

NATIONAL CENTER FOR LESBIAN RIGHTS

2020-21 ANNUAL REPORT



From Imani

During times that seemed unsurmountable, NCLR continued to fight for us.



NCLR is honored to do the work that you've trusted us to do for over 45 years now.

Dear Friends,

Looking back at 2021, it is an understatement to say that we are in unprecedented times. As we continue to make sense of the world while battling a global pandemic, our country feels more divided than ever. Over the past year we witnessed an attack on our capitol, creating the first non peaceful transfer of power in our nation's history. More anti-LGBTQ bills than ever before were introduced in state legislatures that attempt to erase and marginalize LGBTQ people.

But 2021 also presented some incredible victories. Under President Biden, we've seen a record number of appointments that included more LGBTQ people, women, and people of color — creating an administration more closely resembling who we are. Powerful vaccines have helped slow the spread of COVID-19, saving lives across the world. And the Equality Act passed in the House of Representatives in 2021, bringing us one step closer to having federal protections for LGBTQ people for the first time ever.

And because of your support, NCLR has continued to do the work that you've trusted us to do for 45 years now. This report shows some of the work that we've accomplished together. Thank you, for your commitment to justice, and your belief in NCLR.

In Solidarity,





From the Board

We call upon our feminist roots to create real-life change every day.





Dear NCLR Friends and Family,

It is an understatement to say we are in fraught times. Looking back to the beginning of 2021, we remember the hopes we had of new leadership in Washington and then we reeled from the attack on our country's capital. We remember the excitement of the first vaccines for the COVID pandemic, and then our collective recovery was continually thwarted by division, distrust and misinformation.

For the LGBTQ community, 2021 began with more anti-LGBTQ legislation across our 50 states than ever before and we immediately understood that this new year would be anything but easy. **But NCLR has never done easy and we continue to prepare for what lies ahead.**

As we kick off 45 years of NCLR, we celebrate our team, our longevity and our strength. NCLR is in the best financial and operational position in its history. And, as an organization birthed of a feminist approach to the wrongs and injustices of our world, our philosophy has never rung truer than it does today: we bring ALL of us to the table and we cannot feel fully free until all of us are seen and heard and treated with respect. This kind of justice must include racial, economic and gender justice – it must include all of our identities. We center the experiences of: lesbians; people of color; transgender people; people that are queer and bisexual; people with disabilities; people with low incomes; and people that have sought asylum in this country. We are for all of us. Our injustices are not carved out for just one of our identities so our solutions must not be either.

We are so proud of our affiliation with NCLR. For decades we have been donors, partners, supporters and cheerleaders for the work. We have also been beneficiaries and it is with this in mind, we continue to commit to bringing justice, access and equity to each and every LGBTQ person.

Thank you for continuing on this journey with us!

Sincerely,



Arlette Smith and Nancy Geimer
NCLR Board Co-Chairs



The Work

Our work has always been intersectional as we recognize the full breadth of the LGBTQ community.

NCLR is unique in the LGBTQ civil rights arena as an organization founded by lesbians in the 1970s.



While lesbians and queer women have been at the helm of our organization for all of our 45 years, we recognize that our fight for gender justice is a fight for all people who are victimized by gender-based oppression, and our leadership has reflected that understanding and commitment, and has consistently and intentionally included people of all genders. We have consistently worked to identify gaps and address the needs of those who are not being supported, defended, and included in our movement because of intersections of identity. We continue to position ourselves at the "live edge" of the intersectional struggle for justice for LGBTQ people.

Our work has always been intersectional as we recognize the full breadth of the LGBTQ community and the roles racism, ableism, classism, immigration, sexism and genderism play in oppressing and restricting access and equity for all. These are not separate issues, and so our work is to solve them together. Impact investments like yours allow us to respond to the entire community. NCLR is unique from other organizations in that we do not determine our casework by how palatable these clients or issues will be to donors, but instead by whose story is least represented. In doing that, the role models will include the most underrepresented in our community, and so the precedent includes **everyone** in our community. When we are funded to do our work well, we can create real and meaningful change for everyone.

AREAS OF FOCUS

FAMILY LAW — Protecting LGBTQ people's family relationships has been a core aspect of NCLR's work since our founding in 1977. From marriage equality to protecting unmarried partners to the ability to have and raise children to establishing protections for transgender parents and transgender children, NCLR has been at the forefront of advancing the rights of LGBTQ people and their families for decades.

- After **marriage equality**, LGBTQ people still face significant discrimination related to their relationships and families. Many states still do not treat same-sex spouses equally in every respect, and unmarried partners in most states lack full protections. NCLR works to ensure that marriage equality is a reality for same-sex spouses, including access to common-law marriages, and to advance laws protecting unmarried partners. NCLR represented the Tennessee plaintiffs in the marriage equality cases before the U.S. Supreme Court and served as counsel in many of the state marriage equality cases. After achieving marriage equality, NCLR has continued our work to ensure that all relationships and families are recognized and free from discrimination.

- Although we have made great strides in protecting the rights of **LGBTQ people and their families**, LGBTQ parents continue to face significant discrimination. Transgender parents in particular still lose custody of their children at alarming rates simply because of their gender. Through legislation and impact litigation, NCLR works to ensure that LGBTQ parents and their children are fully recognized as families under the law, including low-income parents using low-cost assisted reproduction, both married and unmarried parents, families with more than two parents, adoptive parents, and parents conceiving using surrogacy. At the same time, we advocate for greater protections for the health and rights of people acting as

surrogates and egg donors. We also represent LGBTQ parents facing discrimination based solely on their gender or sexual orientation, and our Transgender Youth Project works to protect transgender and gender-nonconforming children whose parents do not agree to affirm their identities.

- NCLR works to ensure that every person has the ability to choose whether or not to have children, and that everyone who participates in assisted reproduction, including egg donors and people acting as surrogates, has the full ability to make decisions about their own bodies. We have a unique relationship with **reproductive justice** organizations and oftentimes participate as the only LGBTQ organization at the table. Through legislation and impact litigation, we seek to ensure that intended parents using assisted reproduction and surrogacy are recognized as families, and that the rights of people acting as surrogates and egg donors are fully protected. We also strongly support the provision of all reproductive health services to people of all genders, including access to abortion, contraception, assisted reproduction and fertility services covered by insurance, and fertility preservation for transgender people.

ELDER LAW — The first LGBTQ organization to form an elder law program, NCLR has always recognized the unique needs of aging for LGBTQ individuals. Combating housing, job and benefits discrimination, our work in this area gets more and more important as the aging LGBTQ community grows each year.

YOUTH PROGRAM — In 1993, NCLR became the first LGBTQ legal organization in the country to launch a project dedicated to advocating for LGBTQ youth. Through public education, training, policy advocacy and litigation, NCLR works to ensure that all LGBTQ youth are safe and have the opportunity to live openly with the supports they need to thrive and reach their full potential.

- In June 2014, NCLR launched **Born Perfect**: The Campaign to End Conversion Therapy by passing laws across the country to protect LGBTQ children and young people, fighting in courtrooms to ensure their safety, and raising awareness about the serious harms caused by these dangerous practices. Few practices hurt LGBTQ youth more than attempts to change their sexual orientation or gender identity through conversion therapy, which can cause depression, substance abuse, and even suicide. But some mental health providers continue to subject young LGBTQ people to these practices — also known as "reparative therapy," "ex-gay therapy," or "sexual orientation change efforts" — even though they have been condemned by every major medical and mental health organization in the country. We are committed to

ending these dangerous and stigmatizing practices across the country once and for all — relegating them to the dustbin of history, and ensuring every child knows they were #BornPerfect.

- LGBTQ youth, particularly those of color, are significantly overrepresented in the juvenile **justice system**, where they routinely experience unconscionable mistreatment, harassment and discrimination. NCLR is at the forefront of a national movement to raise awareness of the unique harms suffered by justice-involved LGBTQ youth, increase professional competence, and develop policies that divert LGBTQ youth from the system and support their health and well-being in their communities.

- **Education** is one of the clearest predictors of a person's overall long-term health and wellbeing. Unfortunately, school is not a safe and welcoming place for many LGBTQ students. From unchecked harassment to discriminatory school policies, LGBTQ students are not given the chance they deserve to learn and grow. NCLR's legislative advocacy and litigation is at the forefront of dismantling the barriers LGBTQ students experience when trying to access their education — as it has been for nearly thirty years.

- **Foster Care:** LGBTQ youth constitute about 20% of youth in foster care—over twice their numbers in the general population. The trauma that leads to their separation from their families and communities is exacerbated when LGBTQ foster youth languish in multiple institutional settings in which they are unsafe, unseen and unsupported. NCLR advocates for child welfare policies that promote the safety and well-being of LGBTQ youth by preventing their unnecessary entry into foster care, reunifying them with their families whenever possible and ensuring that they receive the love and support that all youth need to thrive.

- Transgender youth face unique legal issues and challenges in the fight for equality. NCLR is the only LGBTQ legal organization with a project focused on the "t" in LGBTQ and has been a leading advocate for their rights through our **Transgender Youth Project**. Through litigation and advocacy, NCLR has helped ensure that transgender youth have the support and opportunities they need to thrive.

SPORTS PROGRAM — NCLR's Sports Project aims to ensure that lesbian, gay, bisexual, and transgender players, coaches, and administrators receive fair and equal treatment — free of discrimination. Founded in 2001, the Sports Project has litigated cases on behalf of LGBTQ athletes and coaches, advised schools and athletic associations, and convened key coalitions to combat homophobia and transphobia in sports. NCLR co-founded and participates in a coalition of LGBTQ sports leaders from across the country that works to combat anti-LGBTQ bias in sports. The coalition brings together college and professional athletes, coaches, athletic administrators, political figures, LGBTQ advocates

and sports organizations to examine best practices, troubleshoot common problems, and develop strategies to tackle anti-LGBTQ bias at every competition level.

RACIAL AND ECONOMIC JUSTICE — The most important issues LGBTQ people of color and low-income people face are often caused by racism and poverty. Unless we work to change systemic racism and fight poverty, LGBTQ people will never live free from oppression. NCLR advocates to improve the social safety net and workers' rights, co-leads the National LGBTQ Anti-Poverty Network, and supports the work of coalitions such as the Movement for Black Lives and Coalition on Human Needs.

- Over 3 million LGBTQ people live in rural areas of this country, and meet many of the same joys and challenges as their non-LGBTQ counterparts. However, some of the structural challenges facing all rural residents may heighten difficulties that LGBTQ people everywhere encounter such as discrimination and a struggle to find LGBTQ-friendly providers of healthcare, legal assistance, social support, and education. NCLR works to ensure that legal protections are accessible to LGBTQ people everywhere, including rural communities, so that nobody has to choose between fully expressing who they are and where they call home. Through our **Rural Pride** programs, we bring people together to name and solve problems unique to their experiences.

- LGBTQ people — especially low-income LGBTQ people of color — are disproportionately impacted by the **criminal justice system**. LGBTQ individuals experience significantly higher rates of joblessness and poverty than the general population, leading many to turn to underground economies like sex work or drug sales for income. Police bias, abuse and profiling of LGBTQ people — especially trans women of color — means more LGBTQ people are targeted by law enforcement. These factors, together with widespread discrimination and social marginalization, contribute to the significant overrepresentation of LGBTQ people in prisons and jails.

- About 30 million people in the U.S. need and qualify for free legal services each year, and many legal aid providers work diligently to meet the need. However, because of a systematic lack of resources, **legal aid** providers have to turn away about half of those who would otherwise qualify for services coming to them for legal assistance nationally. Despite a persistent myth that LGBTQ people are wealthy, the fact is that LGBTQ people face poverty at the same or greater rates than their straight, cisgender counterparts. Transgender and bisexual people in particular are disproportionately affected by poverty. NCLR works to remove barriers to LGBTQ people in accessing vital legal aid, and provides training and technical assistance to legal aid organizations to provide culturally-competent legal services to low-income LGBTQ clients.

IMMIGRATION AND ASYLUM PROGRAM — The U.S. has historically been seen as a place where those fleeing persecution in their countries of origin may find safety. NCLR was the first national LGBTQ organization to have an Immigration Project, which started in 1994, the same year the U.S. recognized that immigrants facing persecution on the basis of their sexual orientation could seek protection as refugees and asylees. Since then, NCLR's Immigration Project has advanced immigration law and assisted thousands of LGBTQ immigrants in obtaining legal status in the U.S. and avoid being forced to return to their countries of origin where they would be targeted for abuse, violence, and even death because of their sexual orientation, gender identity, or gender expression. In addition, prior to nationwide marriage equality in 2015, the Immigration Project assisted many LGBTQ bi-national couples who would otherwise face separation, since many same-sex couples or couples with a transgender partner faced difficulties obtaining relationship recognition, and uncertainty in whether their relationship would be recognized by the U.S. government for immigration purposes.

The Immigration and Asylum Program has helped more than 450 clients receive asylum — and we have not lost an asylum case since our inception!

NCLR holds dear our commitment to bridge-building as transformative work. Our approach relies on forging alliances with those who appear to think differently but greatly impact the health and well-being of LGBTQ people. This includes faith-based service providers, conservative state legislatures and educational institutions. These alliances enable real change in municipalities, institutions and states where this would otherwise seem impossible. An example of this life-changing work is through our **Common Ground Initiative**. This program engages the NCAA and conservative educational institutions in public discussions and strategy designed to bring together legal experts, interdisciplinary students and thought leaders to find constructive approaches to living together so that everyone can thrive.

Looking Forward

The present moment is one of great opportunity and challenges, as we are turning a corner on a deadly pandemic whose economic harms have been immediate, practical, and devastating for millions. We are humbled in our efforts and clearer than ever before that our vision of an intersectional approach to social justice is paramount to true equality.

We must push beyond a "return to normal" because "normal" never worked for enough of us anyway. Instead, we must engage in transformative work to advance justice and set the bar higher. Equality is not just laws protecting employment, education, healthcare, housing, and family — but also shared dignity and belonging. NCLR prioritizes work to ensure the most vulnerable among us — women, people of color, transgender people, incarcerated people, low income people, and people living in rural areas — have real access to the information and resources so that we all can fully know who we are in the world. Our work toward cultural transformations that strengthens mutual respect and unity has only amplified during this difficult time and will continue to grow.

2020-2021 Work in a Snapshot

- NCLR executive director and legal director serve on the executive and planning committees and as a lead organization in the fight to pass the Equality Act in the US Congress.

- In June, as part of our anti-poverty work and in the context of the recent Supreme Court case addressing religious exemptions from nondiscrimination provisions in social services contracts, we launched our "We Serve with Love" campaign enabling faith-based service providers to make public their commitment to serving LGBTQ people equally.

- NCLR was counsel before the **U.S. Supreme Court** in Henderson v. Box, a case challenging **Indiana's** refusal to place same-sex married parents on their children's birth certificates. Indiana was the last state refusing to recognize same-sex spouses on their children's birth certificates after marriage equality became the law of the land. SCOTUS denied Indiana's petition in December 2020, and the 7th Circuit ruling stands requiring recognition of same-sex spouses by Indiana.

- NCLR represented a lesbian mother in **Michigan** who was found not a mother to the 7-year-old twins to whom she gave birth simply because she is not genetically related to them. The trial court held that despite the fact that she intended to be their

mother and had raised them as their mother since birth, she was a surrogate with no parental rights. NCLR represented the mother on appeal before the Michigan Court of Appeals with her trial counsel Regina Jemison. In April 2021, the Michigan Court of Appeals unanimously reversed the trial court's ruling.

- NCLR's Helpline provided individualized legal information and referrals in response to 956 requests in the last year. We hosted monthly legal services calls with advocates and attorneys from legal services organizations interested in better serving low-income LGBTQ clients, with consistent participation from legal aid organizations serving communities in NM, TX, WV, and the Central Valley of CA. In September 2020, we organized a week-long virtual Rural Pride for rural California with 150+ registrants, 13 panels, and 2 youth hangouts. In June 2021, we held 2 trainings for 250+ staff at Lone Star Legal Aid, the 3rd largest service provider of free legal aid in the US, serving 72 Texas and 4 Arkansas counties.

- NCLR's Born Perfect project collaborated with the APA to update its policies on sexual orientation and gender identity change efforts; and collaborated on film projects to be released on Netflix in August and on PBS in October. We worked with Facebook and Instagram to ban content promoting conversion therapy.

- In spring/summer 2020, we successfully worked with a group of CA youth justice advocates to create statewide policies and procedures to protect incarcerated youth from COVID by reducing the population in detention, and to secure statewide collection and reporting of population and COVID-19 data. Population data published showed a reduction in population of over 30% in the first week. To reinforce this trend, we created a model protocol for reducing the population in secure juvenile facilities, which was used by juvenile defenders to create local procedures to maintain a reduction in population. In late July 2020, counties were finally required to report numbers of youth and staff who had tested positive for COVID-19.

- We joined the upEnd movement to support transformation of the family regulation system known as the child welfare system, and presented a paper on the harms that LGBTQ families of color experience in this system at the Strengthened Bonds Symposium in 2021.

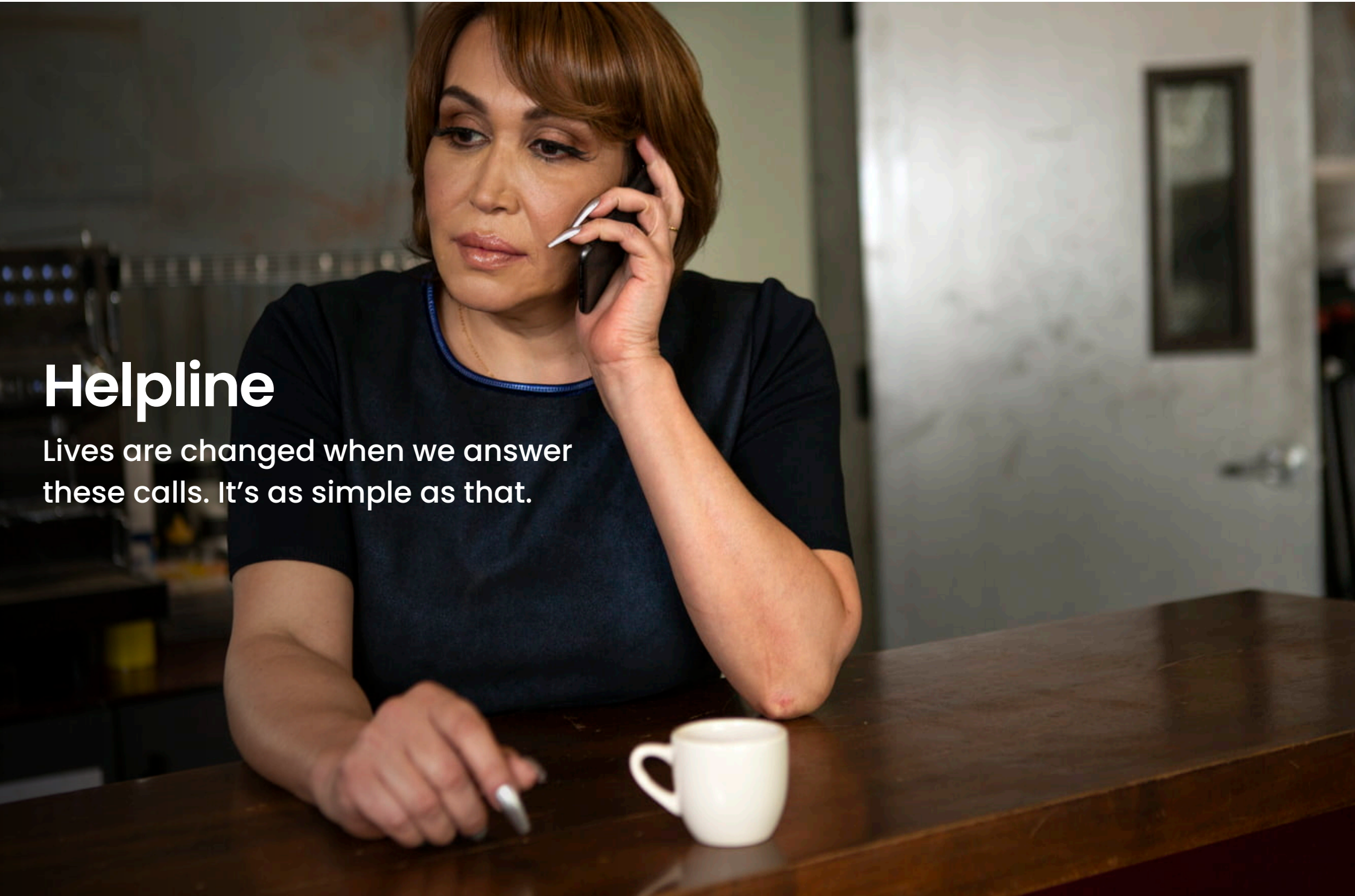
Client Stories

NCLR's decision to represent **Adree Edmo** in her case against the Idaho Department of Corrections is firmly rooted in our belief that access is justice. Ms. Edmo filed suit in 2017 after the prison refused to provide her with surgery. In May 2020, after four years of legal efforts, Ms. Edmo's battle came to an end and she was cleared for surgery. One of the foundational principles of our Constitution is that the State cannot subject people in its custody to cruel and unusual punishment, including by failing to treat serious medical conditions. Adree Edmo's case illuminates the core values of all of our work: LGBTQ people deserve dignity and justice; equality and liberty is to be experienced by us ALL.

Adree was cleared for surgery after she won her case claiming the prison subjected her to cruel and unusual punishment by denying her surgery. However, as COVID set in, the defendants tried to delay surgery. NCLR continued to work with Adree well beyond the ruling in her case, ensuring that she received the surgery and sitting by her (Zoom) side during the damages portion of her case. NCLR has remained an advocate for her as she prepares to leave incarceration and begin a new life in the community. This case was not just precedent-setting for access to services in the criminal justice system, but life-changing for our client.

Sergey came to NCLR for help back in April 2014. He had fled Russia with his friend, Artem. They both had been activists in the LGBT community in Russia when their government increased their discrimination and harassment on LGBTQ people, forcing Russian Sergey and Artem to flee Russia. Fearful of being put in jail and tortured in their home country, NCLR helped them obtain asylum in June 2014. Since then, Sergey has continued to help and guide other Russian LGBTQ asylum seekers through the years with NCLR's support and constant partnership. He has created a network of support for others like him and we have often assisted members of his network to obtain asylum. Sergey emailed us this past week to let us know he had officially become a US Citizen and that he was thankful as he felt that the United States had given the 'home' that Russia couldn't. He was thankful to NCLR for helping him in this journey and for the many others that have come to our doors.

For more than four years, NCLR has worked beside **Mary and Bev**, a Missouri couple denied housing because they are lesbians. Mary and Bev signed up to live in a retirement community in their hometown. After initiating the sale of their lifelong home to make this move, the retirement community, Friendship Village, discovered they were in fact a couple and denied them entry, canceling their agreement. This past year, after the Supreme Court's Bostock decision in June of 2020, NCLR settled Mary and Bev's case. This settlement not only reversed Friendship Village's position in their case, allowing them to move into their housing of choice, but also established future policies and procedures ensuring this will never happen to any other residents.

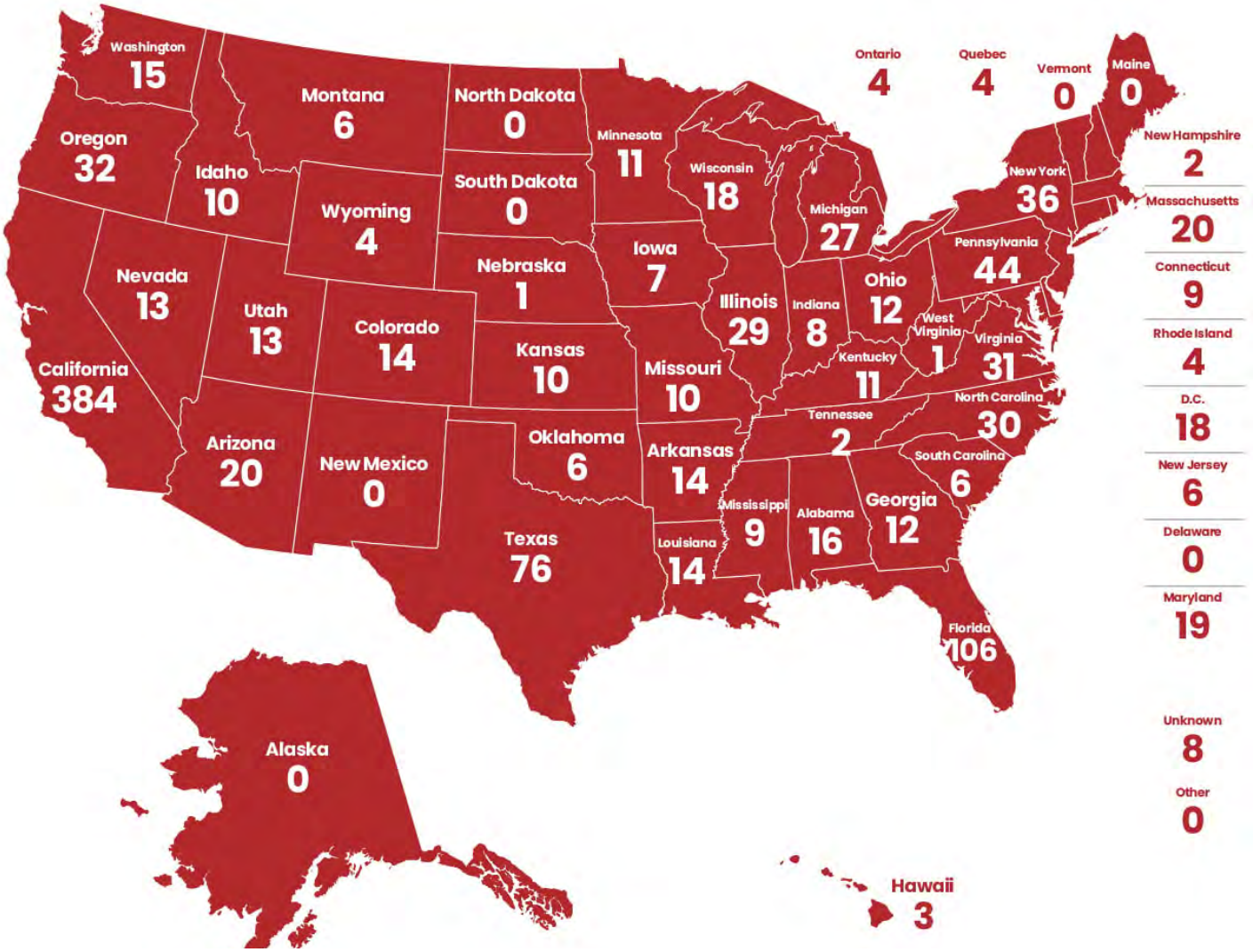


Helpline

Lives are changed when we answer these calls. It's as simple as that.

As one of the longest-standing legal helplines serving the LGBTQ community, NCLR receives nearly 1500 calls from all 50 states with more than 70% of our calls coming from women and a majority from low-income people.







We are

at the forefront of advancing the civil and human rights of our full LGBTQ community and their families through impact litigation, public policy, and public education.

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Additional Advocacy

Filed friend-of-the-court briefs in **32 cases**

Assisted private attorneys in **50 cases**

Submitted **7 comments** on federal regulations addressing religious exemptions, housing discrimination, immigration, food insecurity, health care, and reproductive justice; co-launched a national campaign to address LGBTQ poverty

Won protections for LGBTQ youth against conversion therapy in **23 jurisdictions**

Filed **2 licensing board complaints** against licensed mental health professionals who subjected minors to the dangerous and harmful practice of conversion therapy

2020–2021 CASE LIST

Custody, Visitation, & Parentage

*Doe v. Doe**
Custody
NEW JERSEY

*Henderson v. Box**
Parentage
INDIANA/U.S. SUPREME COURT

*Mathews v. LeFever**
Parentage
MICHIGAN

Relationship Recognition

*In re Josephina Rodriguez**
Guardianship
FLORIDA, NEW YORK

Krall v. OPM
Spousal Benefits
PENNSYLVANIA

Conversion Therapy

*Doyle v. Hogan**
Conversion Therapy
MARYLAND/FOURTH CIRCUIT

Otto v. Boca Raton
Conversion Therapy
FLORIDA/ELEVENTH CIRCUIT

Tingley v. Ferguson
Conversion Therapy
WASHINGTON/NINTH CIRCUIT

Vazzo v. City of Tampa
Conversion Therapy
FLORIDA

Sexual Orientation Discrimination

*Gender & Sexuality Alliance v. Spearman**
Education
SOUTH CAROLINA

Transgender Discrimination

Curb Records v. Lee
Challenge to HB 1182
TENNESSEE

*Doe v. Esper**
Transgender Military Ban
WASHINGTON D.C.

*Edmo v. Idaho Dept of Corrections**
Prison Healthcare
IDAHO/NINTH CIRCUIT/U.S. SUPREME COURT

Koran v. OPM
Employment/Health Benefits
WASHINGTON D.C.

*Stockman v. Trump**
Transgender Military Ban
CALIFORNIA

Transgender Youth

Doe v. Snyder
Healthcare access
ARIZONA

Meriwether v. Shawnee State University
Education/Religious Refusals
OHIO

Roe v. Herrington
Identity Documents
ARIZONA

Vlaming v. West Point School Board
Education/Religious Refusals
VIRGINIA

* Victory or Resolved Cases

We had a total of **8 asylum victories** (all in California).

We have **61 pending asylum cases** (**13 defensive and 48 affirmative**) and **38 other pending immigration cases** (this includes U visas that have been pending, LPRs, and citizenships)**.**

NCLR NATIONAL CENTER FOR LESBIAN RIGHTS



NCLR Audited Financial Statements

for the 2020-2021 Fiscal Year

NCLR AUDITED FINANCIAL STATEMENTS
For the 2020–2021 Fiscal Year

Support and Revenue

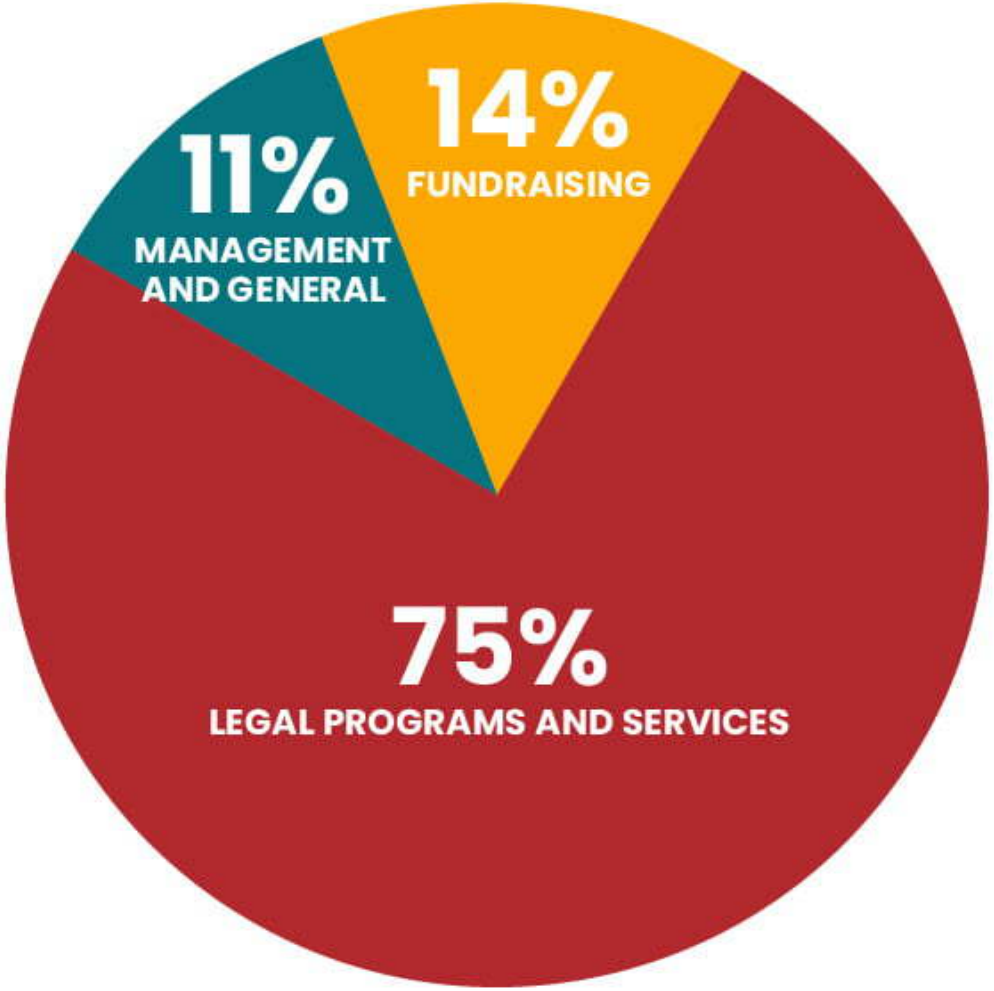
Support & Revenue/Grants & Contributions — $7,630,954
Special Events — $334,058
COVID Related Government Support — $328,763
Earned Income — $632,700
In Kind — $26,126
Donated Professional Services — $ 3,622,035
Total Public Support and Revenue - $12,574,636

Expenses

Legal Programs and Services — $3,742,803
Management and General — $561,156
Fundraising — $697,548
Total Expenses - $5,001,507

Net Assets, Beginning of Year — $2,437,692
Net Assets, End of Year — $6,388,786

FY 2021 Expenses





Thank you

to the following generous individuals and groups —they enable us to continue our cutting-edge civil rights work across the country.

DONORS

ANNIVERSARY CIRCLE

NCLR is proud to acknowledge major donors whose gifts of $1,500 or more annually have strengthened our legal programs across the country.

Names in bold indicate donors for 20 or more years

*Impact Club donors

Champions Circle

Lesbians for Good

MacKenzie Scott

Justice Circle

Anonymous (1)

The Honorable James C. Hormel & Michael P. Nguyen Hormel

Renata Sos & Judy Miles

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Kicking Assets Fund

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Anonymous (1)

Kelli Beingesser & Gail Newel

Joseph Davin

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