

Victories Across the Country: Lambda Legal's Impact in 2008

Lambda Legal is the leading national legal organization dedicated to achieving full civil rights for LGBT people and people with HIV, and we have had an exceptional year. Our high-impact cases and educational programs continue to serve our mission by securing new and expanded legal protections and by amplifying our message in public forums. Below are highlights of our accomplishments in relationship and family equality, health care and workplace fairness, and protections for youth:

Marriage Equality — Preserving our Victory in California

In a sweeping and historic decision, the California Supreme Court ruled that same-sex couples have the constitutional right to marry, followed by 18,000 new marriages of same-sex couples in the state. That ruling is now threatened by an antigay ballot initiative, Proposition 8, which passed on November 4. The California Supreme Court agreed to review the validity of Prop 8 in response to a lawsuit brought by Lambda Legal, NCLR and the ACLU the day after the proposition passed. Two other petitions making similar arguments were also filed in the Supreme Court on the same day. The Court will hear all three petitions on an expedited briefing schedule; oral arguments may take place as early as March. (*In re Marriage Cases, Strauss v. Horton*)

Marriage Recognition — Big Step Forward in New York

After a series of Lambda Legal victories, Governor Paterson ordered state agencies throughout New York to recognize marriages of same-sex couples from other jurisdictions. A New York trial court dismissed a lawsuit against Governor Paterson that challenged this directive. This was the fourth court to dismiss an Alliance Defense Fund lawsuit targeting state government officials who follow New York law and respect these marriages. Many same-sex couples have spousal health insurance now, and Lambda Legal's winning streak in New York is forging a broader path to marriage equality in the state.

Health Care Fairness — Religious Discrimination Not Allowed

In a unanimous decision, the California Supreme Court ruled that religion cannot be used as a legal excuse for doctors to deny Lambda Legal's client Guadalupe "Lupita" Benitez infertility treatment because she is a lesbian, enforcing her right to be treated equally with other patients facing the same health care needs. The court's decision made clear that California's state law prohibiting discrimination must be followed. (*Benitez v. North Coast Women's Care Medical Group*)

Workplace Fairness — Defeating HIV Stigma

Lorenzo Taylor was denied employment by the U.S. Foreign Service because he has HIV, despite easily passing the rigorous application process. Lambda Legal represented Taylor, contending that the U.S. State Department's policy barring all HIV-positive Foreign Service candidates violates the federal Rehabilitation Act, which prohibits the federal government from discriminating against people with disabilities. Less than two weeks before our trial date, the State Department adopted new hiring guidelines and lifted its ban against hiring people with HIV as Foreign Service Officers. (*Taylor v. Rice*)

Workplace Fairness — Clock In for Equality

Our second annual National Day of Action for Workplace Fairness raised awareness about workplace discrimination against LGBT people and people with HIV. Over 5,000 people signed the pledge to take specific actions to help increase workplace fairness.

LGBTQ Youth in Schools — Safety and Accountability

Nancy Wadington endured antigay abuse at Holmdel High School in New Jersey until the middle of 11th grade, when she had to leave school to protect her safety. Lambda Legal filed a lawsuit on her behalf against school officials. After extensive pre-trial activity that led to a mediation, school officials agreed to mandatory training for administrators, faculty and staff, and the case settled for a confidential amount. (*Wadington v. Holmdel Township Board of Education*)

Transgender Rights — Making the Law Count

In 2007 the Montgomery County Council in Maryland unanimously passed a law that added gender identity to the county's civil rights law. A group sought to block the law by gathering signatures for a referendum petition. Lambda Legal challenged the referendum because the Montgomery County Board of Elections over-counted the signatures in violation of the rules governing the process, and Maryland's highest court ruled in our favor. Because of our victory, the law prohibiting discrimination against people on the basis of gender identity has taken effect. (*Doe et al. v. Montgomery County Board of Elections*)

Lawrence v. Texas — Fifth Anniversary Celebration

In 2003 the U.S. Supreme Court ruled all remaining state sodomy laws unconstitutional in our landmark *Lawrence v. Texas* case. To celebrate the fifth anniversary of the decision, Lambda Legal produced a short documentary entitled "*Overruled!*" about

Lawrence and the monumental legal and cultural shift it inspired. We launched a mini-website that features the film as well as historical information, legal discussion questions and an exclusive resource section directed at college students wishing to screen the film on campuses throughout the country.

Moving Ahead: Sample Cases on the Docket

Marriage Equality in Iowa — *Varnum v. Brien*

The Polk County Court in Iowa issued a thrilling decision in 2007, saying that denial of marriage to same-sex couples was unconstitutional. In March, over 200 faith leaders and two former lieutenant governors were among those who signed on to briefs filed by Iowa-based and national organizations and individuals in support of the six same-sex couples and their families seeking marriage in Iowa. In December, Lambda Legal argued before the Iowa Supreme Court to uphold the trial court victory.

Protecting our Families — *Langbehn v. Jackson Memorial Hospital*

When Janice Langbehn arrived at a Florida hospital to see her partner, Lisa Pond, who had been diagnosed with a fatal aneurysm, she was met with prejudice and apathy. Even though she had documents giving her power of attorney, Langbehn and their three children were denied visitation for nearly eight hours and were told not to expect to be acknowledged as family. We are suing the hospital on behalf of Janice and her family.

Workplace Fairness for Transgender Employees — *Glenn v. Brumby*

Lambda Legal is suing Georgia General Assembly officials in federal court on behalf of Vandy Beth Glenn, a transgender woman who was fired from her job as legislative editor and proofreader after she notified her supervisor of her plan to proceed with a medically recommended gender transition.