexual orientation discrimination.

“People do not forfeit their right not to be brutally attacked when they pass through the gates of a prison,” said Omar Gonzalez-Pagan, Staff Attorney at Lambda Legal, “no matter if they are incarcerated or visiting, or LGBT or not.”

Thomas Hamm (left) and his partner, P.F.



TEXAS

Lambda Legal Supports Affirmative Action at the Supreme Court

In November, Lambda Legal joined a friend-of-the-court brief in *Fisher v. University of Texas at Austin* supporting the use of race in admissions to achieve diversity on college campuses. The brief focuses on the implications for women and LGBT people of color.

“If we want to continue to make this a better nation for our children, and for ourselves, we must ensure that our educational institutions, and the world beyond them, bring together people of diverse backgrounds,” said Susan Sommer, Director of Constitutional Litigation.

“Combating stereotypes and bias impeding access to opportunities is a pressing issue not only for people of color, many of whom are LGBT and suffer compounded discrimination, but for all of us, who gain strength from being part of a diverse community,” said Sommer.

In June 2013, the Supreme Court upheld considering race in undergraduate admissions decisions, while remanding the case to the lower courts to determine if the University of Texas's admissions process met constitutional standards. On remand, the Fifth Circuit, for the second time, ruled in favor of the university's policy, and the Supreme Court is reviewing that decision.

American Airlines 

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ILLINOIS

Lambda Legal Wins Social Security Case and Presses for Comprehensive Change

On October 26, U.S. District Court Judge John Robert Blakey helped bring a happy conclusion to Lambda Legal's case against the Social Security Administration (SSA) for failing to provide spousal benefits to the surviving spouse of a same-sex couple based on the fact that they lived in Arkansas, a state that did not recognize their marriage.

The ruling came after the SSA continued to delay complying with the Supreme Court's June 2015 marriage ruling by not processing Dave Williams' pending spousal benefits claim.

Although the matter is resolved for Williams, Lambda Legal is still pressing for the SSA to implement spousal benefits claims retroactively for other surviving spouses awaiting long overdue benefits.

Lambda Legal argued that the SSA should delay no longer in complying with the Supreme Court's ruling declaring marriage bans like Arkansas's unconstitutional—and Judge Blakey strongly agreed:

"Underlying the long course of this matter, Plaintiff has sought to enforce a basic right to love and marry according to the dictates of his conscience—a right now recognized to be of constitutional dimension... Plaintiff has waited patiently during these proceedings and, based upon the record before this Court, plaintiff has waited long enough."

—U.S. DISTRICT COURT JUDGE JOHN ROBERT BLAKEY

NORTH CAROLINA

Lesbian Moms Sue for Accurate Birth Certificates



Melissa (left) and Meredith Weiss

On December 17, Lambda Legal filed a federal lawsuit in North Carolina on behalf of Melissa and Meredith Weiss, a married lesbian couple who have been trying for many years to get birth certificates listing both mothers as parents of their two sons.

The Chapel Hill residents married in Canada in 2003. In 2006 and 2008 Melissa gave birth in North Carolina to two children. The Weisses hoped to finally receive accurate birth certificates in 2014 after marriage equality came to their state.

In May 2015, however, the North Carolina Department of Health and Human Services (DHHS) issued policies about married same-sex couples saying that only children born after a federal court struck down North Carolina's discriminatory marriage laws on October 10, 2014 could receive new birth certificates listing both parents. This leaves out the Weiss children and many more.

"Without accurate birth certificates, routine and emergency events that come with caring for your children—from school registrations to authorizing medical care—are made more difficult if not impossible," said Lambda Legal Senior Attorney Beth Littrell.

TEXAS

Lambda Legal Stands With Houston



Houston voters went to the polls on November 3 and defeated the Houston Equal Rights Ordinance (HERO), an antidiscrimination law supported by Lambda Legal and other members of the Houston Unites Coalition.

A fear-mongering anti-transgender campaign led to the defeat of HERO, which would have prohibited discrimination citywide in employment, housing and public accommodation on the basis of sex, race, color, ethnicity, national origin, age, familial status, marital status, military status, religion, disability, sexual orientation, genetic information, gender identity or pregnancy.

The Houston City Council passed HERO last year, but opponents took the law to court and the court ruled that it must go before voters on a ballot.

Opponents lied in order to convince many Houston voters that HERO would empower male “sexual predators” to lurk in public restrooms pretending to be transgender women in order to gain entry—despite laws against sexual assault and no evidence of such problems in the many jurisdictions with gender identity protections.

“This loss is tough to take, and the hatred and misinformation that was spread about people who are transgender, in particular, was unconscionable,” said Houston native and Lambda Legal Community Educator Omar Narvaéz. “But I truly believe that we will be back and that full and equal protections for all Houstonians will be achieved in the near future.”

“This loss is tough to take, and the hatred and misinformation that was



Hal Birchfield (left) and his late husband, James Merrick Smith

FLORIDA & GEORGIA

Marriage Discrimination Is Not Over Yet

Lambda Legal continues to work with surviving spouses affected by the lingering effects of discriminatory marriage laws across the country.

On October 22, Florida’s Miami-Dade County finally agreed to extend marriage-related tax protections to gay widower Hal Birchfield, following an appeal by Lambda Legal and the law firm White & Case asserting that such tax laws now must apply to all married couples, whether same-sex or different-sex.

Birchfield had been denied protections against tax increases—so-called homestead protections—on the home he shared with his late husband, James Merrick Smith, because the marriage was not recognized by the state of Florida at the time of Smith’s death.

Birchfield is also a plaintiff in a separate class-action federal lawsuit that Lambda Legal filed on December 21 seeking accurate death certificates for deceased gay spouses. He is joined in that case by Paul Mocko, another gay Florida widower.

In addition, Lambda Legal continues to protest the denial of retirement benefits to surviving same-sex spouses—denials made not because the marriages themselves are unrecognized, but because of pension rules requiring

that the marriages had to have lasted at least one year. These rules are incredibly harsh for couples who were barred from marrying until right before the death of one of the spouses.

That is why Lambda Legal joined with attorneys at the Civil Rights Education and Enforcement Center and sent a November 17 letter to Delta Airlines on behalf of Dan Walter, a gay widower in Georgia who was denied spousal survivor benefits after the death of his husband and partner of 21 years, Jay Beadle. Beadle had 36 years of decorated service as an airline employee.

The letter urges the LGBT-friendly Fortune 100 company to amend its pension plan terms to allow surviving same-sex spouses to receive survivor benefits even if their marriages did not meet the plan’s one-year marriage requirement.



NEW YORK

The Empire State Orders New Rules Against Transgender Discrimination

On October 22, New York Governor Andrew Cuomo announced that he was directing the state’s Human Rights Division to write rules protecting transgender New Yorkers from discrimination in housing, employment, credit and public accommodations.

Transgender activists and allies have been campaigning for years to get New York lawmakers to add gender identity to

existing antidiscrimination protections without yet succeeding.

“This is a very welcome step,” said M. Dru Levasseur, Lambda Legal’s Transgender Rights Project National Director. “Transgender people in New York experience high rates of discrimination and violence and are turned away from jobs, rejected by health care providers and denied a range of services. These rules will provide guidance and help alleviate some of these very real problems.”

The rules will ensure that New Yorkers discriminated against due to their gender identity will be able to file complaints through the Human Rights Division, the state attorney general or the courts. They will be able to seek injunctions, monetary damages or other legal relief.

New York Governor Andrew Cuomo, center

NEW YORK & PENNSYLVANIA

Lambda Legal Fights ADF for Transgender-Inclusive Schools



Lambda Legal Staff Attorney Omar Gonzalez-Pagan

Twice last fall, Lambda Legal reached out to support school districts that were under pressure from the anti-LGBT Alliance Defending Freedom (ADF) to drop transgender-inclusive bathroom and locker-room practices.

Lambda Legal took action when ADF wrote the Le Roy Central School District in upstate New York encouraging the District to adopt a discriminatory policy after ADF learned that a transgender boy was using the boys’ locker room. Lambda Legal commended the District for respecting the gender identity of its students—and clarified that such policies are required under the federal government’s Title IX and New York State’s Dignity for All Students Act.

In Pennsylvania, Lambda Legal, who represented a transgender student in the Northwestern LeHigh school district, wrote a letter to the school board urging them to reject ADF’s policy. After the school board rejected ADF’s efforts, Lambda Legal applauded the school district for pledging to continue to allow transgender students to use facilities that match their gender identity.

“ADF has instituted a campaign to peddle misinformation, promote discrimination and stir up controversy,” said Lambda Legal Staff Attorney Omar Gonzalez-Pagan. “But across the country, schools and school districts are adopting respectful nondiscriminatory policies and practices for their transgender students.”

HEALTH CARE

Lambda Legal Calls for Strong Rules Against Health Care Discrimination

On November 9, Lambda Legal submitted comments to the U.S. Department of Health and Human Services (HHS) recommending that new exemptions for religious organizations not be added to the agency's proposed regulations for the section of the Patient Protection and Affordable Care Act (ACA) that bans discrimination in federally funded health programs and services.

The comments about Section 1557 also urged HHS to retain its proposed recognition that discrimination based on sex stereotypes or gender identity constitutes prohibited sex discrimination, and to make clear that discrimination based on sexual orientation is also sex discrimination. And we explained why protection against “associational discrimination”—discriminating against someone based on the gender or other characteristics of the person with whom one is in a relationship—is so important for LGBT people and people living with HIV.

Finally, Lambda Legal recommended robust enforcement of rules requiring that insurance benefits are fair and nondiscriminatory for transgender people and people living with HIV.

Lambda Legal, which has been a strong supporter of the ACA and its benefits for LGBT people and those living with HIV, said, “We provide these comments in support of the Department's efforts to achieve Congress's purpose of enhancing public access to high quality health care, including by reducing invidious bias and discrimination pursuant to Section 1557.”



BLOG

Why Lambda Legal Stands With Muslim Communities



Lambda Legal Staff
Attorney Carmina Ocampo

An excerpt from a December 9, 2015 blog post by Lambda Legal Staff Attorney and Immigrants' Rights Program Strategist Carmina Ocampo

“In our work on behalf of LGBTQ people and people living with HIV, we have fought for years against group-based discrimination, stigma and violence against members of our community. Our community has experienced being profiled and harassed by the police, and a continuing history of being labeled, stigmatized and rejected as outsiders and as a dangerous threat. We know how easily irrational fears can escalate into discrimination and violence.

“As we strongly reject the Islamophobia—the fear of Muslims or those perceived as Muslim—rising dangerously across the nation, we also reject mistaken assumptions that the Islamic faith or being Muslim equates with intolerance of LGBTQ people. The lived experiences of queer and trans Muslim people in our community and the voices of Muslim allies who are strong supporters of LGBT rights illustrate the diversity of Muslim people and belief.

“We further denounce proposals that our country's asylum and immigration policies be shaped by fear or prejudice, let alone vilification of Muslim groups and refugees. For more than forty years, Lambda Legal has advocated for individuals who have fled countries where they were persecuted because of their real or perceived sexual orientation or gender identity.” *To read more, visit lambdalegal.org/muslimstand.*

SIX KEY PROBLEMS WITH INDIANA SENATE BILL 100

When Indiana Senate Bill 100 was introduced in November, it was presented as a bill to add sexual orientation and gender identity protections to Indiana law, which LGBT Hoosiers urgently need. Unfortunately, the bill that was introduced provides little meaningful protection from discrimination for transgender people and includes damaging carve-outs and exemptions targeting all LGBT people in Indiana. While broadly problematic, there are six key problems with SB100:

- 1 The religious exemptions in SB 100 are even broader** than the religious refusal law passed earlier last year that marked Indiana as a state of intolerance. As the nation witnessed, enshrining the right to discriminate into the law drives away business and hurts Indiana companies when trying to attract and retain talent. Hoosiers deserve better.
- 2 SB 100 invites businesses and employers to discriminate against LGBT people** by allowing them to create separate dress codes and restroom rules for their LGBT employees. The bill would allow businesses to force transgender people to use a restroom or wear clothing that doesn't match their gender. The bill is a big step backwards for all LGBT Hoosiers, but particularly transgender Hoosiers.
- 3 SB 100 allows some businesses and other service providers the right to refuse service** to gay and lesbian couples, setting up separate, lesser protections for LGBT people against discrimination.
- 4 SB 100 expressly authorizes taxpayer-funded social service agencies,** such as adoption or foster care agencies, to discriminate.
- 5 SB 100 changes current state civil rights laws to favor defendants in all discrimination claims**—not just those involving LGBT people—and creates potential punishment for victims of discrimination for filing complaints later deemed "frivolous." It also bans local protections that are better than state law.
- 6 The bill is a "package deal"**—if one part is struck down by a court because it is unconstitutional, all the other parts, including any protection it provides from discrimination based on sexual orientation or gender identity, go down with it. Many provisions of this bill are legally questionable and at least some are likely to be struck down.

Hoosiers are expecting an update of Indiana's civil rights laws to include sexual orientation and gender identity without hurtful carve-outs, overly broad religious exemptions and elimination of local protections. Equal should be equal for everyone. It's as simple as that. And it's time.



Last spring in Indiana, Hoosiers took to the streets over the state's discriminatory religious refusal law.

TRANSGENDER AWARENESS WEEK

Lambda Legal Marks Transgender Day of Remembrance and Resilience

This year, Lambda Legal commemorated November’s annual Transgender Awareness Week by reaching out to more people than ever before through a combination of digital media events and in-person conversations in six different cities.

The themes once again this year were remembrance—reflecting on the lives lost to anti-transgender violence and suicide—and community resilience.

Lambda Legal participated in the three events below, as well as events in Kalamazoo, MI, Chicago and Houston.



Lambda Legal

GLSEN

* A GOOGLE HANGOUT FOR TRANS YOUTH

Lambda Legal and GLSEN co-hosted a Google Hangout event called “Trans Youth Stories” where transgender and non-binary students and activists talked online about their experiences in school, at home and in their communities. Lambda Legal client Kyle was among the participants. “These youths’ stories will live on in the YouTube video of the event and will continue to empower other youth to advocate for themselves,” said event moderator Demoya Gordon, Lambda Legal’s Transgender Rights Project Attorney. “The stories also serve as a reminder to young people that they are not alone and that help is available if they need it.”



Lambda Legal Director of Community Education and Advocacy Holiday Simmons

* TRANS DAY OF RESILIENCE IN ATLANTA

Lambda Legal hosted more than 100 people in Atlanta at the second annual Transgender Day of Resilience (see photos left and right). Asked why resilience belongs alongside remembrance as a theme for this day, Lambda Legal Director of Community Education and Advocacy Holiday Simmons (pictured at left) said, “It is important to remember that trans people are vibrant, creative and resilient beings. This event aims to celebrate our magnificence.”



Also in Atlanta: Deacon Mellonee Rheams of Unity Fellowship Church of Greater Atlanta, Cazembe Jackson of Fight for Fifteen, Southerners on New Ground co-founder Pat Hussain and Dean Stead of the Racial Justice Action Center



Robina Asti

* ROBINA ASTI’S TED TALK

In New York City, 94-year-old Lambda Legal client Robina Asti conducted a TED talk through the City University of New York that was aimed at helping young people see a path to overcoming challenges. “Believe that the fences will come down and they will,” the transgender pilot told her audience. “The person that you are is you.”



PUERTO RICO

Lambda Legal Reaches a New Audience at San Juan Beauty Show

Lambda Legal’s Francisco Dueñas traveled to Puerto Rico last November to ask stylists, barbers and other beauty industry workers at the two-day San Juan Beauty Show: “Why do you support the LGBT Community?” The photos here show just a few of the hundreds who replied, along with some of the answers they selected.

Why a beauty show? “Many LGBT people make their living through the beauty industry,” said Dueñas, Lambda Legal’s Director of Diversity, Inclusion and Proyecto Igualdad. Why Puerto Rico? “We are grateful for the community of LGBT people and allies in Puerto Rico, where Lambda Legal has fought for marriage equality and judicial diversity and against LGBT bias crimes.”



CLOCKWISE FROM TOP LEFT: Alexandra, Urleen Rivera, Pablo Andrés Monroy, Maritza Morales and Johnny Torres



Lambda Legal Fair Courts Educator R.J. Thompson

FAIR COURTS

Addressing LGBT Bias in the Courtroom

Lambda Legal’s R.J. Thompson likes to start his LGBT cultural competency trainings by asking participants about their own first memories of gender. It’s a personal way into a serious subject: how to avoid LGBT and HIV bias and discrimination in the courtroom.

But most people in these trainings are already interested, says Thompson, Community Educator for Lambda Legal’s Fair Courts Project. “I am always encouraged to see how judges and attorneys are hungry for knowledge about how to run a fair and equitable court,” he says.

Thompson spends a lot of his time on the road. Last summer, he trained 150 people staffing courtrooms and public defenders’ offices in Pittsburgh and several Florida cities.

In sessions that run anywhere from 90 minutes to three hours, he takes trainees through standard terminology for discussing sexual orientation, HIV and gender identity and expression, and provides tips on what to avoid.

Thompson has gotten great feedback, including stories about trainees using their new knowledge on the job—and also with family and friends. This year, his itinerary is expanding to New Jersey and to the Florida Judicial College, which will draw judges from all around that state.

A NEW INTERACTIVE QUIZ ABOUT YOUR RIGHTS IN COURT

TRUE

or

FALSE?

A judge or attorney can't ask about your relationship status during jury selection.

If you have to appear in court, you have the right to be referred to by the name and pronouns you use.

If you have limited English proficiency and must appear in court, you have no right to an interpreter.



Lambda Legal Fair Courts Project Manager Eric Lesh

Go ahead and test your knowledge of these important courtroom rights by taking Lambda Legal’s new interactive quiz, featuring Fair Courts Project Manager Eric Lesh.

The video quiz is part of “Know Your Rights in Court,” Lambda Legal’s online guide to navigating the U.S. court system for people who are LGBT or living with HIV.

**TAKE THE QUIZ AT
WWW.LAMBDALEGAL.ORG/
KNOW-YOUR-RIGHTS/IN-COURT**



KNOW YOUR RIGHTS: HIV-NOW IN SPANISH

Lambda Legal has just unveiled *Conoce tus derechos sobre el VIH*, a Spanish-language translation of our

Know Your Rights about HIV that is supplemented with information of unique importance to the Hispanic and Latino communities.

Language barriers are frequently cited by the Centers for Disease Control and Prevention as a factor behind higher rates of HIV

infection—just one of many reasons why we’ve made this online guide available in Spanish.

Conoce tus derechos sobre el VIH answers common questions about HIV testing, PrEP (pre-exposure prophylaxis), access to health care, disclosure, immigration and asylum. And it highlights some important new data about the Hispanic and Latino communities. Check out the HIV guide in Spanish at www.lambdalegal.org/es/conoce-tus-derechos/vih or in English at www.lambdalegal.org/know-your-rights/hiv.



LAMBDA LEGAL'S LIBERTY CIRCLE 25TH ANNIVERSARY!

Celebrating 25 Years!

The future of Lambda Legal's work for equality depends upon the engagement of our members. Lambda Legal's Liberty Circle is a membership program for donors who have made significant personal commitments to our work and to the fight for equality.

2015 marked the 25th Anniversary of the Liberty Circle and we are honored and tremendously grateful to have so many Founding Liberty Circle members continuing to support us. As we celebrate this momentous occasion for our Liberty Circle, we thank the following Founding members who have continued to support us for 25 years and we thank their partners and spouses for their commitment to Lambda Legal's mission and work:

Meryl A. Allison and Elisa E. Burns, M.D.
Nancy R. Alpert and H. Gwen Marcus
Andy Baker and Ward Auerbach
Alvin Baum and Robert Holgate
Marc Baum
Michael Becker and Tee Scatuorchio
Fred Eychaner
David Geffen
Harry H. Harkins, Jr.
David B. Harvie and Mark F. Nebus
Bill Hodgson* and Arthur Auer*
Arthur M. Kaplan, Esq. and R. Duane Perry

Richard S. Kemmler
John M. LeBedda and Steven B. Jacobs
Art Leonard and Tim Nenno
Charles W. Leslie
Jack and Rita Lichtenstein
Patricia A. Martone and Dr. Barbara A. Rosen
Edwin McAmis and Gerson Gonzalez
Gordon J. Micunis and Jay A. Kobrin
Michael H. Morris and Richard F. Binkal
Kate O'Hanlan, M.D. and Léonie Walker
Steven M. Ostner
Ralph L. Pellicchio and Dr. James C. Wernz

Jayne Baron Sherman and Deby Zum
John Silberman and Elliot Carlen
Ted Snowdon and Duffy Violante
Jeff Soref and Paul Lombardi
Robert W. Taft and J. Philip Moloney
Andrew Tobias
Henry van Ameringen
Peter Wilson and Scott Sanders
Marc Wolinsky and Barry Skovgaard

*Member has recently passed away

BECOME A LIBERTY CIRCLE MEMBER TODAY! WITH A ONE-TIME GIFT OF:

\$1,500 \$2,500 \$5,000 \$10,000 \$_____

OR

Become a Liberty Circle Member beginning with a Monthly Gift of \$125. Check the amount you want to give each month:

\$125 \$200 \$420 \$500 \$_____

I will pay with Credit Card Check enclosed (payable to Lambda Legal) Cash enclosed

CREDIT CARD NUMBER

EXPIRATION DATE

SECURITY CODE

SIGNATURE

NAME ON CARD

TODAY'S DATE

OUR BENEFITS:

With an annual giving level of \$1,500 or more, Liberty Circle members are recognized in Lambda Legal's Annual Report; receive a special members-only pin, two discounted tickets to a select metro-chapter event OR \$150 credit towards tickets to the National Liberty Awards Dinner; and are invited to participate in the Executive Director's annual State of Equality teleconference call and Liberty Circle metro-chapter receptions (where available). Gifts can be made in single or monthly installments and are tax-deductible to the furthest extent of the law.

To learn more or to donate online, please visit <http://www.lambdalegal.org/ways-to-give/liberty-circle>.

For additional information, please contact Maura Leahy, National Liberty Circle Manager, at 212-809-8585 or Mleahy@lambdalegal.org.

Staff News and Awards



FORMER GEORGIA LEGISLATOR JOINS LAMBDA LEGAL AS SOUTHERN REGIONAL DIRECTOR

In November, Lambda Legal welcomed the return of Simone Bell as director of the Southern Regional office in Atlanta.

Bell was a Lambda Legal outreach associate and volunteer manager for three years in Atlanta before being elected to the office of Georgia state representative in 2009, becoming the first out African American lesbian to serve in any state legislature.

“This is a particularly exciting time to be a part of Lambda Legal’s work in the South,” said Bell, “challenging laws and public policies that discriminate across lines of sexual orientation, gender identity, HIV status, income and race.”



CHICAGO HALL OF FAME INDUCTS CAMILLA TAYLOR, GAIL MORSE AND LAUREN VERDICH

On November 10, Lambda Legal Counsel Camilla Taylor (far left), Board Member Gail Morse and

National Leadership Council Member Lauren Verdich (not pictured) were inducted into the Chicago Gay and Lesbian Hall of Fame.

Taylor was honored “for her successful marriage equality lawsuit in Iowa and her leadership that won marriage nationwide.” Morse, a partner at Jenner & Block and secretary of Lambda Legal’s Board of Directors, was chosen for securing “civil rights for LGBT communities through her professional and political leadership.” Verdich was inducted for establishing Open Hand Chicago, an agency providing meals and support throughout the AIDS epidemic.



THE WHITE HOUSE HONORS MARCO CASTRO-BOJORQUEZ

Filmmaker and Lambda Legal Community Educator Marco Castro-Bojorquez was honored as a Champion of Change at a White House event on November 23 that was held to recognize individuals using art to make a difference in the lives of LGBT people.

Castro-Bojorquez last year released the film *El canto del colibri* (The Hummingbird’s Song), a documentary about Latino immigrant fathers and their LGBTQ children. The film explores issues around family acceptance and immigration that Castro-Bojorquez addresses in his Lambda Legal work as well.

“I made my new documentary because some families of color lack the resources to understand their children’s journey as they come out of the closet or transition,” Castro-Bojorquez wrote in an explanation of his work for the White House event.

For more about the film, which Lambda Legal helped sponsor, visit: www.lambdalegal.org/colibri

2015 DONORS



John T. Barham and Richard B. Auer

Two Amazing Gifts for Equality

By leveraging two of the largest matching gifts in the history of the LGBT rights movement, Lambda Legal’s supporters showed America in 2015 that when our community comes together, we are strong.

First, in April, Board Co-Chair **Karen K. Dixon and her wife Nan Schaffer** used the excitement around our marriage equality victories to mobilize our community to prepare for the fights ahead—with an extraordinary \$1,000,000 matching gift.

Then on June 26, the day of the Supreme Court’s groundbreaking marriage decision in *Obergefell v. Hodges*, we announced another matching gift inspired by Nan and Karen’s generosity: \$1,250,000 from the estate of **John Barham and Dick Auer** to propel our movement forward toward our next historic victories.

Between April 23 and the end of the year, **nearly 8,000 generous individuals** from across our country came together to meet these matching gift challenges and supported

some of our most important victories to date. Enormous thanks to all those who helped us meet these challenges—and thanks to each and every supporter of our work as we continue onward in the fight. Every gift really does matter!



Each month, Lambda Legal’s lawyers and public educators work in the courts and in the court of public opinion fighting for the rights of LGBT people and those with HIV.

The most efficient way for you to support Lambda Legal’s ongoing work is to join the Justice Fund with a recurring monthly gift. With as little as \$10 per month, you will be providing the financial stability that our lawyers and public educators need to do their jobs in every corner of our country.

To join the Justice Fund fill out the information below and mail it in the enclosed envelope.

\$10.00 \$25.00 \$30.42 Other \$ _____

I have made a Justice Fund monthly contribution of at least \$25, please send me a Lambda Legal stainless-steel water bottle as a gift.***

I PREFER TO CHARGE MY: MASTERCARD VISA AMERICAN EXPRESS DISCOVER

NAME ON CARD _____ CREDIT CARD NUMBER _____ EXP. DATE* _____ SECURITY CODE** _____

BILLING ADDRESS _____

SIGNATURE _____ DAYTIME NUMBER _____

TO JOIN THE JUSTICE FUND ONLINE, VISIT: lambdalegal.org/justice-fund

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

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

*** Lambda Legal bottle is available with Justice Fund (monthly giving) memberships at the \$25 level or more. Bottle 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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DONOR PROFILE

Jordan Barbakoff

Community has always been very important to Jordan Barbakoff. Ever since coming out in college, Jordan has dedicated much of his time to serving the organizations that impact our communities most. Whether as one of the founding members of the Gay Men’s Chorus, serving on the LGBT Switchboard or volunteering at the Gay Men’s Health Project, Jordan has had the pleasure of meeting and working with a diverse array of people while helping to enrich the lives of LGBT people and those living with HIV.

It was this dedication and firm belief in equality that inspired Jordan to become involved with Lambda Legal’s Guardian Society. “Lambda Legal has come to impress me as one of the great beacons of very intelligent, highly focused individuals who fight the battles that lead to change

for our entire community—and for that I am proud to support it.”

Through his legacy gift to Lambda Legal, Jordan says he feels comfortable knowing he is helping protect the future for generations to come: “It’s hard to imagine what issues will face our community after I am gone, but I know there will always be injustice. There will always be people looking to set back our rights, so there will always be a need for Lambda Legal.”

“Even as a young man, I realized there was a generation before our own that helped push our movement forward. It is our responsibility to ensure that the next generation is equipped and empowered to continue that fight, far into the future. My legacy gift to Lambda Legal through my retirement account will allow me to make a sizeable impact in our community. This is an easy way to effect monumental change, while also limiting the tax consequences for my estate.”



Jordan’s service and philanthropy on behalf of Lambda Legal and other organizations speaks volumes about his commitment to our community. Consider taking the pledge and creating your own legacy for generations to come.

“We must always be pursuing the noble fight for full equality and justice,” says Jordan. “We must set an example and make sure tomorrow’s generation is as much a part of the fabric of giving and community to ensure a bright future for all LGBT people and those living with HIV.”



CONNECTICUT CARES District-level Liberty Circle member Isaac Mitchell-Namdar; Executive Director and Amicus-level Liberty Circle member Kevin Cathcart; board member, event co-chair and Liberty Circle member Rachel Goldberg; board member and Amicus-level Liberty Circle members April Holder and Michelle Waites, also a board member, at Mitchells of Westport on October 18, 2015. Photo: Jackson Brady



LAMBDA LEGAL IN ATLANTA Event chair, board and Amicus-level Liberty Circle member Jeff Cleghorn offers remarks to guests at the Millennium Gate Museum on September 27, 2015.



LAMBDA LEGAL IN LONG BEACH Event co-chair and Liberty Circle member Brad Howell, event co-chair and Liberty Circle member Woody Sides, Staff Attorney and Immigrants' Rights Program Strategist Carmina Ocampo, venue host Miles Fenwick, Lambda Legal member Brian Noel and Liberty Circle members Stephanie Loftin and Reba Birmingham at the Long Beach Yacht Club on October 25, 2015. Photo: Jeff Lewis



INDIANA BENEFIT Liberty Circle member Linda Daley; Lambda Legal clients Ester Fuller and Rae Baskin; Lambda Legal board member and Amicus-level Liberty Circle member Beth Meyerson, Liberty Circle member Midori Fuji, Amicus-level Liberty Circle member Jill German and Liberty Circle member Paula Susemichel at the Indianapolis Museum of Art on September 18, 2015.



CONNECTICUT CARES Lambda Legal supporters Daniel Trust and Daniel Boynton at Mitchells of Westport on October 18, 2015. Photo: Jackson Brady



LAMBDA LEGAL IN PHILADELPHIA National Leadership Council and Liberty Circle member Kate Kleba, Director of Constitutional Litigation Susan Sommer, Philadelphia Mayor and event honoree Michael Nutter with Director of Strategic Partner Programs Miriam Edelstein, event co-chair and Liberty Circle member Jennifer Pollitt, and Philadelphia's Director of the Office of LGBT Affairs Nellie Fitzpatrick at the offices of National Sponsor Reed Smith LLP on September 10, 2015.



SAVE THE DATE

**NATIONAL
LIBERTY
AWARDS**

MONDAY, MAY 2, 2016 | 6:00PM

Pier 60, Chelsea Piers, New York, NY 10017

Enjoy the company of Lambda Legal staff, board and National Leadership Council members as well as supporters from around the nation as we celebrate the march toward full equality and honor notable leaders who have made an impact in the lives of LGBT and people with HIV. lambdalegal.org/libertyawards

For more information on Lambda Legal's events nationwide, visit lambdalegal.org/events

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

- > Discrimination against intersex people
- > To enforce the Supreme Court's marriage ruling
- > To make schools safe!

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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.

 **Lambda Legal**
making the case for equality