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# Impact

SUMMER 2013

# AFTER DOMA

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**40**  
YEARS



Lambda Legal  
making the case for equality

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# Life After DOMA



**JUNE 26 WAS ALREADY AN IMPORTANT DATE IN LGBT LEGAL HISTORY**—it was the day 10 years ago when the Supreme Court struck down all remaining state sodomy laws in Lambda Legal's historic *Lawrence v. Texas* victory. Now we also will celebrate June 26, 2013, the day the Supreme Court finally aligned federal and California law with the truth: That lesbian, gay and bisexual people have loving relationships that are equal under the Constitution; and that DOMA and discriminatory laws like it belong in the trash bin of history.

It's a turning point for our nation. We at Lambda Legal are thrilled for Edie Windsor, the ACLU and their co-counsel who brought down DOMA, and for the plaintiffs and the American Foundation for Equal Rights legal team who eliminated Prop 8. But the work isn't over. Two thirds of Americans still live in states that bar marriage for same-sex couples. And all LGBT people live in a nation that lacks a federal law expressly protecting them from being treated unfairly in the workplace.

For couples considering marrying in the jurisdictions that afford same-sex couples the freedom to marry, the new legal landscape introduces new questions: If my home state permits only civil unions or domestic partnerships, or offers no respect at all for same-sex couples' relationships, will we receive any federal benefits? If we're married, is it wise to file our taxes jointly? Should I get on my partner's health insurance plan?

Every family's circumstances are unique, so it is important to consult legal and tax professionals with specific questions. For general guidance, Lambda Legal and 10 other advocacy organizations prepared "After DOMA: What It Means For You," a series of fact sheets covering employment, taxes, immigration, social security, military and veterans' benefits, public assistance for low-income families and more. You can see a sampling on page 4 or check out the FAQ's at [lambdalegal.org/publications/after-doma](http://lambdalegal.org/publications/after-doma).

For couples who live in any of the 37 states that still bar same-sex couples from marrying, the exuberance of June 26 was tempered with hard reality. That's why, within days of the Supreme Court decisions, Lambda Legal took action.

In New Jersey, where we've been fighting for over a decade, thousands of same-sex couples are stuck with a civil union law that limits access to the full range of federal marriage benefits. We urged immediate court action in July and will persevere until we get the job done.

In Illinois, where we filed a suit last year, couples were recently devastated by the failure of the House to vote on the marriage bill (see page 10). Our case in court moves forward and we will continue to pursue all roads to justice there.

Virginia is a new front for Lambda Legal (see page 6)—in the South, not a single state allows or respects marriages of same-sex couples. Lambda Legal and the ACLU just announced plans to soon file a federal lawsuit in that important state.

We know the end of DOMA did not mean the end of the marriage battle, and marriage equality is only one aspect of Lambda Legal's work. From employment discrimination to issues relating to the transgender community and the interests of LGBT youth and seniors, we are fighting for all LGBT people and people with HIV. With your help, we'll continue to fight.

EXECUTIVE DIRECTOR

**The Supreme Court marriage rulings are a turning point for our movement and for our nation. But two thirds of Americans still live in states that bar marriage for same-sex couples and fail to provide equality.**



Carmen Jones (center) and Michael Knaapen and John Becker (hugging) in the jubilant crowd outside the Supreme Court on June 26 when the ruling against DOMA was announced.

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# WHAT'S NEXT?

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June's Supreme Court double victory means big changes for many same-sex couples—restoring the freedom to marry in California and ending discrimination by the federal government regarding taxes, workplace benefits, immigration policy and more. Lambda Legal is demanding swift court action for couples and families in three states and has already announced plans to launch a new marriage equality case in the south. Here's some of what you need to know about your own rights and about the legal challenges that lie ahead.



**W**hen the Supreme Court found Section 3 of the federal Defense of Marriage Act (DOMA) to be unconstitutional on June 26, the effects for same-sex couples were both concrete and symbolic. “This opinion rings with affirmation of our common humanity and the promise of equality for LGBT people in our nation,” Susan Sommer, Lambda Legal’s Director of Constitutional Litigations, said after the decision in *United States v. Windsor*. “We should feel encouraged: Our fight for equality is succeeding.”

In addition, by restoring the freedom to marry in California in *Hollingsworth v. Perry*, the Supreme Court let stand an important principle that Lambda Legal and its colleagues in the LGBT civil rights movement have been arguing for years: It is simply unconstitutional to create a “gay exception” to the principle of equal protection.

Lambda Legal has three pending state-level lawsuits seeking marriage equality in New Jersey, Nevada and Illinois and has already announced the launch of another soon in Virginia. (See page 6 for more about those.)

While the federal government must take action to clarify how certain federal programs will be administered after DOMA, Lambda Legal and our colleagues have been informing the LGBT community on the effects of the Supreme Court doubleheader for same-sex couples and advocating for the most consistent and fair interpretation of the new legal landscape.

Here are five of the most common questions being asked, along with answers from Lambda Legal. For more information, consult the fact sheet series “After DOMA: What It Means For You.”

**Q: DOES THE SUPREME COURT DECISION STRIKING DOWN PART OF DOMA REVERSE STATE-LEVEL MARRIAGE BANS?**

**No**, the decision doesn’t affect state recognition of your marriage.

**Q: WILL MARRIED BINATIONAL COUPLES BENEFIT FROM THE DOMA RULING?**

**Yes**, the DOMA ruling means that non-citizens married to same-sex spouses are now eligible on the same terms as those married to different-sex spouses to apply for green cards to live and work in this country legally.

**Q: ARE COUPLES IN CIVIL UNIONS OR DOMESTIC PARTNERSHIPS ELIGIBLE FOR FEDERAL BENEFITS NOW AVAILABLE TO MARRIED SAME-SEX COUPLES?**

**Not in most instances.** The federal government’s systems for granting couples many benefits are largely built on marriage. Exceptions may include Social Security benefits, because of a legal provision applicable to those who would inherit under their state’s law the same as a spouse—which may include those in civil unions and domestic partnerships.

**Q: DOES IT MATTER WHERE A COUPLE LIVES, AS LONG AS THEIR MARRIAGE WAS LEGALLY SANCTIONED?**

**Yes, it may matter, depending on the federal benefit or program involved.** For legally married couples living outside of a marriage state or the District of Columbia, there are still many questions about when they will be equally able to share in all federal protections, responsibilities and programs. This is because the federal government typically defers to the states in determining whether a couple’s marriage is valid—some federal agencies to the state where a couple married and others to where the couple is living now.

There is much good news already. For example, just two days after the Supreme Court ruling against DOMA, the U.S. Citizenship and Immigration Services awarded a green card to a binational couple who married in New York (where same-sex couples can marry) but live in Florida (where same-sex couples do not have the freedom to marry).

**Q: HOW DO I FIND OUT MORE ABOUT HOW THE SUPREME COURT DECISIONS MAY AFFECT ME?**

**Consult the fact sheet series “After DOMA”** (online at [lambdalegal.org/publications/after-doma](http://lambdalegal.org/publications/after-doma)); contact Lambda Legal’s Help Desk at 1-866-542-8336 or [lambdalegal.org/help/online-form](http://lambdalegal.org/help/online-form); or consult a private attorney.

*Adapted from the fact sheet series “After DOMA: What It Means For You” (visit [www.lambdalegal.org/publications/after-doma](http://www.lambdalegal.org/publications/after-doma)), produced by the American Civil Liberties Union, Center for American Progress, Family Equality Council, Freedom to Marry, Gay & Lesbian Advocates & Defenders, Human Rights Campaign, Immigration Equality, Lambda Legal, National Center for Lesbian Rights, National Gay and Lesbian Task Force, OutServe-SLDN).*



**DOMA NEWS & COMMENTARY:** Stay up to date on the effects of these important Supreme Court decisions and follow Lambda Legal’s post-DOMA legal analysis by visiting: [www.lambdalegal.org/take-action/marriage-at-the-supreme-court](http://www.lambdalegal.org/take-action/marriage-at-the-supreme-court)



*"This is an extraordinary day for our family and for all same-sex couples. This decision is not an abstraction for the families formed by same-sex couples, including ours, whose financial, emotional and physical well-being depend on these benefits."*

**—KAREN GOLINSKI**

In 2010, Lambda Legal sued the federal government on behalf of Karen Golinski (left), seeking health benefits for her wife, Amy Cunninghis. Last year, a district court judge declared DOMA unconstitutional as it applied to Golinski.



**CALIFORNIA COUPLES:  
GOT A  
QUESTION?**

ANSWERS TO TWO KEY QUESTIONS ABOUT THE SUPREME COURT DECISION ON MARRIAGE IN CALIFORNIA, WHICH FINALLY PUT AN END TO THE ANTI-MARRIAGE PROPOSITION 8:

***If we got married in California before Prop 8 went into effect, is our marriage valid?***

Yes, if you got married in California between June 16, 2008 and November 5, 2008, your marriage is still valid and recognized by the state of California.

***Can I marry my current partner if I have a civil union or registered domestic partnership with my former partner?***

Before you marry your current partner, you need to terminate or dissolve the previous legal relationship first. Consult an attorney if you have questions about how to terminate a legal relationship with a former partner.

For answers to more questions about marriage for same-sex couples in California, visit [www.lambdalegal.org/publications/california-marriage-faq](http://www.lambdalegal.org/publications/california-marriage-faq), a fact sheet produced by Lambda Legal, Equality California, the ACLU and the National Center for Lesbian Rights.

*“Although the Windsor decision only deals with the federal government’s refusal to honor lawfully entered marriages, it will be hard for lower courts to ignore the implications of this recognition in challenges to state laws barring same-sex couples from marrying.”*

–**JON DAVIDSON**, LEGAL DIRECTOR, LAMBDA LEGAL

*“DOMA instructs all federal officials, and indeed all persons with whom same-sex couples interact, including their own children, that their marriage is less worthy than the marriages of others.”*

–U.S. SUPREME COURT JUSTICE **ANTHONY KENNEDY** IN *WINDSOR*

## DOMA DECISION PROMPTS ACTION ON THREE LAMBDA LEGAL CASES

		
ILLINOIS	NEW JERSEY	NEVADA
<p>On July 9, Lambda Legal and the ACLU of Illinois asked Illinois’ Cook County District Court for a swift resolution in the May 2012 case known as <i>Darby v. Orr</i> (see page 10 for more about Illinois), which challenges the state’s marriage ban and same-sex couples’ relegation to civil unions. “The end of DOMA creates a new urgency and same-sex couples in Illinois can’t wait any longer,” said Camilla Taylor, Marriage Project Director for Lambda Legal.</p>	<p>On July 3, Lambda Legal filed a motion for summary judgment in New Jersey Superior Court on behalf of Garden State Equality, New Jersey’s statewide LGBT advocacy organization, and six same-sex couples who need the freedom to marry. “With DOMA struck down, it’s crystal-clear that New Jersey’s discrimination is all that stands between same-sex couples and the full array of federal protections for their families,” said Hayley Gorenberg, Lambda Legal Deputy Legal Director. In June 2011, Lambda Legal filed a lawsuit seeking the freedom to marry, arguing that barring same-sex couples from marriage and relegating them to civil union violates both the New Jersey Constitution and the Fourteenth Amendment of the federal Constitution.</p>	<p>Lambda Legal represents eight same-sex couples in a case arguing that Nevada’s constitutional ban on marriage equality, and relegation of them to the second-class status of domestic partnership, violates their right to equal treatment under the U.S. Constitution. The case, known as <i>Sevcik v. Sandoval</i>, was filed in April 2012. The federal trial court ruled against our plaintiffs and Lambda Legal has appealed to the Ninth Circuit Court of Appeals, where the DOMA ruling will be relied on in our arguments.</p>
<i>...And Now We’re Looking South!</i>		
<b>VIRGINIA</b>		
<div style="display: flex; align-items: flex-start;"> <div style="flex: 1; background-color: #0070C0; color: white; padding: 10px;">  </div> <div style="flex: 2; padding: 10px;"> <p>On July 9, Lambda Legal announced that it is in the planning stages of a new federal lawsuit seeking the freedom to marry for same-sex couples in Virginia, along with the American Civil Liberties Union (ACLU). “Same-sex couples are in loving, committed relationships in every region of our nation and should be treated the same way, whether they live in Maine or Virginia,” said Lambda Legal Southern Regional Office Staff Attorney and native Southerner Beth Littrell. “This is one America.”</p> </div> </div>		



**Amber Hatcher was finally allowed to participate in this year's national anti-bullying day at her school.**

Hatcher is not alone in experiencing challenges to her rights to expression in school. Last year, Lambda Legal advocated in more than 100 schools around the nation to support students initially blocked from participating in the DOS. “Most schools respond to our letters by respecting students’ rights to participate,” reports Littrell, “but unfortunately, in the past two years, we have had to resort to litigation to support our youth.”



**FOR MORE INFORMATION ABOUT HIGH SCHOOL STUDENTS' RIGHTS IN SCHOOL, VISIT [lambdalegal.org/know-your-rights/youth](http://lambdalegal.org/know-your-rights/youth).**

**82%**  
OF LGBT YOUTH  
REPORT BEING  
HARASSED IN  
SCHOOL\*

\*SOURCE: GLSEN'S 2011 NATIONAL SCHOOL CLIMATE SURVEY

## IOWA

# Birth Certificates Must Name Both Parents

On May 3, the Iowa Supreme Court handed down a major victory in Lambda Legal's *Gartner v. Newton* case by ordering the Iowa Department of Public Health (IDPH) to include both parents' names on birth certificates for all children born to married lesbian couples.

The decision built on Lambda Legal's 2009 landmark Iowa Supreme Court victory in *Varnum v. Brien*, which won Iowa same-sex couples the freedom to marry, and closely followed a February 2013 win in *Buntemeyer v. IDPH*, which affirmed same-sex parental recognition in the state.

“Same-sex couples and their children do not get marriage-lite,” said Camilla Taylor, Lambda Legal's Marriage Project Director, after the *Gartner* decision. “Marriage is marriage, and equal is equal. Children born to different-sex spouses have two parents at birth, regardless of whether they share a biological relationship to both parents. Today, the Court affirmed that the same is true for children of lesbian spouses.”

The Gartner story started in September 2009, when married couple Heather and Melissa Gartner welcomed the birth of their daughter, Mackenzie, and the State refused to provide Mackenzie with a birth

## FLORIDA

# “Day of Silence” Victory for DeSoto High School Student

With the help of Lambda Legal, Amber Hatcher sued her high school so that she could participate in the Gay, Lesbian and Straight Education Network's Day of Silence (DOS) in April, and it worked: DeSoto County School District officials told the Court at the last minute that they would not stop her.

This was a big change from 2012, when school officials suspended Hatcher for trying to participate. This year, the 16-year-old was able to join thousands of teens around the country in marking the DOS by remaining silent at school (except when addressed directly by a teacher) in order to call attention to the silencing effect of anti-LGBT bullying and harassment in schools.

The U.S. District Court for the Middle District of Florida ruled in March that because the DeSoto District promised “that plaintiff may engage in literally all the conduct” associated with the Day of Silence, an injunction against the school would not be necessary.

The case is still pending against the District over its actions against Hatcher last year.

“Amber was forced to literally make a federal case out of the situation in order to ensure that her rights were not trampled again this year,” said Lambda Legal Staff Attorney Beth Littrell. “This is an important first step, but a student's First Amendment rights are not restricted to one day a year.”

certificate listing both Heather and Melissa as parents on the grounds that Melissa is not Mackenzie's genetic parent.

Lambda Legal sued the IDPH in 2010 on the Gartner's behalf because, under Iowa law, a child

born to married parents is the legitimate child of both spouses—regardless of genetic relationship.

“We are both thrilled and relieved,” said Heather after the May ruling in her case. “We just want our child to have the same respect and treatment that every other child born to married parents receives.”

Iowa now joins every other state that permits same-sex couples to marry or enter into civil unions or comprehensive domestic partnerships, in issuing birth certificates naming both parents.



**Represented by Lambda Legal, Heather and Melissa Gartner sued Iowa's health department and won.**



Taeko Bufford and Diane Cervelli (pictured here with attorney Lindsay McAneeley at left, and Lambda Legal's Peter Renn) were refused a room.

## HAWAII

# Religion is No Defense for Antigay B&B

Hawaii's First Circuit Court ruled on April 15 that a local bed and breakfast had indeed discriminated against a California lesbian couple by refusing them a room because the owner found same-sex relationships "detestable" based on her religious beliefs. The judge also ordered the business, Aloha Bed & Breakfast, to stop discriminating against same-sex couples immediately.

The case stemmed from an incident involving Diane Cervelli and Taeko Bufford, who were planning a short stay so they could visit a friend and her newborn baby in a nearby Honolulu neighborhood. When Cervelli contacted the business, the owner asked if they were lesbians. After Cervelli responded truthfully, the owner denied the couple a room.

Cervelli later described the experience as "hurtful" and also surprising: "In my past experiences in Hawaii, people have been so friendly."

Lambda Legal filed the case in 2011, arguing that the business had violated Hawaii's public accommodation law, which bars businesses from discriminating on the basis of race, sex, gender orientation, gender identity, religion, ancestry or disability. Hawaii's Civil Rights Commission joined the case on the couple's side because of the importance of the case and the potential damage to the state's civil rights laws if religion could be used as a defense to discriminate.

During a pre-trial investigation, Young stated that she believed same-sex relationships are "detestable" and that they "defile our land."

"The court made clear that no business is above the law," said Lambda Legal Staff Attorney Peter Renn. "When you enter the commercial world, you take on an obligation not to discriminate against customers, no matter what the color of their skin, what religion they practice, or whom they love. That very simple but fundamental principle was vindicated today."



Judicial vacancies are causing significant delays, as senators continue to block presidential appointments to the federal bench.

## FAIR COURTS

# Empty Benches Are a Civil Rights Problem

The high number of judicial vacancies in U.S. federal courts is causing delays, and the current bench lacks diversity. These concerns were the focus of a March 14 White House meeting where Lambda Legal joined a small group of LGBT organizations to discuss strategies aimed at addressing the current court crisis.

Vacancies have increased 51% since President Obama took office, with 81 empty seats and 32 judicial emergencies in federal district and appellate courts nationwide. While the president has nominated a long list of qualified appointees to fill these positions, filibustering and other delaying tactics by Republican Senators have put the brakes on their confirmation.

"The American people deserve to have a fair and functioning judiciary, yet many people routinely wait upwards of three years to have their cases heard," according to Eric Lesh, Lambda Legal's Fair Courts Project Manager, who participated in the March meeting.

The federal court vacancies delay a critical number of important rulings. Federal district courts resolve some issues and often set in motion future civil rights victories with rulings that help frame a range of legal issues, with appellate courts rendering final decisions on many cases.

Also, President Obama has appointed an unprecedented number of openly gay judges, but few of these have been approved. Lesh argues, "A judiciary that reflects the country it serves improves public confidence in the integrity of the courts and increases the likelihood that the decisions are fair."

Politics have always played a role in getting a president's appointees through Congress, but the current delay is historic: It has taken Obama nominees an average of 116 days to be voted on in the Senate, compared, for instance, to 34 days for nominees of President George W. Bush. Armed with the filibuster and other procedural tactics, obstructionist Senators are able to stall committee hearings and block floor votes on even the most routine judicial nominees.

Among the Lambda Legal projects underway since the March White House meeting are campaigns to help national and regional LGBT community leaders advocate for well-qualified and diverse judges who believe in equal justice for all.



The immigration bill approved in June by the U.S. Senate addresses path to citizenship, asylum and solitary confinement, among other LGBT issues.

## IMMIGRATION

## Senate Bill Would Help LGBT Immigrants

On June 27, the U.S. Senate approved an overhaul of the country's immigration system that included important benefits for 11 million immigrants, including 267,000 LGBT immigrants. The vote came the day after the Supreme Court's historic ruling to strike down the Defense of Marriage Act, which provided an estimated 28,500 same-sex, binational couples with an easier road to family unification and citizenship.

"We are one step closer to reforming our immigration policies and keeping more families together," Lambda Legal said after the Senate vote, in a statement co-signed by the National Center for Lesbian Rights, GLAAD, National Gay and Lesbian Task Force, United We Dream and Queer Undocumented Immigrant Project, GetEQUAL, National Center for Transgender Equality, Equality Federation and National Queer Asian Pacific Islander Alliance.

The groups applauded the Senate bill's path to citizenship; its elimination of a one-year bar on applying for asylum; and its limitation on the use of solitary confinement—in particular, its prohibition on the use of this practice based solely on a detainee's sexual orientation or gender identity. Lambda Legal and its sister organizations also critiqued the bill for provisions such as the commitment to spend \$40 billion on border policing.

***Solitary confinement based solely on a detainee's sexual orientation or gender identity would be prohibited.***

The bill now faces steep opposition from anti-reform members in the House of Representatives.

Lambda Legal has worked closely with a range of groups seeking comprehensive immigration reform (CIR) including the League of United Latin American Citizens (LULAC), with whom we joined a campaign urging voters to mail postcards to their representatives in Congress showing support for immigration reform.

Lambda Legal also received a grant this year from the Four Freedoms Fund (FFF) to join a campaign to help make the LGBT case for immigration reform and raise the visibility of LGBT support for CIR.

## HIV RIGHTS

## Feds Halt Deportation of HIV-Positive Gay Immigrant

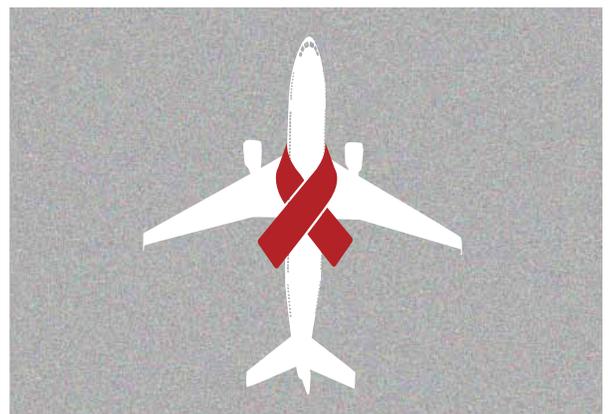
On May 31, the federal Board of Immigration Appeals halted plans to deport Jose Luis Ramirez, an HIV-positive gay Mexican immigrant convicted of soliciting oral sex, after the Department of Homeland Security retracted its earlier argument that Ramirez's HIV status made his conviction a "particularly serious crime."

The Homeland Security argument had prompted Lambda Legal and the HIV Law Project to submit a friend-of-the-court brief on appeal in the case citing information from AIDS experts that HIV transmission through oral sex is

extremely rare, if not impossible, in most circumstances.

In 2006, Ramirez was allowed to remain in the U.S. because of anti-LGBT abuse he suffered at the hands of police officers in Mexico. Three years later, he became homeless when the nonprofit organization that had employed him went bankrupt and his long-term relationship ended. Turning to sex work, Ramirez was arrested and charged with solicitation after agreeing to perform oral sex on an undercover police officer in exchange for money.

"This is great news and an important step by a government agency in recognizing and correcting commonly held misconceptions about the transmissibility of HIV," said



Jose Luis Ramirez was almost deported to Mexico because of his HIV status.

Lambda Legal HIV Project Director Scott Schoettes when the deportation was halted. "More importantly, this is a wonderful outcome for Mr. Ramirez, whose HIV status will not be used as an excuse to compel his return to a place where he has been abused and persecuted."

## ILLINOIS

## Many Roads to Marriage in Illinois

The Illinois House of Representatives failed to vote on the “Religious Freedom and Marriage Fairness Act” on May 31, the end of the legislative session, and Illinois Unites for Marriage immediately announced plans to continue the fight for the freedom to marry.

“The day is coming when Illinois will have the freedom to marry,” said Jim Bennett, director of Lambda Legal’s Midwest Regional Office and chair of Illinois Unites. “Lambda Legal won’t stop until same-sex couples in Illinois are treated with dignity and respect.”

Bennett announced that Lambda Legal’s marriage case *Darby v. Orr*, filed in 2012, will continue through the court system. That case seeks the freedom to marry for same-sex couples in Illinois who continue to face discrimination under the current civil union law. *Darby* and a similar suit filed by the ACLU together represent 25 same-sex couples from across the state of Illinois who want to get married.

Lambda Legal has also been building community support through its “ILove” campaign ([lambdalegal.org/ilove](http://lambdalegal.org/ilove)), which includes a video about the *Darby* plaintiffs that has been viewed over 50,000 times.

At press time, efforts were underway in Illinois to reenergize the coalition with an eye towards urging a vote during the veto session in November.

In addition to its work in Illinois, Lambda Legal also has active freedom-to-marry cases in Nevada and New Jersey and has announced plans to file in Virginia.



Lambda Legal’s Midwest Regional Office Director Jim Bennett criticized Illinois legislators’ failure to pass a marriage bill and vowed that the case *Darby v. Orr* would proceed.



Puerto Rico’s new employment antidiscrimination law is one of just 22 such protections around the U.S.

## PUERTO RICO

## New Workplace and Domestic Violence Protections for LGBT People

Puerto Rico Gov. Alejandro García Padilla signed two LGBT-related bills into law on May 29: one prohibiting employment discrimination on the basis of sexual orientation or gender identity and the other including same-sex couples in the island’s domestic violence law.

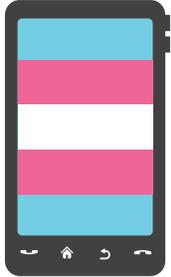
“This is a big step forward,” said Francisco Dueñas, coordinator of Lambda Legal’s Proyecto Igualdad. “These laws will provide a powerful tool to protect the people of Puerto Rico, and for Lambda Legal to continue fighting for equality in court for LGBT people and those living with HIV in Puerto Rico.”

Puerto Rico joins 21 states in the United States that expressly ban discrimination in employment on the basis of sexual orientation and 17 that also cover gender identity. There is no such express protection at the federal level, although Americans overwhelmingly support job protections for LGBT people. Among Latinos, 83% support laws that protect gay people from discrimination in employment as well as housing.

“Congress should work to pass the Employment Nondiscrimination Act (ENDA) to make sure that all LGBT people across the country have workplace protections,” Dueñas said.

## Transgender Rights on Your Smartphone

LAMBDA LEGAL'S POPULAR EMPOWERMENT GUIDE GOES MOBILE



*“Transgender and gender-nonconforming (TGNC) people face serious legal obstacles and many endure discrimination and violence on a daily basis, whether in health care, family rights, the workplace or the criminal justice system, and whether old or young. The fact is, however, that nobody has the legal right to harass you simply because of who you are or perceived to be.”*

That’s the message of Lambda Legal’s new mobile guide about the legal rights of transgender and gender-nonconforming (TGNC) people. “Know Your Rights: Transgender” ([lambdalegal.org/kyr/transgender](http://lambdalegal.org/kyr/transgender)) connects people through their smartphones and computers to the cutting edge information in our Transgender Rights Toolkit, which was only available until now in print or as a PDF.

“Trans people need access to information about their rights,” said Lambda Legal Transgender Rights Attorney Dru Levasseur when the mobile guide went live. “And these digital resources could really reach a population that might not otherwise be reached.”

The materials were developed by the Transgender Rights Project, Lambda Legal’s initiative to win equality for TGNC people in all areas of life, through impact litigation, policy development and public education.



**ALSO:** Three more fact sheets from the Transgender Rights Toolkit have been translated into Spanish and are now available in print and online ([lambdalegal.org/trans-recursos](http://lambdalegal.org/trans-recursos)). They are:

- *Injusticias y derechos en el trabajo* (Workplace Rights & Wrongs)
- *Padres y madres transgénero* (Transgender Parents)
- *Combatir la violencia contra las personas transgénero* (Fighting Anti-Trans Violence)

## Child Welfare Factsheets Now Available in Spanish

VAMOS AL GRANO GIVES GUIDANCE TO PROFESSIONALS WORKING WITH LGBTQ YOUTH

Also brand new at Lambda Legal are Spanish versions of five fact sheets from *Getting Down to Basics*, a guide for child welfare professionals working with lesbian, gay, bisexual, transgender and questioning (LGBTQ) youth who are homeless, in group homes or caught in the juvenile justice system. The translated version, available by PDF, is called *Vamos al Grano*.

The need for such a guide was clear. “Spanish-speaking LGBT communities that depend upon non-profits and government programs for social services should be able to get culturally competent care that is tailored to meet their needs,” according to Francisco Dueñas, coordinator of Lambda Legal’s Proyecto Igualdad. “Language accessibility is one important part of that.”

LGBTQ young people are caught up in America’s child welfare and juvenile justice systems in disproportionate numbers. This toolkit, which was published in partnership with the Child Welfare League of America (CWLA), offers practical tips and information to ensure they receive the support and services they deserve.

The value of translating Lambda Legal publications into Spanish is not just about reaching an audience that doesn’t speak English but helping bilingual advocates as well. “Even with Latino LGBT advocates, English is usually the dominant language,” says Dueñas. “By providing bilingual Spanish speaking advocates with the right tools to talk about LGBT issues in Spanish, we are helping to increase the quality of the communication among family members and advocates.”



**VAMOS AL GRANO CAN BE DOWNLOADED AT** [lambdalegal.org/vamos-al-grano](http://lambdalegal.org/vamos-al-grano).

**FACT SHEETS INCLUDE:**

- *Conceptos básicos sobre el ser LGBTQ* (Basic Facts About Being LGBTQ)
- *Familias que apoyan a hijos/as LGBTQ* (Families Supporting an LGBTQ Child)
- *Asistentes sociales con clientes LGBTQ* (Caseworkers with LGBTQ Clients)
- *Trabajando con la juventud transgénero* (Working With LGBTQ Youth)
- *Políticas básicas, capacitación y servicios para agencias de protección de menores con clientes LGBTQ* (Basic LGBTQ Policies, Training & Services for Child Welfare Agencies)

American Airlines 

**AMERICAN AIRLINES IS THE OFFICIAL AIRLINE OF LAMBDA LEGAL.**

American Airlines has been a national sponsor of Lambda Legal and a travel partner since 2004. As a Lambda Legal member, you can help and support Lambda Legal every time you travel on American Airlines, at no cost to you! It is very simple. When making a reservation on

[www.AA.com/rainbow](http://www.AA.com/rainbow) or through a travel agent, all you need to do is provide Lambda Legal’s unique Business ExtrAA Account number and you will help earn valuable points for Lambda Legal. The best part is that

you still earn your own AAdvantage Miles! When booking on

[www.AA.com/rainbow](http://www.AA.com/rainbow), simply enter **541544**

at the bottom of the Enter Passenger Details section, in the field for Business ExtrAA Account Number.

# WHAT YOU'RE SAYING

## A SAMPLING OF COMMENTS FROM OUR FACEBOOK PAGE

### RE: SUPREME COURT RULING AGAINST FEDERAL DOMA (See p. 3)

**KAREN NEAL LEARY:** I'm so happy for everyone, especially my daughter and her partner.

**TONY MIRANDA:** We are on our way to Equality.

**DON LOCASCIO:** NOT OVER until all states have the same protection.

### RE: RULING ON CALIFORNIA MARRIAGE

(See p. 3)

**MICHAEL INGISON:** It should be legal...everywhere. Every person has the right to all things that this country offers no matter their sex, race or religion.

**WLEE DORSEY:** Count from SF City Hall Weekend: 563 wedding licenses issued and 479 weddings performed! HAPPY PRIDE and congrats to ALL!

**SHIRLEY PHELPS:** Glad my LGBT sisters and brothers have the same marriage legal rights as everybody else! Favoritism and discrimination hurt everybody and serve no one...

### RE: MARRIAGE CASE IN NEW JERSEY (See p. 6)

**SUZANNE KATZ KINZLER:** Down with civil unions... We deserve/demand marriage here in NJ!

**SHARON WILLIAMS:** Keeping my fingers crossed for you! I was born and raised in South Jersey and now live in Texas... I hope and pray every day that marriage will be legalized in every state. I believe that someday my partner Cathy & I will be able to marry.

**NANCY FRENCH:** Full state and federal marriage equality - NOW!

### RE: PUERTO RICO'S NEW LGBT RIGHTS LAWS

(See p. 10)

**ANDREI VARNEY:** More advanced than most of the U.S... Very embarrassing for this nation.



Lambda Legal members Claude J. Summers (left) and Ted-Larry Pebworth

### MEMBER PROFILE

# OUR STORY

## Claude J. Summers and Ted-Larry Pebworth, New Orleans members since 1986

"We are retired English professors. We taught at the University of Michigan-Dearborn for more than 30 years, before retiring to New Orleans, where we live in the French Quarter.

"In many ways the quest for equal rights has been one of the abiding causes of our lives. We became partners in 1963 at a time when we were acutely aware of the dangers that we faced as gay men. We knew that should our relationship become known, we could be denied education and employment and could even face imprisonment.

"From the time we were in college we began supporting the then-tiny movement for equal rights.

"Recognizing the crucial work done by organizations devoted to securing equal rights under the law, we contributed to Lambda Legal over the years, but decided to increase our support to Liberty Circle status in 2012 when we noticed that Karen Dixon and Nan Schaffer had offered to match contributions of \$5,000 or more. They made the offer in honor of Kevin Cathcart's 20th anniversary as Executive Director of Lambda Legal. Since we had greatly admired Kevin for many years, and were looking for a way to commemorate our 49th anniversary, it seemed serendipitous that not only could we increase our giving to Lambda Legal, but thanks to Karen and Nan, our gift would be amplified.

"Lambda Legal has made so many important contributions to equal rights over the years that it is difficult to select only one accomplishment, but *Lawrence v. Texas* changed the legal climate for LGBT people in this country. It was the culmination of many smaller victories, and it has made possible our recent legal successes. All people who value equal rights should be grateful to Lambda Legal for so carefully marshaling the legal strategies and arguments that eventually culminated in the game-changing victory that is *Lawrence*.

"We are confident that there will be many more triumphs in the courts in the near future, and we know that Lambda Legal and its work will be central to them.

"We are planning to marry in Provincetown in June on our 50th anniversary. That we are able to do so is a direct result of the hard work of so many people over the years, including that of Lambda Legal."

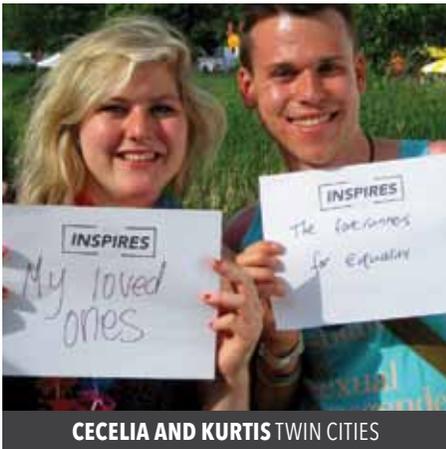
IN HONOR OF LAMBDA LEGAL'S 40TH ANNIVERSARY, WE ASKED, "WHO INSPIRES YOU?" HERE ARE SOME OF THE PEOPLE WHO RESPONDED FROM ALL AROUND THE U.S.!



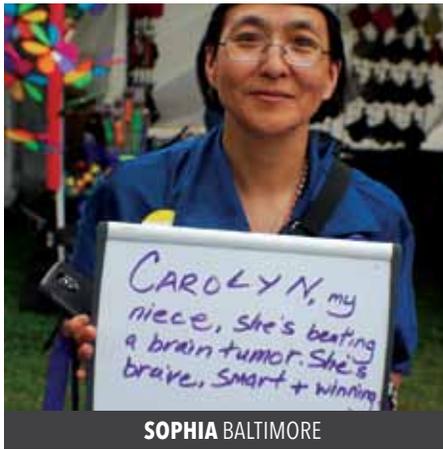
VISIT

[lambdalegal.org/inspire](http://lambdalegal.org/inspire)  
TO SEE MORE!

# WHO INSPIRES YOU?



**CECELIA AND KURTIS** TWIN CITIES



**SOPHIA** BALTIMORE



**CANDICE**  
PHILADELPHIA



**RHEANNA**  
OKLAHOMA CITY



**JESSEE**  
TULSA



**NINETTA** OKLAHOMA CITY



**EMILY, KAYLIE AND AMANDA** HOUSTON



**KATE** LOS ANGELES



**AMANDA**  
LOS ANGELES



**TYLER**  
INDIANAPOLIS



**AUDRY**  
OKLAHOMA CITY



**CIEMONE AND CHELSEA**  
INDIANAPOLIS



**KRIS** BALTIMORE



**LANCE** LOS ANGELES



**ANGEL** NEW YORK CITY



**FRANCOIS**  
INDIANAPOLIS



**PAULA** ANCHORAGE

**40** 40 YEARS  
MOVING  
HISTORY  
FORWARD

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



For our 40th anniversary we're looking for 365 people to join our monthly giving program, the Justice Fund, during our **365 for 365 Campaign!** With your pledge of \$1 or \$2 per day (\$30.42 or \$60.84 per month)—or more—you are making a commitment to equality every day.

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

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

\$30.42     \$60.84     \$91.26     Other \$\_\_\_\_\_

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

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	

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

IM13SUMJ

DONOR PROFILE

# HONORING A LEGACY

## Edward Butcher (1925-2012)

*As the oldest and largest LGBT legal organization in the country, Lambda Legal is fortunate to have friends and donors who have supported us for the full breadth of our 40 years. One such friend was Edward Butcher, and this is his story, as recounted by his friend and executor Paul Stone and estate co-executor Jack Lichtenstein.*

Edward was a British Royal Navy officer who served in World War II. He made close friends with many American soldiers during the war and realized he wanted to live in the U.S. Edward moved to New York City shortly after the war and worked for the cruise line Holland America at Rockefeller Center. He was an avid classical music lover, collecting more than 300 recordings and attending performances at the Met and on Broadway.

Edward met the love of his life, Richard Lewin, in New York during the 1940s. Although they were of a generation when coming out as gay men was incredibly difficult, they were able to create a joyous life together for more than 50 years. The couple shared a home in Greenwich Village, just

blocks from the Stonewall Inn. During the summer, they vacationed on Fire Island and attended garden parties with their close friends. They were a happy pair, and they happened to witness firsthand the birth of the modern LGBT rights movement in New York City.

When Richard passed away in early 2000, Edward had to endure the cruelty of a landlord who was unsympathetic to same-sex couples. Edward was threatened with eviction from a home he had lived in for more than 30 years because he was not recognized as Richard's spouse. He had to sue the landlord and the building for the right to live in his own home. He eventually won, but out of spite the landlord refused to send the rent bill under Edward's name. It always read "Richard" and was a monthly reminder of Edward's loss and the discrimination that he and Richard had endured.

Edward's health started to decline shortly after Richard's death. Edward's friend Paul Stone, whom he had first met at one of those garden parties in the 1970s, became his caretaker. Paul knew that he needed to help protect Edward's last wishes. In 2011, Lambda Legal supporter Jack Lichtenstein became Edward's attorney and was instrumental in pointing out to him the need to support Lambda Legal and Services and Advocacy for GLBT Elders (SAGE) in his will.

Edward Butcher died in July 2012. Lambda Legal is honored to be one of his beneficiaries. With his generosity, Edward has helped to forge a lasting legacy for LGBT equality.



**NEW YORK LIBERTY AWARDS:** Lambda Legal Executive Director Kevin Cathcart with John Garcia of LatinoJustice and Lillian Ling and Margaret Fung of the Asian American Legal Defense and Education Fund (AALDEF), at Pier Sixty, Chelsea Piers, on May 6, 2013.



**LAMBDA LEGAL IN FORT LAUDERDALE:** Amicus-level donor Debra Lobel with Liberty Circle member Jayne B. Sherman, a former board member, and Liberty Circle member Deby Zum, at the Bonnet House on March 24, 2013.



**SAN FRANCISCO SOIREE:** Former board co-chair and Amicus-level donor Gale Richards (center) with her wife Ruth Dawson and former plaintiff Maverick Couch, on stage at Terra Gallery on April 26, 2013.



**JEFFREY FASHION CARES:** Event co-chair, National Leadership Council member and Liberty Circle member Todd Sears with event founder and Liberty Circle member Jeffrey Kalinsky and event co-chair Dan Rothmann, pictured at Lambda Legal's 2013 Liberty Awards dinner (see above). Photo Credit: Jicky Leidicke



**BON FOSTER:** Current and past members of the board and the National Leadership Council and staff and volunteers, along with the family of founder Bon Foster, celebrate the 20th Anniversary of Lambda Legal's Midwest Regional Office on April 24, 2013 at the Art Institute of Chicago. Photo Credit: Starbelly Studios Photography

**SAVE the DATE!**



## **SATURDAY, SEPTEMBER 21, 2013 AVIARA RESORT, CARLSBAD, CA**

National Sponsor Mercedes-Benz and a sponsor of the Inaugural Lambda Legal Golf Invitational is providing the Hole-In-One Contest Prize of a 2014 Mercedes-Benz E350 Sedan.



*Model shown as illustration only*

As we celebrate our 40th anniversary, Lambda Legal is pleased to announce its first golf tournament. Join us for a full day of golf, prizes, drinks and dinner on one of the most beautiful courses in America, which also hosted the 2013 LPGA Kia Classic.

For event information or questions about sponsorship, contact Patrick Goulet at (212) 809-8585 ext. 231, or email [pgoulet@lambdalegal.org](mailto:pgoulet@lambdalegal.org) OR visit [lambdalegal.org/golf](http://lambdalegal.org/golf)

### **LOOK INSIDE THIS ISSUE OF IMPACT TO FIND OUT ABOUT:**

*June's Supreme Court marriage rulings*

*Lambda Legal victories in Florida, Hawai'i and Iowa*

*Transgender rights on your cellphone*

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[lambdalegal.org](http://lambdalegal.org)

**HELP DESK:** 1-866-542-8336  
[lambdalegal.org/help](http://lambdalegal.org/help)

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