

MAKING THE CASE FOR EQUALITY

LAMBDA LEGAL
ANNUAL REPORT 2011



Lambda Legal
making the case for equality

FROM THE EXECUTIVE DIRECTOR

At Lambda Legal, we move strategically toward our goals until we achieve them. Our recent victory in federal court in the transgender discrimination workplace case in Georgia *Glenn v. Brumby* was an achievement several years in the making. By affirming that firing a public employee for being transgender is unconstitutional, the Eleventh Circuit Court of Appeals established a crucial precedent that will be invaluable in the fight for workplace protections in other jurisdictions.



Indeed, with the Glenn case following so closely on our August victory, together with the ACLU, which upheld the rights of transgender people to receive medical care while incarcerated, we secured significant gains in 2011 for transgender rights.

Here are just a few of our other big 2011 court victories and promising developments:

- The Lambda Legal case *Golinski v. U.S. Office of Personnel Management*, seeking spousal health care coverage for a federal employee, grew in 2011 to become a direct challenge to the constitutionality of Section 3 of the federal Defense of Marriage Act (DOMA). It was the first case in which the Department of Justice filed a brief arguing that DOMA is unconstitutional, and the head of the Civil Division came to argue alongside our attorney in federal court. (Note: We won a trial court victory in early 2012.)
- We defeated a challenge to the constitutionality of Wisconsin's Domestic Partner Registry.
- Baltimore County began extending spousal benefits to county employees married to a same-sex spouse after Lambda Legal successfully represented two police officers with same-sex spouses.
- A settlement in a Philadelphia case involving discriminatory treatment and pervasive harassment of a transgender teen in a youth detention facility guaranteed updated policies and guidelines to address the needs of LGBT youth in juvenile justice settings and LGBT competence staff training.
- Lambda Legal launched new cases around the country, including a marriage equality lawsuit in New Jersey, a healthcare discrimination case in Oregon and an employment discrimination case in Texas.

It has been an exciting year and the victories have been stunning. But LGBT people and people with HIV still face terrible and persistent discrimination. There has never been more opportunity to have a positive impact on our lives and our country. With your support, we remain determined and promise to keep making the case for equality and winning.

KEVIN CATHCART
Executive Director

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.

FROM THE BOARD CO-CHAIRS

2011 was a year of great success for Lambda Legal, with continued breakthroughs on longstanding issues but also victories in new areas demanding our attention. Through it all, Lambda Legal remained at the forefront of the movement to defend and expand the rights of lesbians, gay men, bisexuals and transgender people and those with HIV.

With generous support from members and friends around the country, Lambda Legal staff members were in court making the case for equality and also working as advocates to end discriminatory policies, participate in local coalitions and educate the public when major changes were afoot.



Board Co-Chairs Robbin Burr and Bruce Deming

20 YEARS OF LEADERSHIP

In 2012, we have been thrilled to celebrate Kevin Cathcart's twentieth anniversary as Lambda Legal's executive director. Developing under Kevin's guidance, Lambda Legal now has five offices across the country, an amazing team of expert attorneys and advocates, and the support of many leading law firms and businesses. Our community has benefited in so many ways from Kevin's work and Lambda Legal's success. Because of Lambda Legal's historic Supreme Court victory in *Lawrence v. Texas*, no longer can LGBT people be jailed for private consensual sexual behavior. In most states, no longer can children be removed from their parents simply because of their parents' sexual orientation. No longer can schools ignore bullying of LGBT teens. And in a small, but growing number of states, no longer can same-sex couples be deprived of the freedom to marry.

We agree with Kevin when he says that the opportunity for progress toward equality has never been greater than it is now—we have a lot of work to do.

We are grateful for the members and donors around the country who help make the work possible. Thank you all very much.

ROBBIN BURR AND BRUCE DEMING Co-Chairs, Lambda Legal Board of Directors



Above: Cathcart at Lambda Legal in the early 1990s.
Left: Kevin Cathcart with Col. Margarethe Cammermeyer, Barbra Streisand and Ellen Carton at the premiere of *Serving in Silence*, 1995.



VICTORIES FROM COAST TO COAST

LAMBDA LEGAL'S MAJOR 2011 ACHIEVEMENTS AT A GLANCE

CALIFORNIA CASE AMENDED

In March, Lambda Legal amended the complaint in its lawsuit on behalf of a federal court employee seeking spousal health coverage for her wife, *Golinski v. U.S. Office of Personnel Management*, to directly challenge the constitutionality of Section 3 of the so-called Defense of Marriage Act (DOMA).

HAWAII CASE LAUNCHED

On December 19, Lambda Legal filed suit on behalf of lesbian couple Diane Cervelli and Taeko Bufford, who were refused accommodations by a commercial business establishment, Aloha Bed & Breakfast, because of the owner's religious antigay beliefs.

OREGON CASE LAUNCHED

Lambda Legal filed a lawsuit on behalf of Alec Esquivel, a state employee who was denied insurance coverage for medically necessary surgery because he is transgender.

ARIZONA VICTORY

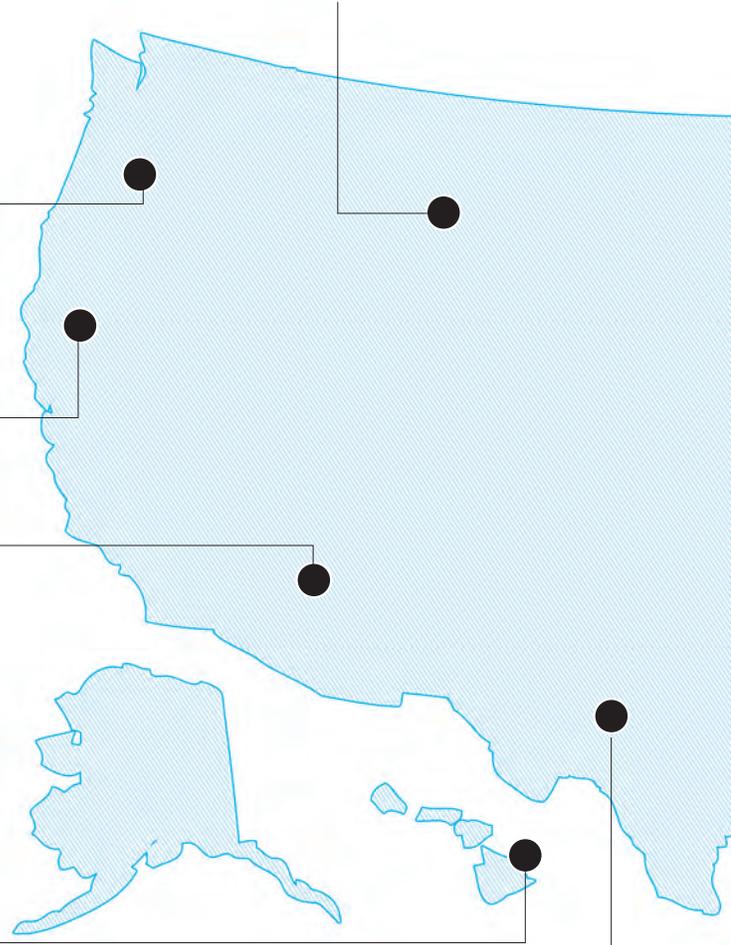
Lambda Legal persuaded a federal appeals court to uphold an earlier injunction that temporarily maintains family health coverage for gay and lesbian employees of the State of Arizona until a court issues a final decision in our case, *Diaz v. Brewer*, fighting the state's decision to eliminate such health coverage.

TEXAS CASE LAUNCHED

In September, Lambda Legal filed suit on behalf of Jacqueline Gill, who was prevented from interviewing for full-time teaching positions by Tarrant County College officials because of their belief that she is a lesbian.

IDAHO VICTORY

In August, Lambda Legal persuaded the largest school district in Idaho—with over 35,000 students—to drop a new policy, proposed after students tried to start a Gay-Straight Alliance, that would have required students to obtain parental permission to join a club; prohibited any club that the school believed would approve of sexual activity outside of marriage and exempted favored clubs from the new rules. Lambda Legal explained that the policy would illegally censor student speech, and the board retracted the flawed policy.



2011 BY THE NUMBERS

7,238

INQUIRIES RECEIVED BY LAMBDA LEGAL'S HELP DESK

4,054
MEDIA CITATIONS OF LAMBDA LEGAL



46

NUMBER OF PRIDE EVENTS IN WHICH LAMBDA LEGAL PARTICIPATED

60

CASES IN WHICH LAMBDA LEGAL IS CURRENTLY ACTIVE AS COUNSEL OR AMICUS*

WISCONSIN VICTORY

In 2005, the state of Wisconsin passed a draconian law barring prison doctors from providing transgender inmates medically necessary care while in state custody. Lambda Legal and the ACLU sued the state on behalf of transgender inmates. In August, the federal court of appeals upheld a lower court's ruling that struck down the law.

WISCONSIN VICTORY

In August 2010, antigay groups Wisconsin Family Action and Alliance Defense Fund sued to strip away limited but crucial protections for domestic partners in the state. Lambda Legal intervened in the lawsuit, *Applying v. Doyle*, and in June, the Dane County Wisconsin Circuit Court upheld Wisconsin's domestic partnership law.

INDIANA VICTORY

In January, Lambda Legal reached a settlement that included a monetary payment for our client K.K. Logan, a transgender girl who, while a student at West Side High School in Gary, was barred from prom for wearing a dress.

NEW YORK VICTORY

Following Lambda Legal's demand letter to Short Line Bus Company on behalf of Ari Gold, who was harassed by a driver for holding his boyfriend's hand, Short Line Bus Company disciplined the driver and pledged to conduct antidiscrimination training for all the company's drivers.

CASE LAUNCHED

Lambda Legal filed suit against a Sizzler restaurant in Queens on behalf of Liza Friedlander, who was verbally and physically attacked while trying to dine with friends.

NEW JERSEY CASE LAUNCHED

In June, Lambda Legal filed a lawsuit seeking the freedom to marry on behalf of Garden State Equality and seven same-sex couples and their children harmed by the state's continued denial of marriage equality.

PENNSYLVANIA VICTORY

In August, Lambda Legal reached a favorable settlement with a Philadelphia youth detention facility on behalf of a transgender girl who was physically attacked by other residents and verbally abused by staff every day for almost a year and a half when she lived in the youth facility. The settlement included policy changes, including specific protections for LGBT youth, as well as staff training.

MARYLAND VICTORY

In 2011, Lambda Legal advocated on behalf of two officers married in other states to same-sex spouses and convinced an arbitrator to rule that they were entitled to spousal benefits. As a result of the ruling, Baltimore County changed its policy and began to extend spousal benefits to all married lesbian and gay county employees.

GEORGIA

DECISION APPEALED

In July, Lambda Legal filed an appeal in the Eleventh Circuit Court of Appeals on behalf of a 39-year-old man denied employment as a police officer by the Atlanta Police Department because of his HIV status.

VICTORY

Anne Arundel County Public Schools denied the application of an administrator when she attempted to enroll her same-sex spouse in a health plan—a benefit offered to different-sex spouses of school system employees. After Lambda Legal filed a complaint on the employee's behalf, the District changed its policy and made spousal benefits available to same-sex couples.

ILLINOIS

CASE LAUNCHED & VICTORY

Lambda Legal filed a friend-of-the-court brief on behalf of several child welfare organizations in a case brought by four dioceses of Catholic Charities against the state of Illinois. The dioceses sought to force the state to fund their foster care services even though they refused to follow state law by licensing couples in civil unions as foster parents. In a swift decision the court ruled against Catholic Charities.




389,291
UNIQUE WEB SITE VISITORS

61%
GROWTH
IN UNIQUE VISITORS
OVER 2010

86,380
FACEBOOK FANS



70.5%
GROWTH IN FACEBOOK
FANS OVER 2010*

*as of December 31, 2011

2011: THE YEAR IN REVIEW

FROM "DON'T ASK, DON'T TELL" TO SAME-SEX RELATIONSHIPS TO BULLYING, LAMBDA LEGAL WAS MAKING THE CASE FOR EQUALITY.

JANUARY

18 New federal regulations protecting the hospital visitation rights of same-sex couples take effect, prompted by the suit which Lambda Legal undertook on behalf of client Janice Langbehn and a memo which President Obama sent to Health and Human Services when he learned of her ordeal.

28 Lambda Legal announces resolution of a lawsuit in Indiana against Gary School Corporation brought by transgender former student K.K. Logan, barred from prom at West Side High School in 2006 because she wore a dress.

31 After Illinois' new civil union bill took effect, Lambda Legal launches Civil Union Tracker, enabling couples to learn about their rights under the law and share their stories. Visit www.lambdalegal.org/take-action/il-civil-union-tracker/tracking-form

FEBRUARY

10 The Maryland Department of Health and Mental Hygiene issues letter to state birth registrars announcing a procedure change: a married non-biological mother can be named as a legal parent on a Maryland birth certificate without a court order.

11 Lambda Legal files a friend-of-the-court brief in a suit filed by a counseling student dismissed from Eastern Michigan University (EMU) for refusing to counsel LGBT students.



23 Seven months after then-Hawaii Governor Linda Lingle vetoes a civil unions bill, the state legislature enacts and current Governor Neil Abercrombie signs a new one, which took effect January 1, 2012.

23 The Department of Justice announces that it will no longer defend Section 3 of the so-called "Defense of Marriage Act" in court because it has determined that DOMA is unconstitutional under heightened constitutional scrutiny.

K.K. Logan was barred from prom because she wore a dress. Lambda Legal's suit on her behalf was successfully resolved (see January 28).

MARCH

1 Lambda Legal, the National Center for Lesbian Rights, Equality California and the ACLU jointly filed an amicus brief asking the court to lift the temporary stay in the federal court challenge to Proposition 8.

16 A federal judge allows Lambda Legal to file an amended complaint directly challenging the constitutionality of Section 3 of the Defense of Marriage Act (DOMA) in our lawsuit on behalf of Karen Golinski, a federal court employee seeking spousal health coverage for her wife.

30 Rep. Barney Frank introduces the Employment Non-Discrimination Act (ENDA), a bill that would prohibit workplace discrimination on the basis of sexual orientation and gender identity.

FIGHTING DISCRIMINATION IN PUBLIC PLACES

Two ugly incidents of anti-gay discrimination in public places drew Lambda Legal's attention this year, prompting lawsuits.

FRIEDLANDER V. WAROGUE MET, LTD. D/B/A/ SIZZLER: Lambda Legal went to court in New York City in July on behalf of Liza Friedlander, who was violently attacked while trying to eat with friends at a Sizzler Restaurant in Forest Hills, Queens. In a dispute over access to a brunch buffet, the manager shoved and kicked Friedlander while yelling at her to get out and calling her a "fucking dyke." Sizzler patrons then chimed in, showering her with homophobic and hate-filled epithets. A male diner called Friedlander a "he-she freak" and demanded that she leave the restaurant. Another man threw objects at her and threatened to take her outside and sexually assault her, saying he would show her "what a dick is." Finally, after police arrived, a battered Friedlander was taken by ambulance to a nearby hospital.

The violence and hostility leveled at Friedlander were alarming. "What was supposed to be a relaxing, enjoyable Saturday brunch at Sizzler turned into a horrifying ordeal of discrimination, violence and degradation targeting Liza because she did not conform to the stereotypes of how a woman should look," said Natalie Chin, the Lambda Legal attorney on the case. The case, filed in Queens County Supreme Court, is the first test of the New York City bias crime law passed in August 2010 to hold individuals accountable for anti-LGBT violence and intimidation.



Taeko Bufford and Diane Cervelli

CERVELLI V. ALOHA BED & BREAKFAST: After Aloha Bed & Breakfast in Hawaii refused to rent a room to lesbian couple Diane Cervelli and Taeko Bufford because of the owner's religious, anti-gay beliefs, Lambda Legal filed suit in the First Circuit Court of Hawaii. The refusal violated the state's public accommodation law, which prohibits discrimination based on sexual orientation, race, sex, gender identity or expression, religion, ancestry, or disability. "You can't roll up the welcome mat when you see a lesbian or gay couple, just as you can't refuse to do business with Jewish customers, African-American customers, or disabled customers," said Peter Renn, staff attorney at Lambda Legal.

Cervelli and Bufford had previously complained to the Hawaii Civil Rights Commission, which conducted an investigation and found reasonable cause to believe that illegal discrimination had occurred. During the investigation, the owner admitted that she had denied the couple a room because they were lesbians. She explained her belief that same-sex relationships are "detestable" and that they "defile our land." But freedom of religion does not allow businesses to discriminate. The owner is represented by the Alliance Defense Fund, and the Hawaii Civil Rights Commission has intervened on the side of Cervelli and Bufford, given the importance of the issues in the case.

Karen Golinski (left), was denied spousal health coverage for her wife, Amy Cunningham (see March 16).



APRIL

1 The Department of Health and Human Services announces a series of current and future LGBT-inclusive actions, including an expansion of HHS's employment nondiscrimination policy to include gender identity and initiatives to gather better health data on LGBT populations.

4 Lambda Legal files a friend-of-the-court brief to the Ninth Circuit in the appeal of the Log Cabin Republicans ruling that found "Don't Ask, Don't Tell" unconstitutional.

14 The Delaware House of Representatives votes 26-15 to approve a civil union bill. Governor Jack Markell signs it the following month, and it takes effect January 1, 2012.

MAY

26 Ahead of a married lesbian couple's adoption hearing in Baltimore, Lambda Legal releases a Frequently Asked Questions (FAQ) fact sheet about second-parent adoptions for same-sex parents. Visit www.lambdalegal.org/publications/fs_birth-certificates-second-parent-adoptions-maryland.

FAREWELL, "DON'T ASK DON'T TELL"

In the summer of 2011, lesbian, gay and bisexual (LGB) members of the U.S. military were finally allowed to serve openly when the 18-year-old U.S. military policy known as "Don't Ask Don't Tell" (DADT) came to an end, following its repeal by Congress. It was an exciting and long-awaited victory that held special importance as an end to large-scale government-sponsored discrimination against LGB people.

Lambda Legal and others were disappointed by a federal appeals court decision that followed in September 2011 vacating the 2010 *Log Cabin Republicans v. United States of America* ruling that had declared DADT unconstitutional. Lambda Legal's Jon Davidson told Towleroad.com, "It is wrong to require the more than 14,000 service members who were unconstitutionally discharged to start from square one in obtaining the military benefits they lost, getting their military records corrected, and fighting government efforts to collect educational loans they were prevented from working off, among other harms."

Lambda Legal's fight against discrimination in the military dates back to 1975, well before DADT was imposed. Our victories include a 1994 federal court ruling that the pre-DADT ban on gays in the military was unconstitutional, resulting in the reinstatement of Col. Margarethe Cammermeyer (Ret.), a 27-year service member and Vietnam veteran.



JUNE

1 Illinois' new civil union law takes effect. The language of the legislation was originally drafted by Lambda Legal lawyers and State Representative Greg Harris.

14 The U.S. Department of Education releases a guidance letter to school districts across the country making clear that gay-straight alliances must be allowed to form and access resources on an equal basis with other student groups.

20 In a case led by Lambda Legal, the Dane County, Wisconsin Circuit Court upholds domestic partner benefits, which antigay groups had sought to strike down.

21 Lambda Legal files a lawsuit on behalf of Alec Esquivel, an Oregon state employee denied insurance coverage for medically necessary health care because he is transgender.

23 The Washington County Circuit Court rules that Maryland's law protecting persons from being forced to testify in court against their spouse applies equally to same-sex spouses validly married outside of Maryland. Lambda Legal and the ACLU of Maryland represented a woman who invoked her right not to testify against her wife, whom she married in Washington, D.C.

30 The Third Department of the New York Supreme Court Appellate Division holds that students attending public schools are protected by the New York State Human Rights Law, in an appeal involving charges that New York's Ithaca City School District failed to respond to racist attacks on a student. Lambda Legal led a broad coalition of civil rights groups who filed a friend-of-the-court brief in the appeal in November.

Alec Esquivel (right) was denied coverage for medically necessary care (see June 21).

JULY

5 The U.S. Department of Justice (DOJ) files a brief strongly arguing that Section 3 of the Defense of Marriage Act (DOMA) is unconstitutional in a suit brought by Lambda Legal and Morrison & Foerster, *Golinski v. U.S. Office of Personnel Management*.

11 Lambda Legal petitions the U.S. Supreme Court to hear the case of a same-sex couple seeking an accurate birth certificate for their Louisiana-born son, whom they adopted in New York. (The petition was later denied.)

12 The Ohio Supreme Court rules against Lambda Legal client Michelle Hobbs, a lesbian mother denied custody of her child by the child's biological mother and Hobbs' former partner, Kelly Mullen, but affirms some important legal principles that, in other circumstances, protect the relationships gay and lesbian parents have with their children.

12 Lambda Legal files a friend-of-the-court brief in support of Monica Alcota and Cristina Ojeda, a bi-national lesbian couple married in Connecticut. The brief demands that U.S. immigration officials cease deportation proceedings while DOMA is being challenged in court.

AUGUST

5 In a lawsuit brought by Lambda Legal and the ACLU in Wisconsin, the U.S. Court of Appeals for the Seventh Circuit upheld the right of transgender people to receive medical care while they are incarcerated.

9 Following Lambda Legal's demand letter to Short Line Bus Company on behalf of Ari Gold, who was harassed by a driver for holding his boyfriend's hand, Short Line Bus Company confirms it disciplined the driver and pledges to conduct antidiscrimination training.

12 The National LGBT Bar Association names Lambda Legal Staff Attorneys Tara Borelli and Dru Levasseur to its Class of 2011 Best LGBT Lawyers Under 40 Award.

24 The U.S. Department of Homeland Security announces that it is implementing new procedures for assessing deportation and removal cases. The new procedures, which are LGBT-inclusive, reduce the situations in which immigration officials will deport one member of a bi-national same-sex couple.



NEW YORK STATE MARRIAGE EQUALITY

When marriage became legal for same-sex couples in New York in June, the number of Americans living in states with marriage equality instantly doubled. (As 2011 came to a close, there were six states—New York, Massachusetts, Connecticut, Iowa, New Hampshire and Vermont—plus the District of Columbia where same-sex couples can legally marry.) Meanwhile, public opinion is moving steadily in the direction of support for marriage equality: A Gallup poll taken in May showed that 53 percent of Americans were in favor of full legal recognition of the marriages of same-sex couples, and polls released in 2011 by CNN and ABC/Washington Post also showed majority support for the freedom to marry.

The freedom to marry brought joyous celebrations to many couples and their families. Still, difficult questions remain for those same-sex couples who marry but face discrimination in federal laws and the laws of other states. For example, “There are certain people with certain immigration statuses [who] might want

to think very carefully before getting married,” Lambda Legal Marriage Project Director Camilla Taylor told the *New York Times*. Taylor also deplored announcements from some firms that employees covered for health insurance under domestic partner policies would have to get married to keep it, citing conflicts with the federal, so-called Defense of Marriage Act.

In October, Lambda Legal published a guide, “New York State Marriage Equality Act: Frequently Asked Questions for LGBT Couples and Families with Low or No Income” explaining how marriage equality may impact immigration status, parent-child relationships, public assistance, food stamps, Medicaid, Medicare, housing, consumer issues, Social Security benefits, and New York state income taxes.

Lambda Legal has long played a central role in the fight for marriage equality in New York. We won legal battles to establish the recognition of out-of-state marriages and, in 2004, led a marriage equality lawsuit, *Hernandez v. Robles*, that was successful in the lower court but was later overturned. When marriage equality finally passed, Lambda Legal was proud to witness the marriages of three of its original plaintiff couples.



Photos: Associated Press (Levasaur and Esquivel); Daniel Bendjy (military woman, model used for illustrative purposes only); Adam E. Moreira (Shortline); Bob Thomas (cake)

SEPTEMBER

7 Lambda Legal files suit in U.S. District Court for the Northern District of Texas claiming Tarrant County College officials prevented a qualified candidate, Jacqueline Gill, from interviewing for full-time teaching positions because of their belief that she is a lesbian.

20 Forum for Equality Louisiana names Lambda Legal the first recipient of its Justice Acclaim Award, in recognition of Lambda Legal's work on behalf of a gay couple who had adopted a Louisiana-born son, but were denied an updated birth certificate by the state's registrar.

20 “Don't Ask Don't Tell” (DADT), which had resulted in the end of more than 14,000 military careers and disproportionately targeted women of color, officially ends.

OCTOBER

5 Lambda Legal and Legal Services NYC release a guide on the impact of marriage equality on eligibility for public programs and benefits such as social security, available at www.lambdalegal.org/sites/default/files/publications/downloads/fs_ny-state-marriage-equality-act-faq-for-lgbt-couples-and-families-with-low-or-no-income_1.pdf.

12 The White House announces that former Lambda Legal client Janice Langbehn will be one of 13 recipients of the 2011 Presidential Citizens Medal, the nation's second-highest civilian honor.

NOVEMBER

8 Lambda Legal and a coalition of other groups file a friend-of-the-court brief urging the U.S. Ninth Circuit Court of Appeals to uphold a U.S. District Court's rejection of a motion to vacate the historic August 2010 ruling invalidating Proposition 8 because the judge who decided it was a gay man in a same-sex relationship.

16 Lambda Legal announces that Stacy Pipkin, an administrator with Anne Arundel County Public Schools (AACPS) in Maryland, will receive employment benefits for her same-sex spouse, following a Lambda Legal complaint on her behalf.

30 Lambda Legal and partner organizations file a friend-of-the-court brief urging the U.S. Court of Appeals for the Ninth Circuit to grant asylum to an immigrant transgender woman living with HIV.

DECEMBER

6 In a historic victory led by Lambda Legal, the Eleventh Circuit Court of Appeals upholds a lower court ruling that the Georgia General Assembly discriminated against Vandy Beth Glenn when it fired her for being transgender.

16 The United States Court of Appeals for the Eleventh Circuit upholds a lower court's ruling against Jennifer Keeton, a graduate counseling student at Augusta State University who had refused to counsel LGBT students and advocated dangerous and discredited “conversion therapy.”

19 Lambda Legal files a lawsuit in Hawaii on behalf of couple Diane Cervelli and Taeko Bufford, who were denied public accommodation because of their sexual orientation by Aloha Bed & Breakfast.

27 Lambda Legal and Equality Delaware release an FAQ on Delaware civil unions, available at www.lambdalegal.org/sites/default/files/publications/downloads/fs_delaware-civil-union-law_0.pdf.

Short Line agreed to discipline a driver and conduct antidiscrimination training after getting a letter from Lambda Legal.



Same-Sex Relationships

In 2011, Lambda Legal continued to fight for the respect and dignity of same-sex couples, as the Obama Administration and Congress weighed in.

GOLINSKI CASE CHALLENGES DOMA

In 2011, the Lambda Legal case known as *Golinski v. U.S. Office of Personnel Management*, seeking spousal health coverage for a federal employee, grew to become a direct challenge to the constitutionality of Section 3 of the federal Defense of Marriage Act (DOMA). The Obama administration announced that the Justice Department considers DOMA to be unconstitutional under heightened scrutiny, and the administration would no longer defend it in court. The majority leadership of the U.S. House of Representatives hired outside counsel to defend the statute.

The original case began in 2008 when Karen Golinski, a 20-year employee of the U.S. Ninth Circuit Court of Appeals, sought to enroll her wife, Amy Cunninghis, in her employee health plan. Notwithstanding two separate orders by Ninth Circuit Chief Judge Alex Kozinski directing that Golinski be allowed to enroll Cunninghis in the health plan, the U.S. Office of Personnel Management (OPM) denied her request, citing DOMA.

"I WANT US TO HAVE THE SAME PROTECTIONS ACROSS THE BOARD. IT'S IMPORTANT FOR US TO BE RECOGNIZED AS MARRIED."

—Tevonda Bradshaw (near right), plaintiff in Lambda Legal's lawsuit for marriage equality in New Jersey, with co-plaintiffs, partner Erica Bradshaw and their son Teverico.

NEW JERSEY: DEMANDING THE FREEDOM TO MARRY

New Jersey law allows same-sex couples to participate in civil unions but prohibits them from marrying. However, civil union falls far short of marriage, whether it comes to being respected by hospitals and insurance providers or being afforded equal respect in society. In June, Lambda Legal sued to challenge New Jersey's law barring same-sex couples from marriage on behalf of seven same-sex couples and their children, as well as Garden State Equality. Excluding lesbians and gay men from marriage and shunting them to a separate status violates both the New Jersey Constitution and the Fourteenth Amendment of the federal Constitution and deprives couples and children of equal rights, protections and dignity. In November Lambda Legal successfully opposed the defendants' motion to dismiss, and the judge ruled the case could proceed to trial.

WISCONSIN: DEFENDING DOMESTIC PARTNERSHIPS

In June, Wisconsin's Domestic Partner Registry was deemed constitutional following a lawsuit brought by antigay groups that incorrectly claimed that the domestic partnership law was a violation of Wisconsin's 2006 constitutional amendment banning marriage equality. Lambda Legal intervened on behalf of Fair Wisconsin and five same-sex couples, and convinced the Dane County, Wisconsin Circuit Court to uphold the Registry. The case, *Appling v. Doyle*, is now being reviewed by the Wisconsin Court of Appeals.

20
YEARS AGO

The Hawaii Department of Health rejected the marriage-license applications of three same-sex couples. Two years later, in *Baehr v. Lewin*, Hawaii's high court ruled that excluding same-sex couples from marriage constituted discrimination, launching the modern freedom to marry movement.



Workplace Fairness

Despite frustrations that Congress has still not passed an Employment Non-Discrimination Act (ENDA), Lambda Legal continued to use the Constitution, state and federal laws to fight for equality.

ARIZONA: A BATTLE FOR BENEFITS

In the summer of 2009, the state of Arizona enacted a mean-spirited law to strip lesbian and gay state employees of domestic partner benefits, subjecting them to unequal treatment and attempting to deny their families urgently needed health care coverage.

The equal health coverage plan had been put in place in 2008 under former Governor Janet Napolitano. Arizona lawmakers eliminated health coverage for the domestic partners of lesbian and gay state employees while retaining spousal benefits for heterosexual workers in a budget deal signed by Gov. Jan Brewer in 2009. Lambda Legal sued on behalf of several lesbian and gay state employees, and this September, the U.S. Ninth Circuit Court of Appeals upheld an injunction that maintains the provision of family health coverage until a court issues a final decision in the case.

TEXAS: TEACHING JUSTICE

In 2009, Tarrant County College, a government-run community college, hired Jackie Gill to teach on a one-year contract. She received high praise from colleagues, superiors, parents and teachers. But she alone of the contract teachers hired with her was not permitted even to interview for the positions when they were made permanent. A college official made disparaging comments to her about “homosexuality.” Lambda Legal sued on Gill’s behalf in September, arguing that Tarrant County College officials violated the U.S. Constitution by preventing a qualified candidate from interviewing for a teaching position because of their belief that

“I’M A GOOD TEACHER AND I WORK HARD. BUT NONE OF THAT MATTERED ONCE [MY EMPLOYER] SUSPECTED THAT I’M A LESBIAN.”

—Lambda Legal client Jackie Gill, on being denied an opportunity to interview for a permanent teaching position.

she is a lesbian. While protections in private employment are still lacking, it has always been the case that the government cannot discriminate without a sufficient reason, and disapproval of an employee’s sexual orientation is not such a reason.

MARYLAND: RESPECTING SPOUSES

In December, Baltimore County (which encompasses the city of Baltimore) announced that, beginning in January, it would extend spousal benefits to all county employees married to a same-sex spouse. This important step forward came a month after an arbitrator’s ruling in favor of Lambda Legal clients Margaret Selby and Juanika Ballard, Baltimore County police officers who had been denied benefits for their same-

sex spouses. The officers, who had been married in Massachusetts and Connecticut, respectively, were supported by Lambda Legal and their union, the Fraternal Order of Police. Maryland Attorney General Gansler confirmed in an official opinion in February 2010 that, under longstanding Maryland law, out-of-state marriages of same-sex couples receive legal respect and should be treated like any other marriage.

20
YEARS AGO

In Steffan v. Cheney, a suit filed by Lambda Legal, a U.S. District Court judge upheld the military’s exclusion of lesbians and gay men from serving in the armed forces. One of the judge’s premises for upholding the ban was that it was a “rational” way of preventing HIV transmission in the military.

*Lambda Legal
Supervising Senior
Staff Attorney
Ken Upton
with client
Jackie Gill.*



Transgender Rights

Two key wins in Georgia and Wisconsin advanced the battle for transgender rights in 2011, and a new lawsuit challenges the denial of coverage for medically necessary treatment.

GEORGIA: A GROUNDBREAKING VICTORY

In December, the Eleventh Circuit Court of Appeals upheld a lower court ruling that the Georgia General Assembly discriminated against Vandy Beth Glenn, a transgender woman who was fired from her job as legislative editor after she told her supervisor that she planned to transition from male to female. Judge Rosemary Barkett, writing for the unanimous three-judge panel, said, “a government agent violates the Equal

Protection Clause’s prohibition on sex-based discrimination when he or she fires a transgender or transsexual employee because of his or her gender non-conformity.”

WISCONSIN: DEFEATING A CRUEL BARRIER TO CARE

In 2005, Wisconsin passed the draconian and inhumane “Inmate Sex Change Prevention Act,” which prohibited prison doctors from providing transgender inmates with medically necessary hormone treatment or sex reassignment surgery. Lambda Legal, along with the American Civil Liberties Union and the ACLU of Wisconsin, led a challenge to the law, and in August 2011, the U.S. Court of Appeals for the Seventh Circuit upheld the right of transgender people to receive medical care while incarcerated. The court wrote that the law served “no valid penological purpose” and “amounts to torture.”

OREGON: DEMANDING HEALTH CARE ACCESS

Alec Esquivel, an Oregon state employee, was diagnosed with Gender Identity Disorder (GID) in 2001. In 2010, his doctor recommended a hysterectomy as part of his GID treatment and because he was at heightened risk for uterine and ovarian cancer. But due to an explicit exclusion for transgender health care in Oregon’s state employee insurance plan, Esquivel was refused coverage for this medically necessary treatment. In June 2011, Lambda Legal filed a lawsuit on

“NOT A DAY GOES BY THAT I DON’T THINK ABOUT THAT MOMENT. EVERY DAY I REVISIT THE ANGER, THE HUMILIATION AND THE DESPAIR THAT I FELT.”

—Lambda Legal client Vandy Beth Glenn, on her memories of being fired because she is transgender.

Esquivel’s behalf. Our case against the state of Oregon and the Public Employees’ Benefit Board argues that Oregon’s antidiscrimination law prohibits a public employer from denying insurance coverage on the basis of gender identity—a key issue for transgender employees in private companies around the country as well.

Guides to Transgender Parenting and Workplace Issues

Lambda Legal published two new fact sheets in 2011 as part of its *Transgender Rights Toolkit: A Legal Guide for Trans People and Their Advocates*: one for transgender parents and the other about workplace issues such as discrimination in hiring and firing. Visit www.lambdalegal.org/trans-toolkit/.

20
YEARS AGO

Trans activist, attorney and now Judge Phyllis Frye organized the first International Conference on Transgender Law and Employment Policy, in Houston.

Vandy Beth Glenn



LGBTQ Youth

In 2011, Lambda Legal continued to stand strong on behalf of young LGBT people who are sometimes especially vulnerable to mistreatment at school or in other programs and facilities for youth.

GEORGIA: STANDING UP TO DISCRIMINATORY COUNSELING

While a graduate student in the counseling program at Augusta State University, Jennifer Keeton repeatedly expressed a desire to avoid LGBTQ students altogether or to subject them to dangerous conversion therapy. The faculty presented Keeton with a remediation plan whereby Ms. Keeton would have greater exposure to the LGBTQ community and would read peer-reviewed articles about improving counseling for LGBTQ youth. But Keeton refused to take these steps, and in July 2010, she sued Augusta State, claiming that her First Amendment rights were violated. The U.S. District Court for the Southern District of Georgia ruled against her in August 2010; she appealed, and in November 2010, Lambda Legal filed a friend-of-the-court brief in support of Augusta State. In December, the U.S. Court of Appeals for the Eleventh Circuit affirmed the ruling in favor of the University.

NEW YORK: HOLDING SCHOOL OFFICIALS ACCOUNTABLE

In upstate New York, discovery is under way after a March court ruling allowed this Lambda Legal case involving school harassment to proceed. Lambda Legal's claims had been bolstered by an amicus brief submitted in 2010 by the federal Department of Justice. The case involves Charlie Pratt, who was threatened and attacked for years at schools in the District. Students and even some staff members mocked him verbally and by using stereotypically feminine gestures. The principal and others failed to take appropriate action to address the harassment. Lambda Legal sued the District and several of its employees in 2009, asserting several claims, including illegal and unconstitutional discrimination and harassment.

PENNSYLVANIA: FIGHTING FOR YOUTH IN JUVENILE JUSTICE

In August, Lambda Legal announced the settlement of a Philadelphia discrimination

complaint filed on behalf of L.P., a young transgender woman who was physically attacked by other residents and verbally abused by staff every day for almost a year and a half when she lived in the Youth Study Center (YSC). The settlement included revisions to YSC policies that involved specific protections for transgender youth as well as training for YSC staff on how to be respectful of LGBT youth.

Southern Conference on Safe Schools

In October, Lambda Legal's Southern Regional Office in Atlanta hosted South Star: Safe Schools Convening of the South, a region-wide strategy session on collaborations between the LGBT safe schools movement and those working to fight the school-to-prison pipeline and its high impact on students of color. While students who bully LGBT students should be held accountable, simply pushing bullying students out of school is rarely the solution. In addition, in schools with zero-tolerance policies, LGBT students can be disproportionately impacted by receiving similar punishments as bullying students. South Star brought together 22 organizations from across the South.

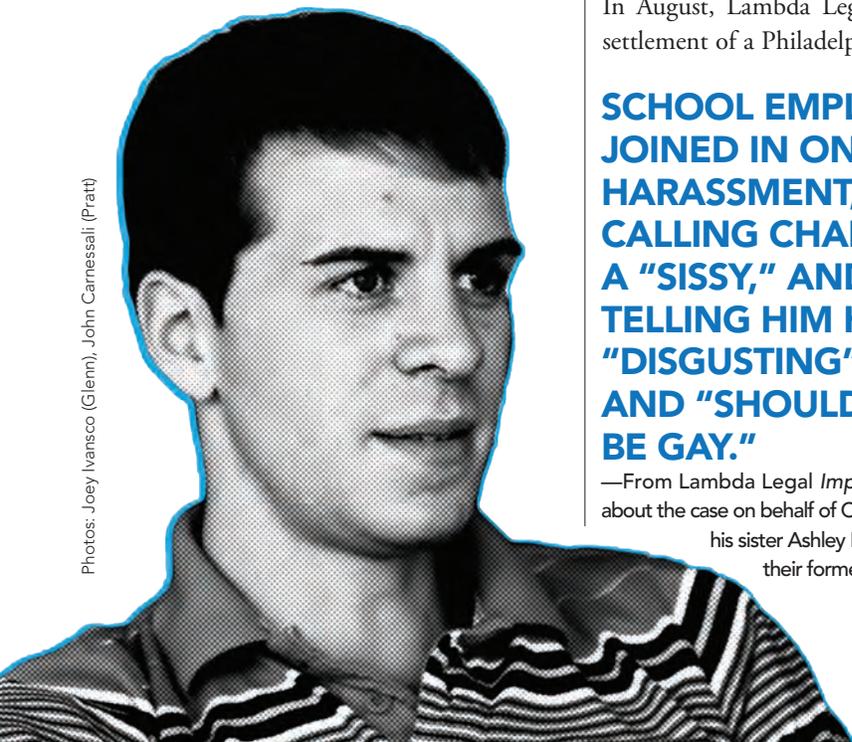
SCHOOL EMPLOYEES JOINED IN ON THE HARASSMENT, CALLING CHARLIE A "SISSY," AND TELLING HIM HE WAS "DISGUSTING" AND "SHOULDN'T BE GAY."

—From Lambda Legal *Impact Magazine* article about the case on behalf of Charlie Pratt, left, and his sister Ashley Petranichuk against their former school district.

20
YEARS AGO

Lambda Legal filed a complaint against the Boy Scouts of America on behalf of Eagle Scout James Dale, who was forced out of the Boy Scouts because he was gay.

Photos: Joey Ivansco (Glenn), John Carnessali (Pratt)



Health Care Fairness

In 2011, Lambda Legal won an important victory for inmates in Wisconsin and sued on behalf of a transgender public employee denied health coverage (see page 10.) Other achievements included:

NEW HOSPITAL VISITATION REGULATIONS

In January 2011, federal hospital regulations went into effect to significantly strengthen same-sex couples' visitation rights, finally addressing a tragic injustice faced for years by couples and their families. The new regulations came after a Lambda Legal lawsuit on behalf of Janice Langbehn, whose partner Lisa Pond collapsed on a family vacation. Langbehn and her children were kept from visiting Pond for more than eight hours at Miami's Jackson Memorial Hospital while Pond lay dying. Lambda Legal's 2008 lawsuit against the hospital was not successful in court, but the case sparked a campaign that ultimately prompted President Obama to personally contact Langbehn and to issue a presidential memo requiring changes in the rules governing hospitals that participate in Medicare and Medicaid.

In October, Langbehn went to the White House to receive the 2011 Presidential Citizens Medal, one of the nation's highest civilian honors, awarded to her in recognition of the difference she helped make by standing up for her family's rights.

Lambda Legal Health Care Fairness Fact Sheets

Health care for older LGBT people and LGBT immigrants was the focus of two new Lambda Legal fact sheets published in 2011 as part of When Health Care Isn't Caring, a report based on a 2009 Health Care Fairness Campaign

"I'M HOPING THAT THE PRESIDENT GIVING ME THE CITIZENS MEDAL—NOT THE 'SECOND CLASS' CITIZENS MEDAL—IS ANOTHER STAMP OF APPROVAL THAT WE'RE GETTING THERE, TOWARDS EQUALITY."

—Lambda Legal client Janice Langbehn

survey. In 2011, we also published a special collection of first-person accounts from LGBT people who were treated differently than other patients or refused care outright; who encountered health care workers without appropriate training; or who were subjected to abusive language. Visit www.lambdalegal.org/health-care-fairness.

20
YEARS AGO

In Campanella v. Hurwitz, Lambda Legal convinced the New York City Commission on Human Rights to strongly reaffirm that refusing to treat a person with HIV was medically unjustified and legally intolerable.



Photo: AP/Charles Dharapak (Langbehn, Obama) Ivan Bajic (police badge)

HIV

Ignorance and prejudice continue to fuel discrimination, which Lambda Legal fights with litigation as well as advocacy in favor of policies that protect people living with HIV.

GEORGIA: STANDING UP TO EMPLOYMENT DISCRIMINATION

In July, Lambda Legal filed its opening brief on appeal before the U.S. Court of Appeals for the Eleventh Circuit in the case of a 39-year-old Georgia man living with HIV whose application to be a police officer with the Atlanta Police Department (APD) was turned down because of his HIV status. The appeal seeks to reverse adverse rulings from the trial court on Roe's claims under the Americans with Disabilities Act (ADA) and the federal Rehabilitation Act of 1973.

Among other things, Lambda is arguing that Roe presented sufficient evidence that his HIV status does not pose a threat to others while working as a police officer. Lambda Legal is also asking the Eleventh Circuit to properly place the legal burden on employers rather than on applicants to show that such applicants would present a threat to the health or safety of others, as do most of the other Circuit Courts of Appeal.

DEFENDING PRIVACY

In October, Lambda Legal filed a friend-of-the-court brief in a U.S. Supreme Court case, *Cooper v. Federal Aviation Administration*, on behalf of itself and 16 other LGBT, HIV and health advocacy organizations. When Stanmore Cooper applied for disability benefits, his HIV status was wrongfully shared among the Social Security Administration, the Federal Aviation Administration, and the U.S. Department of Transportation. Lambda Legal's brief urged the U.S. Supreme Court to affirm a lower court ruling, arguing that the disclosure of private medical

information without consent often has significant personal impact on community standing, physical and emotional safety, and family and professional relationships.

Thirty-four states and two U.S. territories now have laws that make exposure to or non-disclosure of HIV a crime. Sentences imposed on people convicted of HIV-specific offenses can range from 10-30 years and may include sex offender registration even in the absence of intent to transmit HIV or actual transmission.

Along with other members of the Positive Justice Project, a national coalition dedicated to ending the targeting of people

"PEOPLE LIVING WITH HIV ARE SERVING AS POLICE OFFICERS ALL ACROSS THE COUNTRY. EMPLOYERS' MISCONCEPTIONS AND OUTDATED POLICIES NEED TO BE CHALLENGED." —Lambda Legal HIV Project Director Scott Schoettes



with HIV for unreasonable criminal prosecution, Lambda Legal advocated for federal action to help reform these laws. In September, Congresswoman Barbara Lee (D-CA) introduced the REPEAL HIV Discrimination Act in the House of Representatives, an effort to which Lambda Legal has lent its support.

UPDATING ORGAN DONATION RESTRICTIONS

Despite the urgent need for organ donations, current guidelines disqualify potential male donors who have had sex with a man within five years. In December, Lambda Legal submitted comments, which several other organizations joined, urging the Centers for Disease Control and Prevention (CDC) to do more to maximize the supply of organs available for transplantation from medically qualified donors, including gay men, bisexual men and transgender people. The CDC is currently updating 1994 guidelines for organ donation to include more current scientific information about HIV.

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YEARS AGO

In *Cosley v. Vasquez*, Lambda Legal successfully defended a mother and seven-year-old son sued by a woman claiming her own son had been bitten by our client's son in a schoolyard scuffle. The plaintiff sought to have our client's son tested for HIV and claimed emotional distress when our client refused to have her son tested.

Parents & Families

In 2011, Lambda Legal continued its fight to protect LGBT parents and their children from discrimination. Some examples of our work in 2011 included:

IOWA: DEMANDING RESPECT FOR FAMILIES

Mackenzie Gartner was born in September 2009 to Heather and Melissa Gartner, a lesbian couple who legally married in Iowa before she was born. After receiving a birth certificate that listed Heather as the only parent, the couple requested a corrected birth certificate listing both spouses as parents. Iowa's Department of Public Health (IDPH), in violation of state law, denied the request. In May 2010, Lambda Legal filed suit on behalf of the Gartners, and on January 4, 2012, the District Court for Polk County ordered the state's Department of Public Health to issue a correct birth certificate. IDPH has since appealed.

NATIONAL: A SETBACK FOR ADOPTIVE PARENTS

Louisiana's State Registrar refused to issue an accurate birth certificate to Oren Adar and Mickey Smith, who adopted their Louisiana-born son in 2006 in New York, on the grounds that the state does not recognize adoption by unmarried parents. In 2009, Lambda Legal convinced a U.S. District Judge to rule in *Adar v. Smith* against the registrar and order a new birth certificate. The Registrar appealed, but in 2010, a three-judge panel of the Fifth Circuit Court of Appeals agreed and

affirmed the prior judgment. However, in April 2011, the full Court reversed the two earlier rulings. Lambda Legal sought hearing by the U.S. Supreme Court, but the Court declined in October.

ILLINOIS: DEFENDING FOSTER PARENTS AND CHILDREN

Refusing to license couples in civil unions as foster parents, four dioceses of Catholic Charities sued the state of Illinois, claiming exemption from state nondiscrimination requirements on religious grounds. Lambda Legal filed a friend-of-the-court brief on behalf of several child welfare organizations. Three days later, the court ruled against Catholic Charities on procedural grounds.

"EVERY CHILD FACES CHALLENGES IN LIFE, BUT BEING DEPRIVED OF THE ABILITY TO SHOW WHO HER LEGAL PARENTS ARE SHOULD NOT BE ONE OF THEM."

—Lambda Legal clients Heather and Melissa Gartner, left, with their daughter Mackenzie

20
YEARS AGO

In the first appellate decision of its kind (*A.C. v. C.B.*, in which the court asked Lambda Legal to submit a brief) the New Mexico Court of Appeals ruled that a non-biological mother may seek custody or visitation with the child she had raised with her former partner of 14 years.



Proyecto Igualdad

Established in 2004, Proyecto Igualdad is Lambda Legal's Latino outreach and advocacy project, providing valuable information, resources, advocacy and support to the Latino community.

Among our achievements this year:

- We advocated for the rights of LGBT people in immigration detention facilities, and filed friend-of-the-court briefs to support immigration relief for binational couples and asylum protection for persecuted LGBT and HIV-affected immigrants, as well as to challenge state and local anti-immigrant laws.
- We expanded Lambda Legal's presence in Puerto Rico, including presenting Lambda Legal's Health Care Fairness Survey Report at the opening plenary at Puerto Rico's first LGBT Health Care Summit. Lambda Legal's



work was highlighted in two Puerto Rican daily news outlets.

- We organized LGBT Latino contingents to have a visible presence at important non-LGBT Latino festivals and parades, such as the Los Angeles Mexican Independence Day Parade, which are often attended by tens of thousands of members of the Latino community. Participating in these festivals helps Lambda Legal expose the larger Latino community to LGBT issues and also helps to reach LGBT Latinos who may not attend a Pride festival or otherwise be connected to LGBT organizations.

Fair Courts Project

Lambda Legal's Fair Courts Project raises awareness about the importance of a fair and impartial judicial system.

Highlights of our efforts in 2011 included:

- Collaboration with Demos, a policy and advocacy organization based in New York City, to initiate "Justice for Sale," a special report examining the right-wing and corporate

influence on our judicial system, published by *The American Prospect* magazine.

- Hosted special educational events in Iowa, spoke at other public events and published commentary to focus attention on the extremist attacks following controversial civil rights decisions, such as Lambda Legal's marriage equality victory in Iowa.
- Promoted judicial diversity in collaboration with Justice at Stake, a national coalition of organizations working to protect fair courts.



"A FAIR AND IMPARTIAL JUDICIARY IS ONE OF THE FUNDAMENTAL PILLARS OF OUR DEMOCRACY. UNFORTUNATELY, THE JUDICIARY IN AMERICA INCREASINGLY FACES POWERFUL, ORGANIZED THREATS TO ITS INDEPENDENCE."

—From "Justice For Sale," a special report published in *The American Prospect* with input from Lambda Legal and Demos

Legal Help Desk

Throughout Lambda Legal's five offices, Lambda Legal's Legal Help Desk specialists provide callers with crucial support and information.

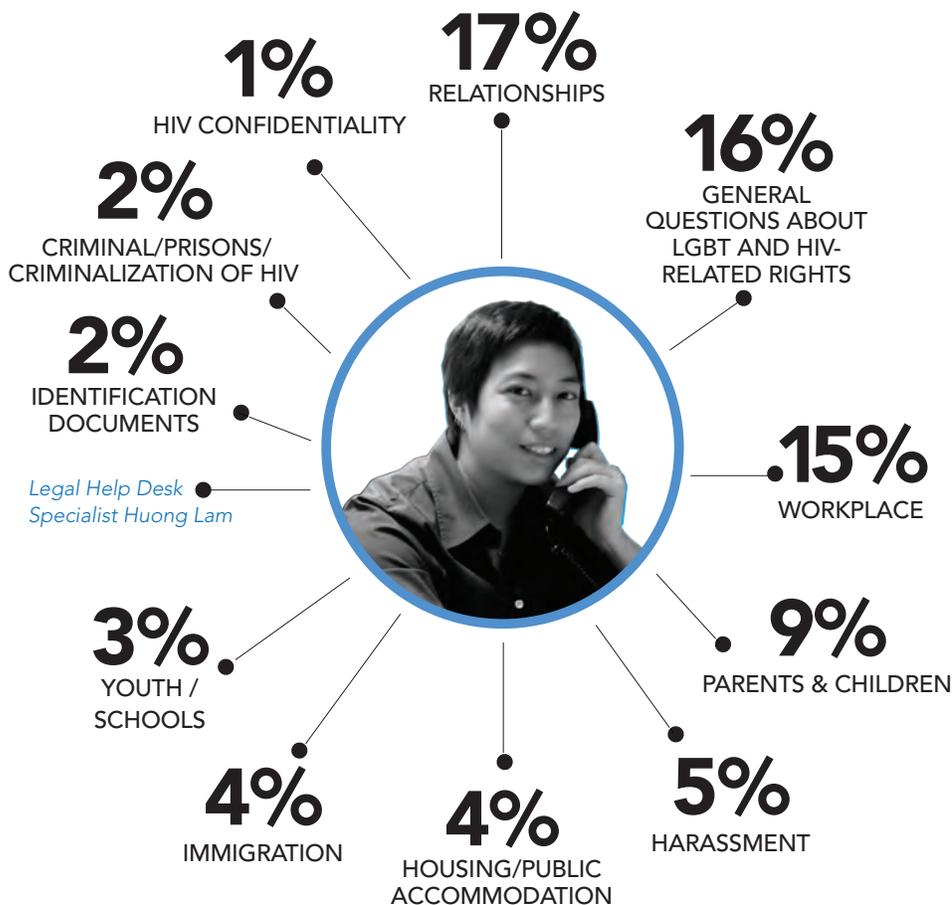
In calendar year 2011, our Legal Help Desk activity soared to a record 7,238 calls, a net increase of almost 15% over 2010, reflecting Lambda Legal's increasing visibility and the continued needs of the LGBT community and people living with HIV. Sexual orientation legal concerns remained the area about which callers most frequently requested information and assistance (68 percent of

all calls), followed by transgender issues (10 percent) and HIV concerns (6 percent). Calls to our Legal Help Desk generate a small but important number of Lambda Legal's impact litigation cases. In addition, the Legal Help Desk remains a key vehicle for helping and empowering LGBT communities and people with HIV, and an invaluable tool for assessing their legal needs across the country.

"ALEC ESQUIVEL WAS DENIED COVERAGE FOR A MEDICALLY NECESSARY PROCEDURE SPECIFICALLY BECAUSE HE IS TRANSGENDER. THIS TYPE OF DISCRIMINATION IS UNLAWFUL AND RISKS THE HEALTH OF HARDWORKING, PRODUCTIVE CITIZENS OF OREGON."

—Dru Levasseur, Transgender Rights Attorney on *Esquivel v. Oregon*, the case of a transgender man denied a medically necessary hysterectomy because he is transgender. Lambda Legal agreed to take the case after a call to the Legal Help Desk.

PERCENTAGE OF CALLS* FOR



*Categories shown reflect 1% or more of calls. Approximately 22% of calls were for less frequent inquiries; were not related to sexual orientation, gender identity or HIV; were for research or general information about Lambda Legal; or lacked complete or accurate contact information.

In Memoriam

Lambda Legal mourns the loss of several of our movement's most courageous pioneers in 2011.

PAULA ETTLEBRICK, former legal director at Lambda Legal and lifelong LGBT equality and social justice activist, died October 6, after a battle with cancer. Ettelbrick became Lambda Legal's first staff attorney and served as its legal director from 1988 to 1993. Paula's life was one of service. After her tenure at Lambda Legal, Paula held leadership positions at several major LGBT rights organizations and taught at Columbia, University of Michigan and New York University. Paula fought to ensure that the LGBT organizations stayed true to the teachings of lesbian feminism—seeking justice for the full diversity of our movement with an understanding that we are part of a global community.

JOHN LAWRENCE, who, along with fellow defendant Tyron Garner, stepped forward to end state sodomy laws in the U.S., died at the age of 68 on November 20. Reared in Kountze, Texas, Lawrence had served in the Navy and worked as a medical technologist until his retirement in 2009. Convicted of violating the Texas "Homosexual Conduct Law" in 1998, Lawrence and Garner (who passed away in 2006) decided to fight back. Lambda Legal was proud to represent them in what became the historic Supreme Court victory, *Lawrence v. Texas*, a case that laid the legal groundwork for so many of the LGBT community's victories since then. Lawrence "was a quiet, unassuming and heroic man," said Kevin Cathcart, executive director of Lambda Legal. "He forever changed our march to equality."

FRANK KAMENY, Harvard-trained astronomer, Army veteran, and lifelong advocate for LGBT equality, died on October 11 at the age of 86. Fired from his federal job for being gay, Kameny argued what is believed to be the first civil rights claim in a U.S. court based on sexual orientation. "When Frank Kameny first stood up for his rights in the late 1950s, he stood up for all of us, and the fight that he helped to ignite more than fifty years ago is still our fight today," said Cathcart.

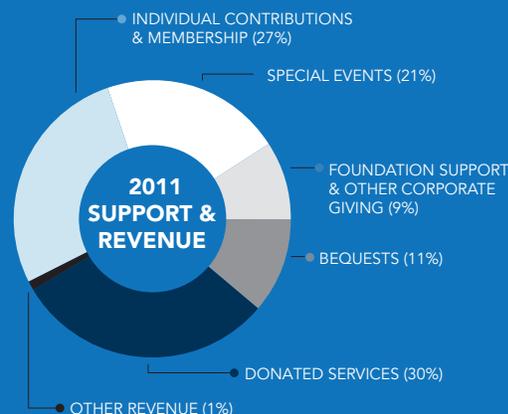
DR. ROBERT FRANKE, a retired university provost, Unitarian-Universalist minister, and Lambda Legal client, passed away December 26 at the age of 78. Dr. Franke was Lambda Legal's client in the 2009 case *Franke v. Parkstone Living Center, Inc.*, filed after Dr. Franke was evicted from Parkstone's assisted living facility, Fox Ridge of North Little Rock, because he had HIV. The case was settled in September 2010. "Dr. Franke was an educator through and through," said Scott Schoettes, Lambda Legal HIV Project Director. "He was willing to do whatever was necessary to ensure that no other senior living with HIV suffered the kind of discrimination he did."

ANTHONY COLÍN, LGBT students' rights activist and former Lambda Legal plaintiff, died November 22, 2011 at the age of 27. In 1999, when Anthony was only 15, he fought against his high school's refusal to allow him and his friends to form a gay-straight alliance. The decision that bears his name, *Colín v. Orange Unified School District*, established a precedent that has helped hundreds of GSAs overcome school administration opposition. That decision only happened because Anthony stood up to help create a better world than the one he entered. "I don't want to be tolerated," he once said. "I want gay people to be accepted, just like everyone else."

Financial Statements

LAMBDA LEGAL CONDENSED STATEMENT OF ACTIVITIES FOR YEAR ENDED OCTOBER 31, 2011

SUPPORT AND REVENUE	2011	%	2010	%
			RESTATED*	
Individual Contributions & Membership	\$4,503,285	27%	\$4,390,125	25%
Special Events Net Revenue	3,524,092	21%	2,967,421	17%
Foundations Support & Other Corporate Giving	1,534,132	9%	1,889,050	11%
Revenue under Gift Annuities	60,560	0%	33,513	0%
Planned Giving: Bequests & Other	1,745,560	11%	2,253,705	13%
Donated Services	4,841,613	30%	5,847,162	33%
Other Revenue	186,278	1%	244,493	1%
Total Support and Revenue	16,395,520	100%	17,625,469	100%
EXPENSES				
Legal Program	\$8,677,460	51%	\$9,293,781	56%
Education Program	4,485,493	27%	4,143,102	25%
Support Services	1,375,555	8%	1,252,272	8%
Fundraising	2,328,981	14%	2,003,998	12%
Total Expenses	16,867,489	100%	16,693,153	100%
CHANGE IN NET ASSETS	\$(471,969)		\$932,316	
Net assets - beginning of year, as previously reported	14,916,871		13,847,387	
Recognition of Beneficial Interest in Trusts*	-		137,168	
Net assets - end of year	\$14,444,902		\$14,916,871	



LAMBDA LEGAL CONDENSED STATEMENT OF FINANCIAL POSITION OCTOBER 31, 2011

ASSETS	2011	2010
Cash & Investments	\$6,310,584	\$6,168,506
Pledges & Grants Receivables and Prepaid Items	991,434	811,899
Bequest Receivable**	5,970,786	7,137,590
Property & Equipment, net	702,172	173,332
Assets held for Gift Annuities	1,292,115	1,170,502
Beneficial Interest in Trusts*	1,196,851	1,044,450
Total Assets	\$16,463,942	\$16,506,279
LIABILITIES		
Payables & Accrued Expenses	\$1,004,854	\$835,510
Other Liabilities	1,014,186	753,898
Total Liabilities	2,019,040	1,589,408
NET ASSETS	14,444,902	14,916,871
TOTAL LIABILITIES & NET ASSETS	16,463,942	16,506,279

* Lambda Legal has been notified by various trusts that they are named as a future beneficiary. Subsequent to the issuance of Lambda Legal's FY2010 financial statements, management became aware that an amount of an asset related to the present value of the beneficial interest in trusts was not recorded. As a result, an asset was established and temporarily restricted net assets were restated as of October 31, 2010, which is the first period in which complete information was available.

** During FY2008, Lambda Legal received final notification of the terms of a very generous bequest from the Estate of Ric Weiland. The bequest is being paid out in equal installments over an eight-year period, but generally-accepted accounting principles required that the full amount of the gift be recognized as income in FY2008 and a receivable established for this amount. As payments are received each year, the receivable is reduced accordingly.

Lambda Legal's complete audited financials can be found on our website at www.lambdalegal.org under "About Us".

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Through March 14, 2012

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** Served on the NLC in 2011 prior to joining the Board

*** Former NLC member serving in 2011

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As of March 2012

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Frances J. Goldstein, Deputy Director

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Jon W. Davidson, Legal Director
(based in the Western Regional Office)
Hayley Gorenberg, Deputy Legal Director
Rodrigo Aguiar, Help Desk Specialist
Flor Bermudez, Youth in Out-of-Home Care
Project Staff Attorney
Natalie Chin, Staff Attorney
Iván Espinoza-Madrigal, Staff Attorney
Kaitlyn Gentile, Legal Assistant
M. Dru Levasseur, Transgender
Rights Attorney
Amy Shapiro, Legal Assistant
Susan Sommer, Director of
Constitutional Litigation
Katy Tokieda, Legal Administrative Manager
Thomas W. Ude, Jr., Senior Staff Attorney
Micah Wood, Legal Assistant

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Aron Cobbs, Community Educator
Ed Dubin, Marketing Director
Lisa Hardaway, Communications Director
Catherine Kirchhoff, Education & Public Affairs
and Community Education Assistant
Eric Lesh, Fair Courts Project Manager
Ben Mendelsohn, Digital Strategy Manager
Jorge Morales, Content Editor/Producer
Carolina Paula, Graphic Designer
Angelo Ragaza, Senior Editor and
Content Manager
Jeff Simpson, Web & Design Manager
Beverly Tillery, Director of Community
Education and Advocacy
Leslie Von Pless, Communications and
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Judi O'Kelley, Deputy Director
of Development (based in Seattle)
Matthew Allen, Director of Foundation Giving
Brandon Aultman, Member Services Assistant
Allen Clutter, Senior Director of
Corporate Giving and National
Leadership Advancement
John Herget, National Major Gifts Officer
Cynde Horne, Director of Life Planning
Danielle Latman, Database and Online
Constituent Associate
Mitch Mathias, National Major Gifts Officer
Kelly Norris, Database Systems Associate
James Pierce, Database Manager
Matthew Rojas, Director of Membership and
Integrated Direct Marketing
Nora Salem, National Events Coordinator
Maxwell Scales, National Events & Planned
Giving Coordinator
Omer Shah, Member Services Manager
Marc Wilson, Development Reports Manager
Anna Wipfler, National Events Manager

ADMINISTRATION & FINANCE DEPARTMENT (NEW YORK)

Judith Pfenninger, Chief Financial Officer
Jeremy Hoekstra, IT Support Technician
Taleb Hossain, Staff Accountant
Kevin Lee, Information Technology Manager
Todd Marion, Accounting Manager
Darren Nimnicht, Director of
Human Resources
Shonda Simpkins, Staff Accountant
Marisol Velazquez, Executive Assistant
Deborah Williams, Receptionist

WESTERN REGIONAL OFFICE

Shedrick O. Davis, Regional Director
Jon Davidson, Legal Director
Tara Borelli, Staff Attorney
Shelbi Day, Staff Attorney
Francisco Dueñas, Proyecto
Igualdad Coordinator
Jamie Farnsworth, Legal Assistant
Stefan Johnson, Help Desk Attorney
(national position)

Kimberlee Jones, California Major Gifts Officer
Huong Lam, Help Desk Specialist
Jessica Maxwell, Receptionist/
Administrative Assistant
Peter Renn, Staff Attorney
Sklar Toy, Legal Assistant
Tom Warnke, Managing Public
Information Officer
Erik Wilson, IT Coordinator/Office Manager

MIDWEST REGIONAL OFFICE

James L. Bennett, Regional Director
Cheryl Angelaccio, Help Desk Manager
Carla Avila, Receptionist/
Administrative Assistant
Christopher Clark, Senior Staff Attorney
Rosa Yadira Ortiz, Community Educator
Graciela Gonzalez, Legal Assistant
Erik Roldan, Public Information Officer
Scott Schoettes, HIV Project Director
(national position)
Jeff Souva, National Events Director (national
position)
Camilla Taylor, Marriage Project Director
(national position)

SOUTHERN REGIONAL OFFICE

Terence Caldwell, Office Manager
Elijah Davis, Receptionist/
Administrative Assistant
Lorraine Fontana, Legal Assistant
Connor Gillis, Legal Assistant
Beth Littrell, Staff Attorney
Gregory R. Nevins, Supervising Senior
Staff Attorney
Holiday Simmons, National
Community Educator

SOUTH CENTRAL REGIONAL OFFICE

Roger Poindexter, Regional Director
Michele Clanton, Office Manager
Carla McKinzie, Receptionist/
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