

NCLR

NATIONAL CENTER FOR LESBIAN RIGHTS

COMMITMENT
ADVANCING RIGHTS

ABOUT NCLR MISSION

The National Center for Lesbian Rights is a national legal organization committed to advancing the civil and human rights of lesbian, gay, bisexual, and transgender people and their families through litigation, public policy advocacy, and public education.

Thirty-four years ago, a brave and determined woman, fresh out of law school and eager to make a difference, decided to put her knowledge to good use. As a legal scholar, Donna Hitchens saw the courtroom as a way to change the world. As a lesbian, she had experienced both personal and professional frustrations and fears, and didn't want others to suffer the same.

That was in 1977. Today, that pioneering spirit and unwavering commitment to advance the civil and human rights of all lesbian, gay, bisexual, and transgender (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 rewrite the law, changing the legal landscape for all LGBT people and families across the nation. For more than three decades we've been leaders in bringing historic cases, and today we are still trailblazing in pursuit of justice, fairness, and legal protections for all LGBT people.

From a humble yet tenacious initial focus on addressing the overlooked discrimination against lesbians, NCLR has grown to expand its life- and law-changing work in order to advance the legal landscape for every LGBT person. Our programs focusing on elder law, employment, family law, federal legislation, healthcare, immigration, marriage, relationship protections, sports, transgender law, and youth create safer homes, safer jobs, and a more just world.



DEAR NCLR CHAMPION SUPPORTER

What a year 2010 was! It was truly a remarkable and historic year for our community.

In the midst of toxic politics, a deeply troubled economy and international strife, we saw significant gains in the fight for LGBT equality and inclusion. "Don't Ask, Don't Tell" was formally repealed—though that repeal is too slowly being implemented. The so-called "Defense of Marriage Act" has no official defender after Attorney General Eric Holder announced on behalf of the United States Department of Justice that:

> [T]he President has concluded that given a number of factors, including a documented history of discrimination, classifications based on sexual orientation should be subject to a more heightened standard of scrutiny. The President has also concluded that Section 3 of DOMA, as applied to legally married same-sex couples, fails to meet that standard and is therefore unconstitutional. Given that conclusion, the President has instructed the Department not to defend the statute in such cases. I fully concur with the President's determination.

Now that was a good day. And not only that, but Proposition 8 may well be gasping its final breaths—one can hope. We cannot wait for that day to come.

Beyond these headlines, NCLR's day-to-day work also pushed forward our vision of justice for all, including winning our first-ever case before the U.S. Supreme Court, defending the surviving partner of an elder gay couple who was treated horrendously by county officials, assisting a university soccer coach who found herself unemployed after she came out to her team, and advising federal agencies on implementing policy and regulatory changes that protect LGBT people in such areas as housing, employment, and healthcare.

We marvel at the strides our community is making. But we also are keenly aware that many are neither freer nor safer than they were when 2010 began. With that always at the forefront of our minds and our work, we know our work is not yet done, and we know this is no moment to rest.

Which is where you come in. Without you, the successes and victories of the past year that you will read about within these pages would not exist. Without your support and engagement in the year to come, the work yet to be done could not happen. And so all of us at NCLR thank you, our most steadfast of champions, for making it all possible.

Very truly yours,



Kate Kendell, Esq.
Executive Director

2010 CASES

JUSTICE
PERSEVERANCE
EQUALITY

FAMILIES & PARENTING

AAR, ex parte
PUERTO RICO

Charisma R. v. Kristina S.
CALIFORNIA

Debra H. v. Janice R.
NEW YORK

Florida Department of Children and Families v. MJH
FLORIDA

In re Adoption of a Male Child
HAWAII

Karen Atala Riffo v. Chile
CHILE

L.E. v. K.R
FLORIDA

Latham v. Schwerdtfeger
NEBRASKA

M.F. v. K.G.
KANSAS

Smith v. Quale
CALIFORNIA

ELDER LAW

Greene v. County of Sonoma et al.
CALIFORNIA

Jamie Wyatt (Medicare Benefits)
FEDERAL

IMMIGRATION & ASYLUM

In re Alejandra R.
MEXICO

In re Alfonso H.
MEXICO

In re Angel P.
MEXICO (Immigration Court)

In re Cynthia A.
MEXICO

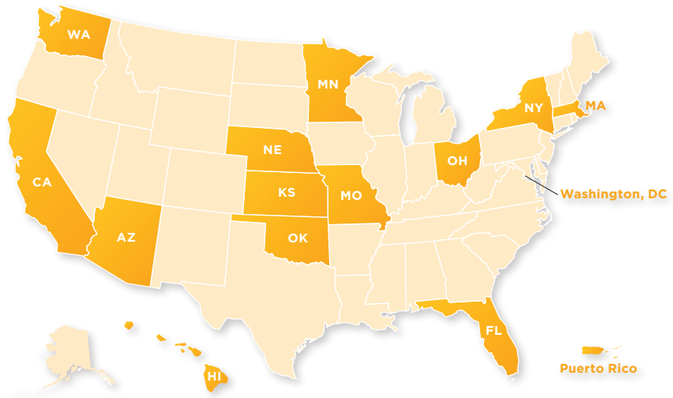
In re Diana C.
MEXICO

In re Emily N.
HONDURAS

In re Flor A.
MEXICO

In re Gabrielle J.
MEXICO

In re Getzemani R.
EL SALVADOR



In re Ittxel F.
MEXICO

In re Julio H.
MEXICO (Immigration Court)

In re Keyth G.
MEXICO

In re Liz M.
MEXICO

In re Marcelo G.
MEXICO

In re Maria G.
MEXICO (Immigration Court)

In re Oscar C.
EL SALVADOR

In re Perla T.
MEXICO

In re S.H.
BOSNIA & HERZEGOVINA (Immigration Court)

In re S.K.
PAKISTAN (Immigration Court)

In re Sinai M.
MEXICO

In re Stephanie H.
MEXICO (Immigration Court)

In re Susan P.
MEXICO

In re Vicky
MEXICO

In re Victor O.
GUATEMALA (Immigration Court)

In re Ximena C.
MEXICO

In re Yazmin G.
MEXICO

In re Yurisela C.
MEXICO

J.G. v. Holder
MEXICO

John Doe v. Alberto Gonzales
EGYPT

MARRIAGE

Jackson v. D.C. Board of Elections and Ethics
WASHINGTON, DC

Perry v. Schwarzenegger
CALIFORNIA

Reynolds and McKinley
OKLAHOMA/CHEROKEE NATION

ADDITIONAL CIVIL RIGHTS

Christian Legal Society v. Martinez
FEDERAL

Doe v. Reed
FEDERAL

Friendly House v. Whiting
ARIZONA

Ghiotto v. City of San Diego
CALIFORNIA

Harris v. City of Santa Monica
CALIFORNIA

OTHER RELATIONSHIP RECOGNITION

Nancy C. v. Alameda County Fire Department
CALIFORNIA

Smith v. Knoller
CALIFORNIA

SPORTS

Apilado, et al. v. The North American Gay Amateur Athletic Alliance
WASHINGTON

Sulpizio v. Mesa Community College
CALIFORNIA

TRANSGENDER RIGHTS

Adams v. Federal Bureau of Prisons et al.
MASSACHUSETTS

YOUTH

Anoka-Hennepin School District
MINNESOTA

Doe v. Vermillion Parish School Board
LOUISIANA

In re D.B.
OHIO

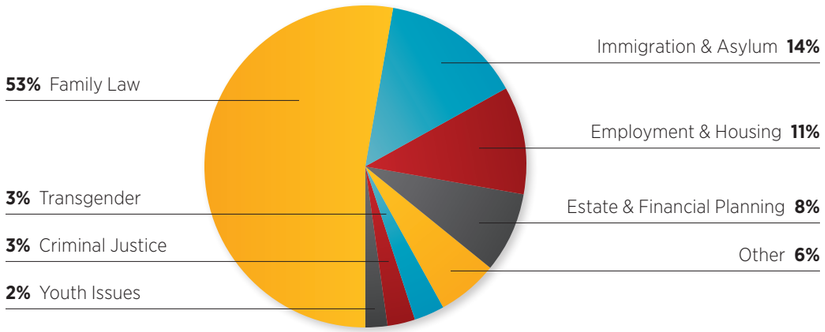
Asylum clients from countries around the world turn to NCLR when they need help most.



INFORMATION
OUTREACH

HELPLINE CONTACTS

NCLR's Helpline fields thousands of phone calls each year. The pie chart shows the percentage breakdown by issue area for 2010.



REPRESENTATION

LITIGATION

RULINGS **HIGHLIGHTS**

CHRISTIAN LEGAL SOCIETY V. MARTINEZ

U.S. Supreme Court

NCLR won our first case before the U.S. Supreme Court, defeating an anti-LGBT Christian group's lawsuit attacking non-discrimination protections for LGBT people, women, people of color, people with disabilities, and others in public universities.

Like many public schools, the University of California – Hastings College of the Law allows law students to organize student groups that can apply for university funding and other resources for group-related events. To be recognized as an official student group, all student groups must abide by Hastings' nondiscrimination policy.

In 2004, the Christian Legal Society (CLS) filed a lawsuit against Hastings, arguing that the nondiscrimination policy violated the group's First Amendment right to discriminate against LGBT and non-Christian students. NCLR represented OUTLAW, the LGBT student group at Hastings, which intervened to defend the University's policy.

On June 28, 2010, in a 5-4 decision authored by Justice Ruth Bader Ginsburg, the United States Supreme Court rejected the Christian Legal Society's challenge to the University of California – Hastings College of the Law's policy of requiring all funded student groups to be open to all students.

NCLR and Jenner & Block LLP represented Outlaw, which intervened to defend the University's policy. Hastings was represented by Latham & Watkins LLP and Crowell & Moring LLP.

HOWE V. BELMONT UNIVERSITY

NCLR won a settlement on behalf of the former women's soccer coach at Belmont University, a private Christian university in Nashville, after she came out to her players to let them know she and her partner were expecting their first child.

Lisa Howe was the women's soccer coach at Belmont University for six years. Under her leadership, the team went from being relatively unknown to champions who won both athletic and academic awards. In 2009, Coach Howe was even voted Atlantic Sun Coach of the Year.

Lisa had never talked with her team about her personal life. But the week before Thanksgiving in 2010, she shared her news with her players: she and Wendy, her partner of nearly nine years, were expecting a baby. Despite having no other issues at work, within a month of mentioning Wendy and their pregnancy, Lisa was no longer at Belmont. They had come to a "mutual understanding" to separate.

NCLR joined forces with Lisa's Nashville attorney, Abby Rubenfeld to help Lisa negotiate a settlement with Belmont. As a direct result of the enormous public education generated by this case, Belmont voted to add sexual orientation to their existing non-discrimination policy.

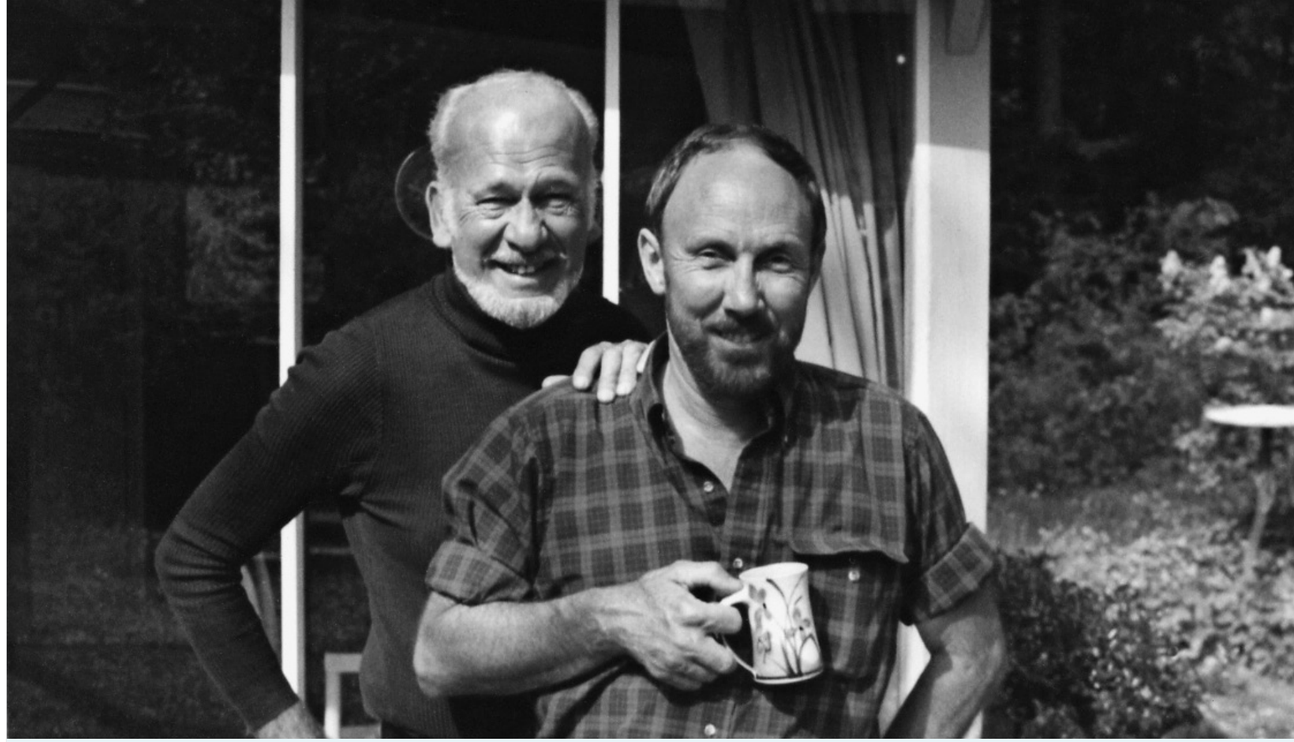
IN RE S.H.

U.S. Immigration Court

S.H. came to the United States from Bosnia in 2006 to escape the oppressive and abusive conditions she faced as a result of being a lesbian in her home country.

While vacationing with her girlfriend in another town, a group of men found out that they were lesbians and raped them. The police blamed the women for the assault and accused them of trying to cause problems in a small town. After the rape, S.H. told her mother about her sexual orientation, and her mother turned her back on S.H. and refused to talk to her. Her father kept her isolated in their home so that S.H. would be unable to see her girlfriend, and was determined to marry her to a man. After a second rape attempt, S.H. fled her country.

She learned about an exchange program and was able to leave Bosnia in 2006. She submitted an asylum application on her own, but was referred to the Immigration Court. NCLR with the help of attorney of counsel Cara Jobson, of Wiley and Jobson, successfully obtained asylum for S.H. in December 2010.



Partners Harold Scull and Clay Greene pose for this undated photo outside their Northern California home.

GREENE V. COUNTY OF SONOMA ET AL.

California Superior Court

NCLR won a substantial settlement, as well as a change in county-wide policies, on behalf of an elderly gay couple who were cruelly mistreated by county officials after one of the men fell and had to be hospitalized.

Clay Greene and Harold Scull lived together for 20 years and had executed both mutual powers of attorney for medical and financial decisions and wills naming each other as beneficiaries. In April 2008, County employees separated the couple after Harold fell outside their shared home. In the next three months, County officials ignored the couple's legal documentation, unlawfully auctioned their possessions, terminated their lease, and forced Clay into an assisted living facility against his will. The County did not consult Clay in Harold's medical care and prevented the two from seeing one another.

In August 2008, before the partners could be reunited, Harold passed away. In August 2009, Clay and the representative of Harold's estate filed a lawsuit against the County. In addition to agreeing to pay a substantial sum, and as a result of the lawsuit, the County has changed or modified a number of important policies in its Public Guardian's Office.

NCLR represented Clay with The Law Office of Anne N. Dennis, and Stephen O'Neill and Margaret Flynn of Tarkington, O'Neill, Barrack & Chong.

REPORTS

PUBLICATION HIGHLIGHTS

ARTICLES



"On the Team: Equal Opportunities for Transgender Student Athletes"

NCLR published the first ever report to address how to include transgender student athletes in high school and collegiate athletic programs. The report is also the first to provide comprehensive model policies and a framework for athletic leaders to ensure equal access to school athletics for transgender students.



"Recognizing and Responding to the Needs of Low-Income Lesbian, Gay, Bisexual and Transgender Clients"

NCLR Family Protection Project Director Cathy Sakimura co-authored this article in the *Clearinghouse Review: Journal of Poverty Law and Policy.* The article speaks to the unique legal challenges faced by low-income LGBT clients, and the information, skills, and strategies that would enable attorneys to effectively advocate for them.



"Asserting Choice: Health Care Housing and Property — Planning for LGBT Older Adults"

In the same edition of the *Clearinghouse Review: Journal of Poverty Law and Policy,* Staff Attorney Melanie Rowen co-authored an article on providing legal aid to LGBT elders. The article provides advocates with a guide on how to help LGBT older adults arrange their affairs and name beneficiaries to reflect these older adults' wishes and protect their partners.

ADVOCACY

PROGRAM HIGHLIGHTS

COLLABORATION

National LGBT Legal Aid Forum

NCLR, with California Rural Legal Assistance, established a listserv for legal aid advocates who are committed to effectively advocating for and improving legal services for low-income LGBT people and their families. As of this printing, there are nearly 200 attorneys from across the country who are a part of this network.

Department of Housing and Urban Development (HUD)

NCLR partnered with HUD on extending housing protections to the LGBT community, including conducting trainings for HUD staff and housing providers notifying them of their changing obligations in light of recent HUD guidance expanding the reach of the Fair Housing Act to prohibit discrimination based on gender identity.

Department of Health and Human Services (HHS)

NCLR advised and led the process to submit comments from LGBT groups on the Department of Health and Human Services' (HHS) newly enacted hospital visitation regulations. In addition, NCLR worked closely with HHS to take up the additional issue of medical decision-making.

EXPENSES

FINANCIALS

THE NUMBERS REVENUE

NCLR AUDITED FINANCIAL STATEMENTS

For the Year Ending December 31, 2010

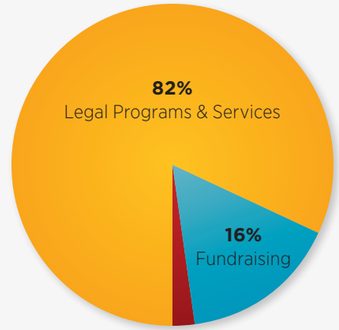
Public Support and Revenue	
Individuals	$2,016,313
Bequests	$150,672
Foundations	$928,000
Donated Professional Services	$593,783
Special Events	$605,630
Case Fees	$136,386
Other Revenue	$27,935
Total Public Support and Revenue	**$4,458,719**

Expenses	
Legal Programs and Services	$3,630,277
Management and General	$70,056
Fundraising	$725,204
Total Expenses	**$4,425,537**

Increase in Unrestricted Net Assets	**$33,182**
Net Assets, Beginning of Year	**$1,994,891**
Net Assets, End of Year	**$2,028,073**

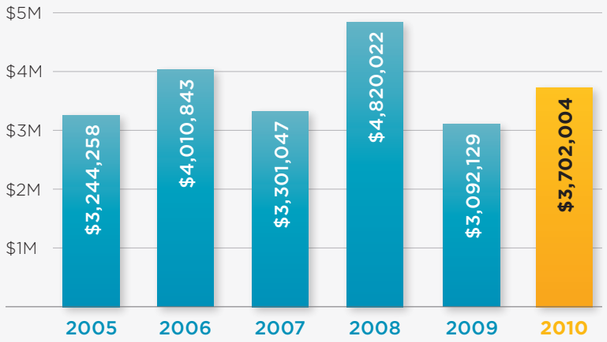
Please contact NCLR for a complete audited statement

2010 EXPENSES



HISTORY OF PUBLIC SUPPORT & REVENUE

2005–2010 (Does not include donated professional services.)



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DONORS

GIFTS

GRATITUDE

SUPPORT

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NCLR is proud to acknowledge the following major donors whose gifts of $1,500 or more in the past year have strengthened our legal programs.

We also give our heartfelt gratitude to our 2010 Giving Campaign Co-chairs, Erin Dominguez and Jeff Kennedy, for their leadership and inspiration.

NCLR has achieved truly historic and monumental legal victories in our 34 years, and none of them would be possible without our wonderful family of Anniversary Circle members.

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