
AUDACITY
TRUTH
INTEGRITY
INSPIRED
VISION
PERSEVERANCE
DIGNITY
HUMANITY
LOVE


JUSTICE

ABOUT NCLR

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

Thirty-two years ago, two brave and determined women, fresh out of law school and eager to make a difference, decided to put their knowledge to good use. As legal scholars, Donna Hitchens and Roberta Achtenberg saw the courtroom as a way to change the world. As lesbians, they 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 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 focus on the specifics of adoption law, to 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. Our programs focusing on employment, immigration, youth, elder law, transgender law, marriage, relationship protections, healthcare, and family law create safer homes, safer jobs, and a more just world.



DEAR NCLR CHAMPION:

2008: what a rollercoaster of a year. It really was "the best of times and the worst of times." NCLR and our community experienced an amazing high early in the year when we got to watch NCLR Legal Director Shannon Price Minter argue our marriage case before the California Supreme Court in March.

And then, of course, May 15, 2008 came along—a day none of us in this movement will ever forget. The California Supreme Court not only ruled that barring same-sex couples from marriage violated the most basic promise of equality in the California Constitution, but also held that LGBT people are entitled to the highest level of constitutional protection—the first time a state high court had ever done so. Truly, we were all witnesses to a new page of history being written.

As I wrote in my blog just two weeks after that victory, "The past two weeks have been the most exhilarating and exhausting (in a good way) of my entire life. I am at turns elated, joyful, anxious, hopeful, nervous, determined and thrilled." I knew, then, that we would likely be facing the battle of our lives in the fall to keep our marriage victory in California. Little did I know then what challenges would lay in store.

We fought Prop 8 with everything we had. And still, it passed. The day after the election, NCLR filed our legal challenge to Prop 8 with the California Supreme Court. As I've said before, the champagne was barely warm, the ink on our marriage certificates hardly dry—and yet, there we were, back before the very Court who had granted us our rights only months earlier.

We ended 2008 biting our fingernails, knowing the fate of our victory and the recognition of our lives was once again up to the Court.

That is the most obvious narrative. But there is another piece that is less obvious: throughout 2008, just like we have every year since 1977, NCLR continued to fight legal battles across the country and in every issue area we tackle—elder law, employment, families and parenting, healthcare, immigration, relationship recognition, sports, transgender law, and youth—because the calls to our free legal helpline only increased, and our growing list of clients needed our help more than ever. And our successes continued—you will find some of them highlighted here within this Annual Report.

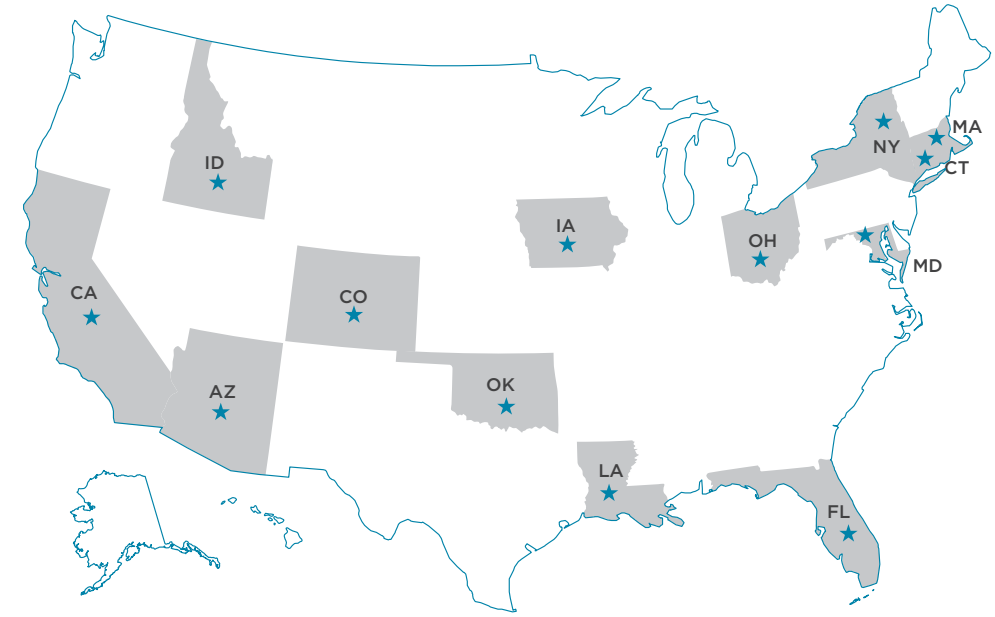
NCLR's achievements throughout one of the toughest years our community has ever faced is what has kept my head and hopes up, no matter what we face in the future. I thank you for helping to make our victories possible, for your faith and for standing by us through thick and thin.

Very truly yours,



Kate Kendell, Esq.
Executive Director

NCLR'S 2008 CASES



ELDER LAW
Burrows v. ILWU – CA

FAMILIES AND PARENTING
C.D. v. C.D. – AZ
Embry v. Ryan – FL
In re J.D.F. – OH
In re S.L. – OH
J.B. v. M.B. – MD
Johnson v. SooHoo – IA
Karen Atala Riffo v. Chile - Chile
L.S. v. M.B. – MD
Margaret K. v. Janice M. – MD
Palazzolo v. Mire – LA
Wood v. Wood – FL/CO

HEALTHCARE
Benitez v. North Coast Women's Care - CA

IMMIGRATION AND ASYLUM
In re A.C. – Honduras
In re A.H. – Bosnia
In re Alejandra – Guatemala
In re Angelica – Mexico
In re Barbara – El Salvador
In re M.S. – Mexico
In re M.Q. – Mexico
In re Patricia – Mexico
In re P.R. – Mexico
In re S.K. – Pakistan
In re Vicky – Mexico
In re V.R. – Mexico
In re Z.K. – Mexico
John Doe v. Alberto Gonzalez – Egypt

MARRIAGE
In re Marriage Cases – CA
Kerrigan v. Commissioner of Public Health – CT
Reynolds and McKinley – OK/ Cherokee Nation
Strauss v. Horton – CA
Varnum v. Brien – IA
Bennett v. Bowen – CA

OTHER CIVIL RIGHTS
Ashcroft v. Iqbal – NY
Christian Legal Society v. Kane – CA

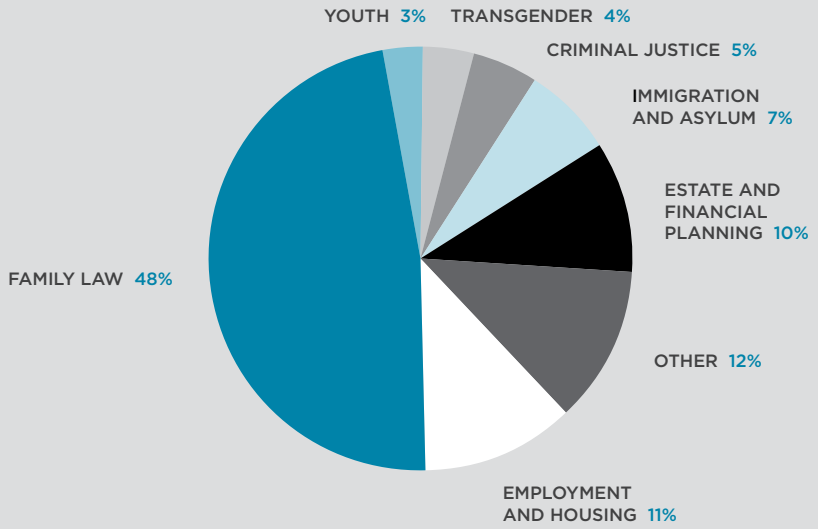
RELATIONSHIP RECOGNITION
Demers v. Zupancic – CO
Smith v. Knoller, et al – CA
Colombia Diversa, Expediente No. D-6362, Corte Constitucional de Colombia – Colombia

SPORTS
Sulpizio and Bass v. Mesa Community College – CA

TRANSGENDER RIGHTS
Gammett v. Idaho State Board of Corrections – ID
Somers v. Superior Court – CA
Adams v. Federal Bureau of Prisons – MA

YOUTH
California Education Committee, LLC v. Arnold Schwarzenegger – CA
Mariah L. v. Administration for Children's Services – NY
D.A. v. J.W. – FL

NCLR'S WORK AT A GLANCE





LITIGATION HIGHLIGHTS

California Marriage Equality: *In re Marriage Cases* and Prop 8:

NCLR was lead counsel on behalf of same-sex couples, Equality California, and Our Family Coalition in *In re Marriage Cases*, the marriage equality case decided favorably by the California Supreme Court on May 15, 2008. The court ruled that it was unconstitutional to exclude same-sex couples from marriage and, for the first time ever, held that LGBT people are entitled to the highest level of constitutional protection.



The issue was then put on the ballot as Proposition 8, which eliminated the right to marry for same-sex couples. Voters approved Prop 8 by a narrow margin on November 4, 2008. The next day, NCLR as lead counsel, along with the ACLU and Lambda Legal, filed a writ petition with the California Supreme Court seeking to invalidate Proposition 8.

***D.A. v. J.W.*:**

Seventeen-year-old J.W. and eighteen-year-old D.A. had been dating for almost six months when J.W.'s mother, Ms. W., learned about their relationship. In December 2007, Ms. W. petitioned a Florida court to get a restraining order to prohibit any contact between the two, admitting that she was seeking a restraining order only because she did not want her daughter to have a relationship with another woman. The trial court issued a restraining order, saying that the mere existence of a consensual relationship between D.A. and J.W. was "dating violence" under Florida law. In January 2008, NCLR filed an appeal on behalf of D.A. and in June of 2008, the Florida Court of Appeal reversed the trial court's decision and dismissed the restraining order.

***Christian Legal Society v. Kane*:**

NCLR helped to beat back a dangerous challenge to non-discrimination laws at the University of California – Hastings College of the Law. In this case, the Christian Legal Society (CLS) filed a lawsuit challenging the ability of a state school—Hastings College of the Law—to enforce its non-discrimination policy, which requires publicly funded student groups to refrain from discriminating against any students. CLS argued that the non-discrimination 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. In 2008, a federal district court ruled in favor of Hastings and OutLaw, strongly affirming the right of a public university to enforce non-discrimination policies.

Immigration:

Seeking asylum in the United States is not a simple or easy process, and it is even more complex and difficult for LGBT people. Many LGBT asylum-seekers are understandably fearful of encountering bias or mistreatment in the U.S., and many don't apply because of that fear. Others aren't even aware that they would qualify, or lack the documentation needed to prove the dangerous conditions in their countries of origin.

In 2008, NCLR helped five clients win asylum in the U.S. Four had been subjected to violence in their countries of origin because of their sexual orientation or gender identity. One sought refuge here because of persecution based on his HIV status.

***California Education Committee, LLC, et al. v. Jack O'Connell et al.*:**

In November 2007, anti-LGBT organizations filed a lawsuit in federal court, challenging California's safe schools laws that protect students from discrimination based on sexual orientation and gender identity. Shortly after NCLR clients Equality California and Gay-Straight Alliance Network got involved in the case, the anti-LGBT organizations voluntarily dismissed their challenge. In March 2008, the same groups filed a similar lawsuit in California state court in San Diego, and NCLR again filed an *amicus* brief supporting the California Attorney General's motion to dismiss the case. Just before the scheduled hearing in that case, in November 2008, the anti-LGBT organizations dismissed that case as well, and re-filed in state court in Sacramento. NCLR once again filed an *amicus* brief in this third attempt to strip anti-discrimination protections from California students.

PUBLICATION HIGHLIGHTS

- Developed **"National Recommended Best Practices for Serving LGBT Homeless Youth"** in collaboration with the National Alliance to End Homelessness, the National Network for Youth, and Lambda Legal, which contains the first set of guidelines dedicated to increasing the ability of agencies to competently work with homeless LGBT youth, who are overrepresented in the homeless population.

- Released, in collaboration with the It Takes a Team Initiative of the Women's Sports Foundation, **"The Positive Approach: Recognizing, Challenging, and Eliminating Negative Recruiting Based on Actual or Perceived Sexual Orientation,"** which provides a comprehensive analysis of negative recruiting based on actual or perceived sexual orientation, and recommends practices and policies to eliminate it. This resource is now being used by the National Collegiate Athletics Association (NCAA) Coaching Academies and the National Association of Collegiate Women Athletic Administrators (NACWAA).

PROGRAM HIGHLIGHTS

- Worked with allies in Washington, DC on **federal legislation**, including the Employment Non-discrimination Act (ENDA), the federal Hate Crimes bill, the Uniting American Families Act (UAFA), and many others.

- Continued **Proyecto Poderoso / Powerful Project** work to help provide access to legal help to rural LGBT people in California by training attorneys, community workers, and others in LGBT-related issues and law; presenting on LGBT issues and law at rural community gatherings; appearing in various Spanish, English, and Mixteco media outlets; and providing direct legal services to rural LGBT people on sexual orientation and gender identity discrimination, asylum, and family law.

NCLR AUDITED FINANCIAL STATEMENTS

for the Year Ending December 31, 2008

PUBLIC SUPPORT AND REVENUE

Individuals	$2,027,872
Bequests	$1,043,800
Foundations	$1,015,000
Donated professional services	$1,742,539
Special events	$770,894
Case fees	$14,655
Other revenue	$3,472
Total Public Support and Revenue	**$6,618,232**

EXPENSES

Legal programs and services	$5,049,676
Management and general	$69,289
Fundraising	$734,994
Total Expenses	**$5,853,959**

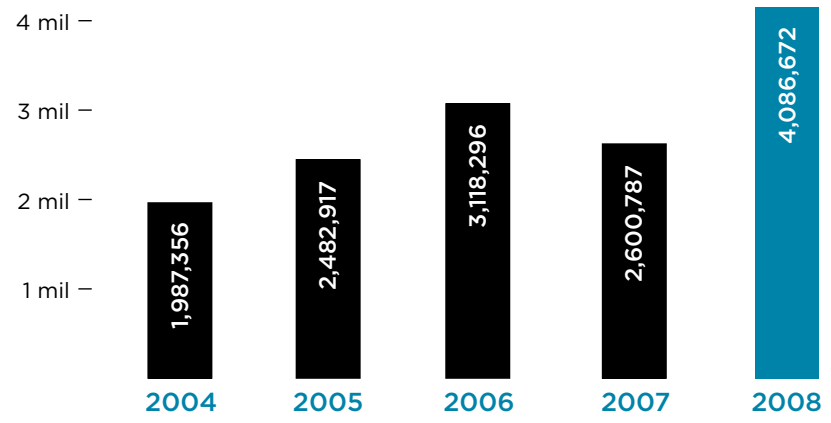
Increase in unrestricted net assets	**$764,273**
Net assets, beginning of year	**$1,752,384**
Net assets, end of year	**$2,516,657**

Please contact NCLR for a complete audited statement.

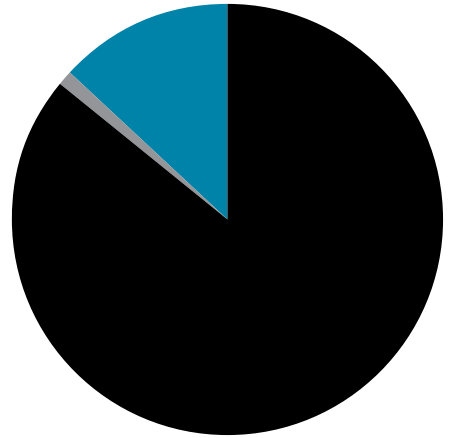
HISTORY OF PUBLIC SUPPORT AND REVENUE*

2003-2008

**Does not include donated professional services*



2008 EXPENSES



86%	LEGAL PROGRAMS & SERVICES
13%	FUNDRAISING
1%	MANAGEMENT & GENERAL

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- girls just wanna have funD
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- Queer Leadership Fund
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★ THE AUDACITY TO FIGHT FOR JUSTICE ★

★ THE PERSEVERANCE TO WIN ★

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