NCLR

NATIONAL CENTER FOR LESBIAN RIGHTS



The **audacity** to fight for justice.
The **perseverance** to win.

Annual Report 2006

“Our precedent-setting case victories literally re-write the law, changing the legal landscape for all LGBT people and families across the nation.”



photo by Jan Watson

EXECUTIVE DIRECTOR
KATE KENDELL, ESQ.

Dear Friend:

Our 2006 Annual Report reflects our significant program growth, targeted investment in our infrastructure and reach, and careful stewardship of your critical financial support. In this report, we also try to make visible the incredible stories of our work and our clients. It is those stories and our ability to see up close and personal the difference we are making in the lives of so many, that fuels our passion and drives our commitment.

We have a full docket of important and landscape altering cases across the country. One of the most important cases to every LGBT person in this nation is our marriage case currently before the California State Supreme Court. After our community's enormous victory in Massachusetts earlier this year, which has secured the future of marriage equality in that state, winning and keeping marriage in California has taken on enormous significance. It is difficult to imagine just how transformative winning marriage in California would be to the rest of the country. In order to roll back anti-marriage amendments in other states, and to win a measure of respect for our families in more conservative states, there must be some jurisdictions that fully recognize and respect our equality.

As I write this, we believe victory in the California Supreme Court is possible, but we also know that our foes are already hard at work to wipe out a historic win through a constitutional amendment vote at the ballot box in 2008. We can and must defeat that effort which will surely set us back decades in our increasingly successful fight. Your support and engagement have been the key to our 30-year record of success. In the coming months and years that support will be as crucial as ever.

With great thanks,



NCLR: A Brief History



NCLR Founders

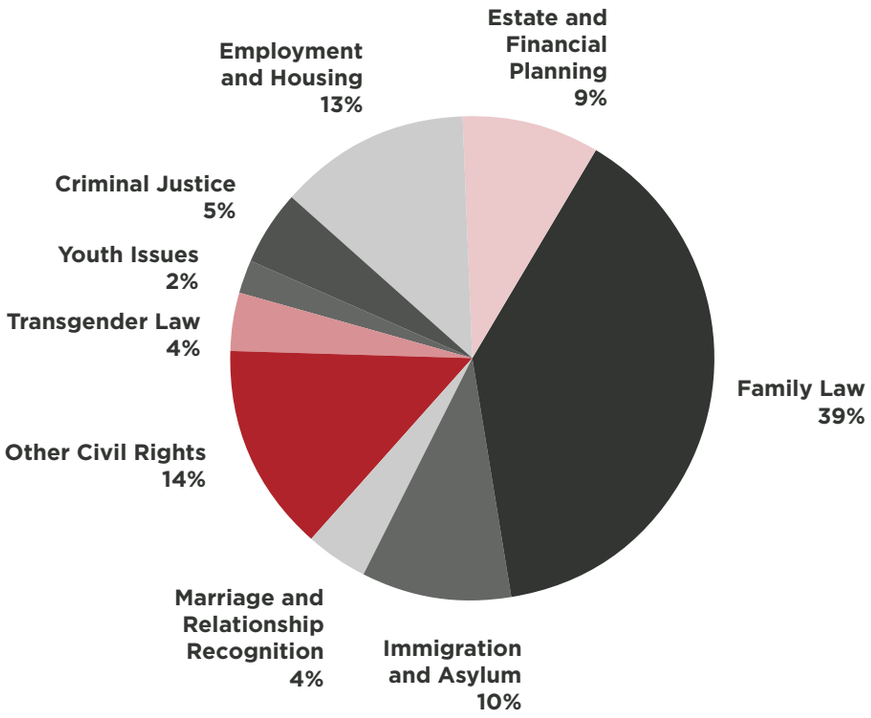
"We are a national leader in the fight to have our relationships protected by law."

In 1977, NCLR was started by Donna Hitchens and Roberta Achtenberg, two just-out-of-law-school attorneys who dared to believe that the promise of opportunity should extend to lesbian moms. They also had the perseverance to make that promise a reality. Throughout our history, we have expanded on that guiding principle to win protections for LGBT individuals and their families. Today, our attorneys show the same audacity and perseverance in fighting for all LGBT people.

In the early '80s, we successfully defended the parental rights of an HIV-positive dad while the stigma of AIDS was rampant. In 2001, NCLR won the first verdict in the nation allowing a surviving same-sex partner to be treated the same as a spouse when someone's negligence caused her partner's death. We've succeeded in winning asylum for countless individuals who were being persecuted in their countries of origin because of their sexual orientation or gender identity. And we are a national leader in the fight to have our relationships protected by law.

Today, that pioneering spirit and unwavering commitment to advance the civil and human rights of LGBT people continues. Each year, through litigation, public policy advocacy, and public education, NCLR helps more than 5,000 LGBT people and their families nationwide. And our precedent-setting case victories literally re-write the law, changing the legal landscape for all LGBT people and families across the nation. In our history, we've led historic cases, and today we are still trailblazing in pursuit of justice, fairness, and legal protections for all LGBT people.

NCLR at the Forefront of Transformative Litigation and Public Policy



With a broad vision covering almost a dozen diverse issue areas, NCLR has expanded its life-and law-changing work in order to advance the legal landscape for every LGBT person. No stone will go unturned in pursuit of our goal of achieving full and equal access to civil and human rights for all. Our programs focusing on employment, immigration, youth, elder law, transgender law, marriage, relationship protections, healthcare and reproductive rights, and family law create safer homes, safer jobs, and a more just world.

Criminal Justice - Domestic Violence, Hate Crimes, Law Enforcement/Prison Issues, Sex Offenses

Employment and Housing - Employment Benefits, Employment Discrimination, Housing/Public Accomodations Discrimination

Estate and Financial Planning - Estate Planning/ Complex Wills/Trusts, Living Together Issues, Partnership Protection Documents, Taxation

Family Law - Adoption and Foster Parenting, Alternative Insemination, Child Custody/Visitation

Immigration and Asylum - Bi-national couples, Persecution on the Basis of Sexual Orientation, Gender Identity, and/or HIV Status

Marriage and Relationship Recognition - Marriage, Civil Unions, Domestic Partnerships, Other Relationship Protections, Dissolution

Other Civil Rights - First Amendment, Elder Issues, Healthcare and Reproductive Rights, Homophobia in Sports, Miscellaneous

Transgender Law - Family Law, Youth, Prison Issues, Discrimination

Youth - Juvenile Justice and Foster Care, School Harassment/Discrimination

NCLR Timeline

Decade after decade, NCLR has been the only lesbian-led legal champion setting the trends for justice, equality, and legal protections for all LGBT people.

1977
Lesbian Rights Project founded (re-named National Center for Lesbian Rights in 1989).

1980
NCLR wins landmark victory in California for Denise Kreps, denied a job as County Sheriff because of her sexual orientation.

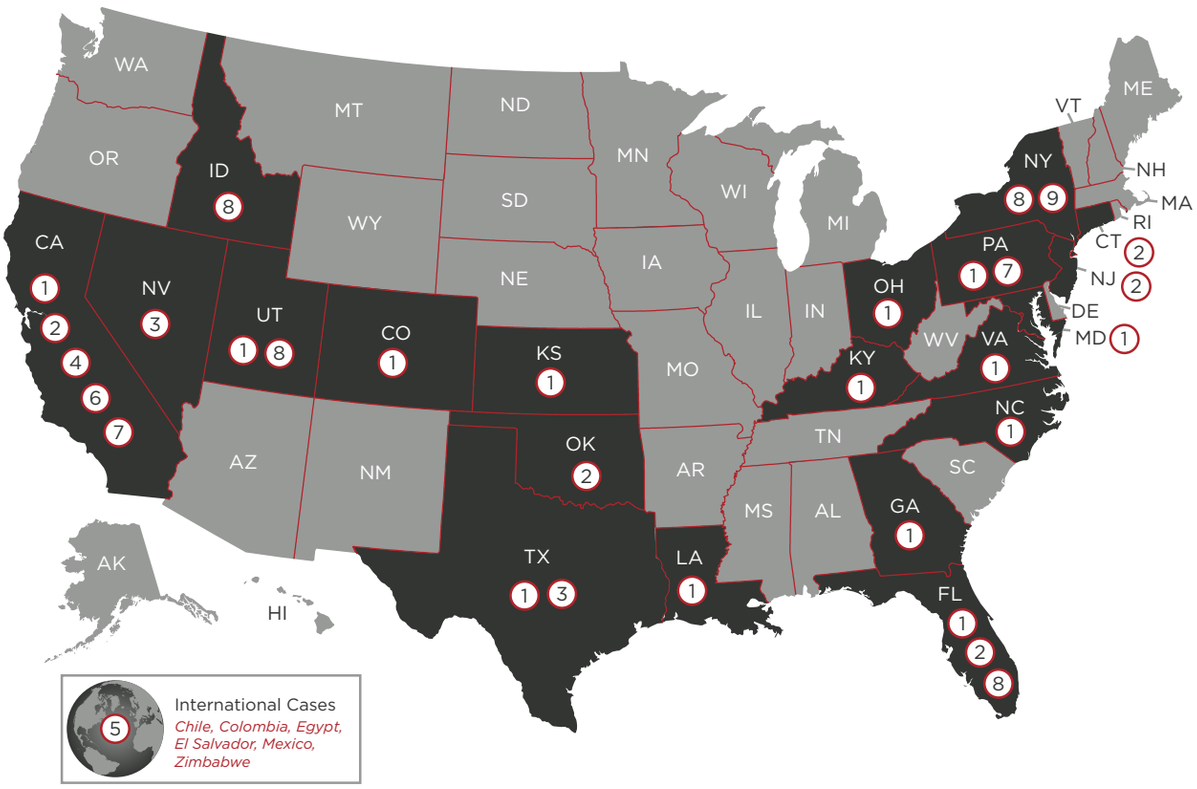
1981
NCLR represents a woman discharged from the National Guard because she admitted she is a lesbian.

1985
NCLR represents two gay men in one of the first cases in the country to seek equal health benefits for same-sex partners.

1986
NCLR represents Annie Affleck and Rebecca Smith as they become one of the first same-sex couples to jointly adopt in the U.S.

1987
NCLR introduces second-parent adoption as a legal strategy for protecting same-sex parent families.

NCLR's 2006 Cases



Key

1. Family Law
2. Marriage and Relationship Recognition
3. Employment and Housing
4. Other Civil Rights
5. Immigration and Asylum
6. Healthcare and Reproductive Rights
7. Sports
8. Transgender Law
9. Youth

Family Law

Adoption.com - CA
Application of W. - CA
B.F. v. T.D. - KY
Chamberlain v. Curci - CA
Charisma R. v. Kristina S. - CA
Denise B. v. Beatrice R. - MD
Dunbar v. Thomas - PA
Goodson v. Castellanos - TX
Hayes v. Mohr - FL/CO
Hedberg v. Detthow - MD
In re T.L.H. - TX
In the interest of KMH and KCH - KS
Jones v. Barlow - UT
Jones v. Boring - PA
Margaret K. v. Janice M. - MD
Mason v. Dwinnell - NC
Palazzola v. Mire - LA
R.S. v. A.S. - VA
Santos v. Banister - MD
Sharon S. v. Annette F. - CA
Smith v. Smith - OH
Spires v. Spires - GA
Wakeman v. Dixon - FL
Wood v. Wood - FL/CO
Woodward v. Woodward - FL

Marriage and Relationship Recognition

Bowler v. Lockyer - CA
Burrows v. ILWU - CA
Florida Anti-Gay Initiative Challenge - FL
In re Marriage Cases - CA
Kerrigan & Mock v. Conn. DPH - CT
Knight v. Davis/Thomasson v. Davis - CA
Lewis v. Harris - NJ
Reynolds and McKinley - OK/Cherokee Nation
Smelt v. County of Orange - CA
Smith v. Knoller et al - CA
Strong v. BOE - CA

Employment and Housing

Dunlap v. Bloomberg School District - TX
Jespersen v. Harrah's Casino - NV

Other Civil Rights

Christian Legal Society v. Kane - CA
Dykes on Bikes - CA

Immigration and Asylum

John Doe v. Alberto Gonzales - Egypt
Jorge Soto Vega v. Ashcroft - Mexico
W.K. v. Gonzales - Zimbabwe
Colombia Diversa, Expediente No. D-6362, Corte Constitucional de Colombia - Colombia
Karen Atala Riffo v. Chile - Chile

Healthcare and Reproductive Rights

Benitez v. North Coast Women's Care - CA

Sports

Harris v. Portland, Penn State - PA
Lessik and Manzon-Santos v. East Bay Iceland, Inc. - CA

Transgender Law

Doe v. Suffolk County DSS - NY
Etsitty v. Utah Transit Authority - UT
Idaho Department of Corrections - ID
Shepley v. Lazy Days RV Center - FL
Stanton v. City of Largo - FL

Youth

Mariah L. v. Administration for Children's Services - NY

1988

NCLR wins one of the nation's first court custody battles for a parent with AIDS on behalf of Artie Wallace, a gay dad, whose son was kidnapped by his ex-wife.

1993

NCLR is the first LGBT legal organization to launch a groundbreaking advocacy program on behalf of LGBT youth.

1994

NCLR dramatically expands its advocacy on behalf of LGBT immigrants with the launch of its Immigration Project, becoming the first national LGBT legal organization to do so.

Adopting arguments put forward by NCLR in an amicus brief, the Maryland Court of Special Appeals rules in favor of a gay HIV-positive father, holding that courts may not restrict parents' visitation based on stereotypes or irrational fears.

1996

NCLR represents a lesbian mother in Florida in a precedent-setting case holding that courts must not base custody decisions on stereotypes about lesbian and gay parents.

1997

NCLR wins an important victory in New Mexico affirming that both partners in a lesbian couple have a legal right to maintain a relationship with the couple's child.

2006: NCLR's Groundbreaking Legal, Policy, & Advocacy Work

WITH YOUR SUPPORT, THE NATIONAL CENTER FOR LESBIAN RIGHTS HAS:











Litigation

- Successfully won asylum for five clients from Colombia, El Salvador, and Mexico, who were persecuted in their countries of origin because of their sexual orientation or gender identity.
- Represented a same-sex couple who successfully challenged the discriminatory policy of Adoption.com, an internet business that refused to permit gay and lesbian couples to use their services.
- Represented former Penn State women's basketball star Jennifer Harris in a landmark discrimination case against former Lady Lions basketball coach Rene Portland, athletic director Tim Curley, and Penn State University.
- Successfully defended the validity of the California Board of Equalization's rule extending property tax protections to same-sex couples.
- Won a groundbreaking victory in federal district court on behalf of the LGBT student group at Hastings Law School, in a case defending the ability of public law schools to prohibit school-funded student groups from discriminating on the basis of sexual orientation or religion.

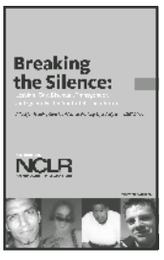
(Photos, Top to Bottom: NCLR asylum client Monica Enriquez and Immigration Project Director Noemi Calonje, NCLR clients Rich and Michael Butler, NCLR clients Kathy Reynolds & Dawn McKinley, NCLR Youth Project trainers, NCLR clients Johnny Mazon-Santos and Alan Lessik)

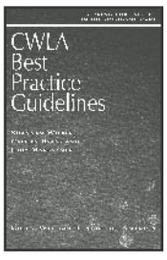
Public Policy & Education

- Partnered with National Collegiate Athletic Association (NCAA) in launching an inaugural Think Tank on Homophobia in Sport, the first event of its kind, of national experts and policymakers to eradicate the prevalent, damaging, and discriminatory practice of "negative recruiting."
- Founded the Family Protection Project to support and expand free and low-cost family law services for low-income same-sex parent families, with a focus on serving families of color.

Publications

- Published *Breaking the Silence: LGBTQ Foster Youth Tell Their Stories*, a DVD and resource CD featuring ten LGBTQ former foster youth telling their powerful tales of both the successes and failures of the foster care system. The American Library Association selected *Breaking the Silence* as one of the best DVDs and videos for young adults published in 2006.
- Published "The High Cost of Denying Permanency: An Analysis of the Economic Impact of Florida's Adoption Ban," which recommends that the Florida state legislature repeal the current law, which prohibits qualified gay and lesbian individuals and couples from becoming adoptive parents, even for children for whom they serve as foster parents.
- Released the Child Welfare League of America's *Best Practice Guidelines for Serving LGBT Youth in Out-of-Home Care*, the first-ever set of comprehensive professional guidelines for how child welfare and juvenile justice professionals can best serve LGBT youth in state care.







1999

NCLR is the first LGBT legal organization to launch a permanent Elder Law Project as the first wave of baby boomers become senior citizens.

2000

In a powerful decision that adopts many of the arguments put forward by NCLR in an amicus brief, the Ninth Circuit awards asylum to a gay man from Mexico and holds that sexual orientation is an immutable characteristic.

2001

NCLR becomes the first LGBT legal organization to launch a Transgender Law Project.

NCLR is the first LGBT national organization to tackle the rampant homophobia in sports with the launch of its Sports Project.

NCLR wins a landmark wrongful death lawsuit on behalf of Sharon Smith against the owners of two vicious dogs who killed Sharon's life partner, Diane Alexis Whipple.

2002

NCLR wins a victory on behalf of a lesbian mother in Mississippi who lost custody of her child to her former husband who had physically abused and padlocked her in their home.

NCLR opens Southern Regional Office in St. Petersburg, Florida.



In re Marriage Cases: A Critical Step in the Struggle for Marriage Equality

NCLR is lead counsel in *In re Marriage Cases*, a lawsuit seeking marriage equality on behalf of eleven same-sex couples, Equality California, and Our Family Coalition. In April 2005, San Francisco Superior Court Judge Richard A. Kramer ruled in favor of the couples, holding that California's exclusion of same-sex couples from marriage discriminates on the basis of sex and violates the fundamental right to marry.

On November 13, 2006, the California Court of Appeal overturned Judge Kramer's ruling in a 2-1 decision, saying that California may continue to bar same-sex couples from marriage. On December 20, 2006, the California Supreme Court unanimously granted review. Oral argument is expected late in 2007 or early 2008.

NCLR's co-counsel in the case are Heller Ehrman White & McAuliffe LLP; Lambda Legal; the ACLU; and the Law Office of David C. Codell.









2003

NCLR represents Michael Kantaras, a transgender dad in Florida, in a landmark custody and divorce case televised on Court TV.

NCLR litigates and wins the first school harassment case to involve both lesbian and gay students who were subjected to years of anti-lesbian and anti-gay harassment.

2004

NCLR opens office in Washington, D.C.

2005

NCLR wins the first round of the California marriage battle when the San Francisco Superior Court rules that excluding same-sex couples from the right to marry violates the California constitution.

NCLR wins asylum for a Salvadorian woman and her two children who suffered physical and sexual violence in El Salvador because of her gender and sexual orientation.

NCLR Audited Financial Statements

FOR THE YEAR ENDING DECEMBER 31, 2006

PUBLIC SUPPORT AND REVENUE

Individuals	$2,448,921
Bequests	
Foundations	$669,375
Donated professional services	$1,542,899
Special events	$870,878
Case fees	
Other revenue	$98,799
Total Public Support and Revenue	**$5,630,872**

EXPENSES

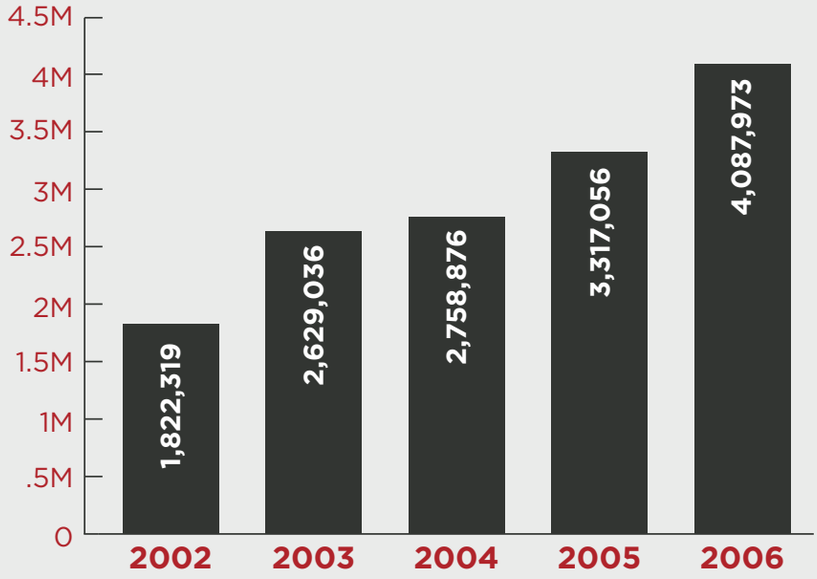
Legal programs and services	$4,228,189
Management and general	$140,080
Fundraising	$917,107
Total Expenses	**$5,285,376**
Increase in unrestricted net assets	**$345,496**
Net assets, beginning of year	**$2,040,068**
Net assets, end of year	**$2,385,964**

Please contact NCLR for a complete audited statement

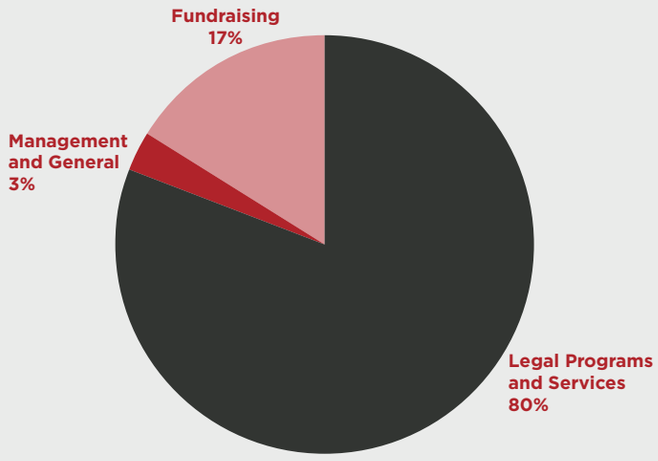
HISTORY OF PUBLIC SUPPORT AND REVENUE*

2002-2006

**Does not include donated professional services*



2006 EXPENSES



2006

NCLR defends the right of same-sex couples to marry before the California Court of Appeals.

NCLR successfully defends the marriage of a Cherokee lesbian couple before the Cherokee Supreme Court.

2007

In the first lawsuit to shine a public spotlight on pervasive homophobia in women's sports, NCLR represents Jennifer Harris, a former Lady Lions basketball star, in a discrimination case against Penn State and former Penn State coach Rene Portland.

2007

NCLR expands its legal programs with the addition of three new staff attorneys, extending its national reach.

NCLR represents a gay couple in landmark victory against an internet adoption business that discriminates against same-sex couples and single parents.

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NCLR thanks the following corporate partners whose Gala and event sponsorship helps NCLR work tirelessly for social, racial, and economic justice.

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