

PLANTING SEEDS

FOR OUR FUTURE

2011 ANNUAL REPORT





NCLR

NATIONAL CENTER FOR LESBIAN RIGHTS

ABOUT NCLR

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-five 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:



AS I WRITE A REFLECTION ON 2011 IN JUNE OF 2012, IT IS VERY HELPFUL TO HAVE THE BENEFIT OF HINDSIGHT.

Last year, it seemed that we would need to get through November 2012 and the Presidential election before we would see huge shifts or gains. While NCLR's team was up to its eyeballs throughout 2011 working on cases, policy, staff transitions, and legal advocacy, it felt like we were waiting for the rest of the country to catch up to the momentum we were feeling and seeing.

Like I said, it's nice to be writing this with the benefit of hindsight because in the last several months we have witnessed a sea change. President Barack Obama has shown himself to be the fiercest advocate to ever occupy the White House, both the NAACP and the "other" NCLR (National Council of La Raza) are on record supporting marriage equality, record numbers of LGBT people are openly out, (hello, Anderson Cooper!), and more of our neighbors, friends, and family support and love us just the way we are.

Last year, we should have known. In these pages you can see the seeds we were planting. Helping open up new avenues of support, win more changes in law and policy, and using the law to take down bad laws and right wrongs.

You can read about some of the key landmark moments in these pages. As always, so much of our work is focused on the most vulnerable and 2011 was no exception. We are making an impact in real lives on the ground and in laws and policies that affect hundreds of thousands.

We never forget that it is you and your support that makes every case we take and life we touch possible. Your keeping the faith with us has meant and continues to mean there is nothing we can't do. From the bottom of my heart, thank you.

As always,



Kate Kendell, Esq.
Executive Director

2011 CASES

Elder Law

In re J.W.
FEDERAL

In re L.R.
FLORIDA

In re M.
CALIFORNIA

Families & Parenting

Chapman v. Brandt
CALIFORNIA

Chatterjee v. King
NEW MEXICO

Hunter v. Rose
MASSACHUSETTS

In re Adoption of a Male Child
HAWAII

Riley
CALIFORNIA

Karen Atala Riffo v. Chile
CHILE

L.E. v. K.R
FLORIDA

Latham v. Schwerdtfeger
NEBRASKA

Immigration & Asylum

Berera v. Holder
CALIFORNIA

Castro-Martinez
CALIFORNIA

Gonzalez Arredondo
CALIFORNIA

In re Shakheel Khan
MINNESOTA

In re Alejandra R.
MEXICO

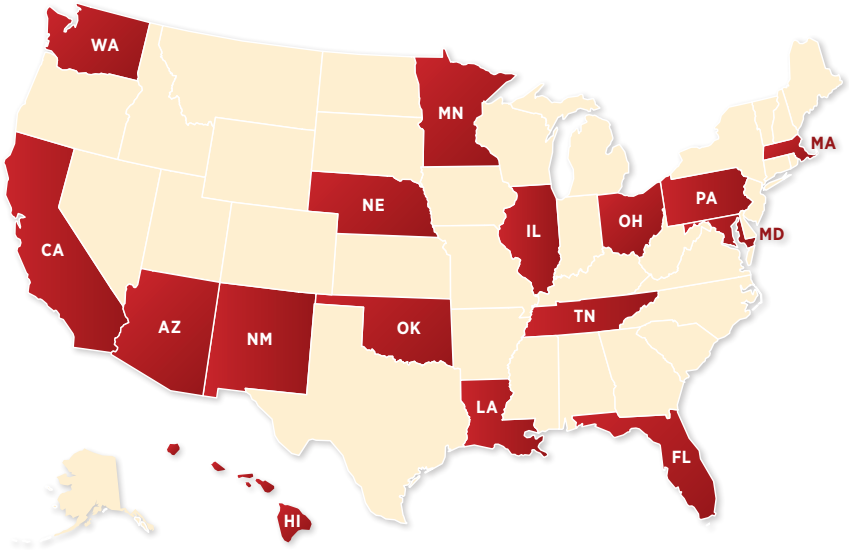
In re Alfonso H.
MEXICO

In re Angel P.
MEXICO (Immigration Court)

In re Cynthia A.
MEXICO

In re Diana C.
MEXICO

In re Emily N.
HONDURAS



Immigration & Asylum continued...

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 AND 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

Perry v. Brown
CALIFORNIA

Port v. Cowan
MARYLAND

Reynolds and McKinley
OKLAHOMA/CHEROKEE NATION

Relationship Recognition

Nancy C. v. Alameda County Fire Department
CALIFORNIA

Jennifer Tobits
ILLINOIS/PENNSYLVANIA

Beckwith v. Dahl
CALIFORNIA

Sports

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

Transgender Law

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

Additional Civil Rights

Friendly House v. Whiting
ARIZONA

Harris v. City of Santa Monica
CALIFORNIA

Stutte v. Milsap
TENNESSEE

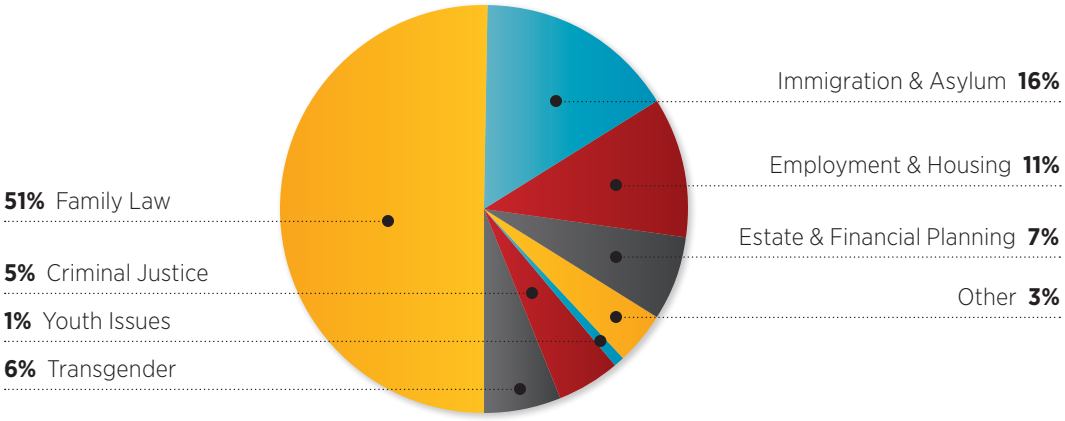
Doe v. Jindal
LOUISIANA

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



HELPLINE CONTACTS

NCLR's Helpline fields thousands of phone calls each year. The pie chart shows the percentage breakdown by issue area for 2011.



YOUTH MINNESOTA

Desiree Shelton, Sarah Lindstrom v. Anoka-Hennepin School District, et al.

FEDERAL COURT

NCLR won a settlement on behalf of two lesbian high school students at Champlin Park High School in Minnesota after their school refused to let the girls march together in a winter "Royalty Court" procession after being elected to do so by their classmates.

Dez and Sarah were high school seniors at the time they were elected into the "Snow Days Week Royalty Court" by their peers. As other couples on the Court had done every year, Dez and Sarah planned to walk as a couple in the procession. When school officials learned about this plan, they told the girls that they could not walk together because some students or parents might feel "uncomfortable" seeing a same-sex couple. Dez and Sarah complained that this was discrimination and the school initially decided to cancel the entire procession. Officials then announced that they would make all of the students walk alone rather than let Dez and Sarah walk together.

Desiree Shelton and Sarah Lindstrom at their Snow Days rally in 2011.



Dez and Sarah continued...

NCLR joined forces with the Southern Poverty Law Center and the law firm Faegre & Benson to send a demand letter to the school about its discrimination in violation of both the First and Fourteenth Amendments and the Minnesota Human Rights Act. When that didn't work, NCLR and co-counsel filed a lawsuit in federal court asking for an emergency order requiring the school to allow the girls to participate as a couple in the ceremony. An emergency mediation session ensued, and NCLR, along with co-counsel, was able to settle the case. Dez and Sarah were allowed to walk in the procession, holding hands and in matching tuxes with pink ties, to the loud cheers of their classmates.

TRANSGENDER LAW CALIFORNIA

Confidential Case

NCLR wins order granting decision-making powers to supportive mother of gender non-conforming son in custody proceeding.

A divorced mother had primary custody of the couple's two children, one of whom is an extremely gender non-conforming boy. The mother supported the child's identity, but the father would not. When the child was in his care, he made the child wear masculine clothing, told the child that he must act and dress like a boy, and sought therapy to change the child's gender expression. NCLR helped the child find a therapist specializing in gender non-conforming children, and represented the mother along with local attorneys. After a custody trial, the court ordered that the mother make all educational and medical decisions for the child. The father appealed the decision, but the Court of Appeal upheld it, maintaining the mother's decision-making powers.

NCLR, along with Deborah Wald and Paul Thorndal of Wald & Thorndal PC, and Amanda List of LJK Law Group, represented the mother.

SPORTS

WASHINGTON

Apilado v. North American Gay Amateur Athletic Alliance

FEDERAL COURT

NCLR resolved a lawsuit on behalf of three bisexual men of color who were disqualified from competing in the Gay Softball World Series.

In November 2011, NCLR successfully resolved a lawsuit brought on behalf of three bisexual men of color whose team was disqualified from competition following a protest hearing at the 2008 Gay Softball World Series in Seattle. In 2008, the team made it all the way to the championship game of the Series, when they were shocked to learn that their eligibility to play was being challenged based on a rule limiting the number of non-gay players who could play on a World Series team. The players were called into a conference room where they were questioned in front of more than 25 people, most of them strangers, about their sexual orientations and private lives. The players were forced to answer whether they were predominantly interested in men or women, without being given the option of answering that they were bisexual. A protest committee voted that the three players were "heterosexual," and their team was disqualified from its second place finish. NCLR filed a lawsuit challenging the treatment the players received and alleging violations of Washington's Law Against Discrimination, which prohibits discrimination based on race and sexual orientation in places of public accommodation.



N.A. Gay Amateur Athletic Alliance continued...

In the settlement, the Gay Softball World Series' sponsor organization recognized that disqualifying the players from the 2008 tournament was not consistent with its intention of being inclusive of bisexual players. The organization agreed to recognize the players' second-place finish and award the team their trophy. In response to the lawsuit, the organization also amended its rules to clarify that an unlimited number of bisexual and transgender players are permitted to play on any team at the Gay Softball World Series.

IMMIGRATION

MEXICO

In re Angeles M.

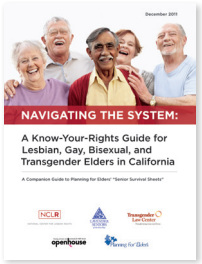
FEDERAL COURT

Lesbian from Mexico granted political asylum based on persecution due to her gender identity.

Angeles is a lesbian from Mexico who from a very young age was frequently harassed for her gender identity. As she grew older, the violence against her became more frequent. When she attempted to flee to the United States, she faced physical, verbal and sexual violence. When she finally reached the U.S. border, officials fingerprinted and photographed her and told her not to come to the border again for the next 5 years. Desperate and fearful for her safety, she tried to enter the United States one more time and succeeded. After living in this country for a short while, Angeles was detained by the police for a traffic infraction. Since she had no valid identification and there was a record of prior deportation, she was reported to U.S. Immigration and Customs Enforcement (ICE). Angeles had been detained by ICE at the Yuba County Jail for almost 8 months before her brother came to NCLR looking for help. He did not have the means to pay for a private attorney, but knew that his sister's threatened deportation would eventually lead to her death. In collaboration with private attorney Christina Lee, NCLR submitted an application for asylum and withholding of removal on behalf of Angeles. After two challenging and emotionally charged hearings, the Immigration Judge granted withholding of removal to Angeles in March 2012, allowing her to stay in the United States. She was detained for 15 months, however, before this life-saving decision was issued on her behalf.

PUBLICATION & PROGRAM HIGHLIGHTS

PUBLICATIONS



"Navigating the System: A Know-Your-Rights Guide for Lesbian, Gay, Bisexual, and Transgender Elders in California"

This pioneering new guide includes comprehensive information for LGBT elders about the rights and the services that are available in California, including relationship recognition and public benefits issues, issues facing transgender elders, an explanation of veterans' benefits, how to find LGBT inclusive care, an overview of LGBT elders' rights under state and federal laws, and other information about important issues facing the community.



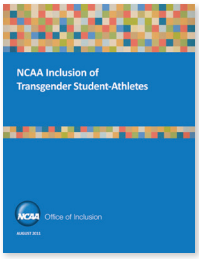
"A Place of Respect: A Guide for Group Care Facilities Serving Transgender and Gender Non-conforming Youth"

NCLR and the Sylvia Rivera Law Project issued a pioneering new report urging group care facilities to reassess their treatment of transgender and gender non-conforming youth and to adopt policies and practices that provide these youth with appropriate, fair, and equal care. The report is the first of its kind to provide comprehensive guidance about the treatment of transgender and gender non-conforming youth in group care facilities, including juvenile detention centers, correctional facilities, and group homes.

"In Defense of LGBT Youth: Strategies to Help Juvenile Defenders Zealously Advocate for their LGBT Clients"

This article provides information for juvenile defenders that will assist them in defending LGBT youth, expanding upon recommendations and strategies from the Equity Project's publication *Hidden Injustice: LGBT Youth in Juvenile Courts.*

PROGRAMS



National Collegiate Athletic Association Transgender Policy Advocacy

The NCAA commissioned NCLR's Sports Project, along with the Gay, Lesbian, Straight Education Network (GLSEN) to develop resource materials, sample model policies, and training materials for their athletic programs on equal opportunity for transgender student athletes. The NCAA officially adopted these guidelines in August 2011, and distributed them to 1,200 colleges and universities across the U.S.

Elder Law Administrative Advocacy

In-Home Supportive Services (IHSS) are vital to helping people with disabilities (many of whom are elders) to stay in their home. After M. came out as transgender at a public event, the county in which he lived denied his IHSS benefits and disregarded the day-to-day effect his disabilities had on his ability to function. NCLR assembled a brief and numerous declarations in support of his application, appealed the denial, and ultimately won him his rightful benefits. With his IHSS benefits in place, he was able to stay in his apartment with enough assistance to remain independent.



United States Soccer Association Transgender Policy Change

NCLR's Sports Project advocated for a young transgender girl to participate in youth soccer by partnering with United States Soccer Association's top leadership to develop policies for inclusion of transgender soccer players. The new policy is strongly supportive of transgender children and is expected to have a huge impact across multiple sports programs, since the USSF is the largest recreational sports association in the country.

NCLR Audited Financial Statements

For the Year Ended December 31, 2011

Public Support and Revenue	
Individuals	$2,156,007
Bequests	$0
Foundations	$1,187,500
Donated Professional Services	$1,445,003
Special Events	$689,561
Case Fees	$48,960
Other Revenue	$12,672
Total Public Support and Revenue	**$5,539,703**

Expenses	
Legal Programs and Services	$4,761,516
Management and General	$73,377
Fundraising	$760,031
Total Expenses	**$5,594,924**

Decrease in Unrestricted Net Assets	**($55,221)**
Net Assets, Beginning of Year	**$2,028,073**
Net Assets, End of Year	**$1,972,852**

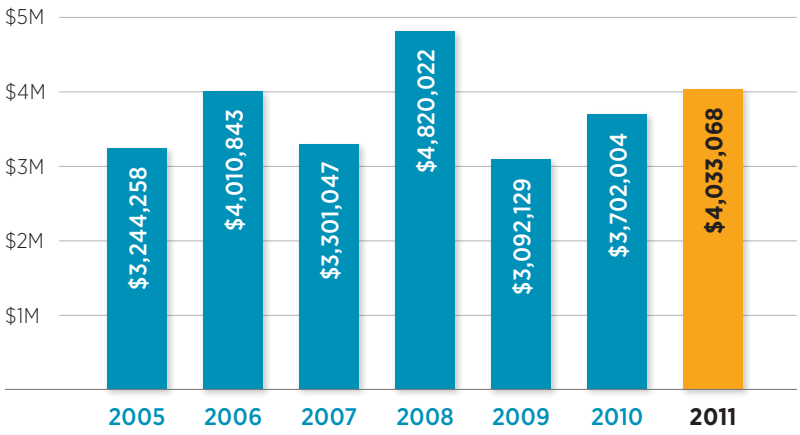
Please contact NCLR for a complete audited statement

2011 Expenses



History of Public Support & Revenue

2005–2011 (Does not include donated professional services.)



THE AUDACITY TO FIGHT FOR JUSTICE.
THE PERSEVERANCE TO WIN.

NCLR

NATIONAL CENTER FOR LESBIAN RIGHTS

NATIONAL OFFICE 870 Market Street Suite 370, San Francisco CA 94102 | 415.392.6257 | Development@NCLRights.org

NCLRights.org | NCLRights.WordPress.com

Facebook.com/NCLRights Twitter.com/NCLRights YouTube.com/NCLRights

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