

OUT FOR JUSTICE

Creating the World We Want for All of Our Youth

Unsung champions work every day in small organizations across the country, giving voice to the hopes and dreams of LGBT youth. NCLR is working with our community allies to develop a policy agenda that dismantles harmful institutions and reinforces community-based services that promote health and well-being.

Over 20 years ago, NCLR made a commitment to the youngest and most vulnerable members of our community to create a world in which they are safe, cherished and affirmed. Too often, the news we hear about LGBT youth reminds us of the dire consequences of school bullying, family rejection, and social isolation—depression, substance abuse, suicide, homelessness, and incarceration. Although the legacies of injustice continue to take their toll, we never forget that LGBT youth—like all youth—demonstrate remarkable resiliency and capacity for healing when they receive critical support and nurturing from the adults in their lives.

Through the support of the Arcus Foundation, NCLR has been looking for opportunities to translate these powerful truths into public policy. We have been on the road, listening to LGBT youth and the adults who support them in small, community-based organizations across the country in Madison, Wisconsin; Jacksonville, Florida; Napa, California; New Orleans, Louisiana; and Detroit, Michigan. We have been inspired, again and again, by the wisdom, courage, and compassion of our community allies and the young people they serve. And we have more cities ahead.

Later this spring, NCLR will convene a group of policymakers, funders, and activists to talk about what we learned in communities across the country, and to use those lessons to create a new, more affirming policy agenda. Our goal is to shift resources from incarceration and other harmful institutions to community-based services that promote the health and well-being of LGBT youth. As we work to implement this shift in the coming years, we hope to move closer to creating the world we want for all of our children.



The staff at the Ruth Ellis Center in Detroit, Michigan, with Shannan Wilber, NCLR's Youth Policy Director.



The staff at BreakOUT! in New Orleans, Louisiana.

PHOTOS © NCLR

Letter from the Executive Director



Kate Kendell, Esq.

FOR THE PAST SEVERAL YEARS, I've employed words like breathtaking, incredible, exhilarating, and inspiring, to describe events of the prior year. As we look back on 2014, even those words come up short. Last year was unprecedented in the spectacular gains made in the fight for LGBT equality—especially for same-sex couples. We began 2014 with 16 states in which same-sex couples could marry and ended the year with 36. It is now irrefutable that we have hit our tipping point—marriage equality for all may be won this Summer.

But a tipping point is not a finish line.

When it comes to the well-being of many LGBT people—security for elders, fairness for immigrants and undocumented people, parenting rights, protections and basic safety for transgender people, especially transgender women of color—we have much work still ahead of us.

And in chilling contrast to the gains we have witnessed for same-sex couples, the killings of Michael Brown, Tamir Rice, Eric Garner, and many other unarmed black people at the hands of white police officers have exposed the harsh reality of systemic racism.

One of my new favorite quotes is attributed to Benjamin Franklin who wrote: “Justice will not be served until those who are unaffected are as outraged as those who are.” Using our outrage to fight back against very long odds is precisely HOW we got to our own tipping point, and we can—and will—do the same on the remaining struggles for humanity and justice.

At NCLR, we are both working to finish the job on marriage AND on multiple other fronts to win full justice for ALL. Whether it's ending conversion therapy through our #BornPerfect campaign, fighting for employment protections and recognition, developing strategies to protect the most vulnerable youth, or working to win security for ALL our families. We are not done. We will not be done until every LGBT person feels secure, free, and embraced. That is our promise, and that is the vision you help make real.

Onward,

A handwritten signature in blue ink that reads "Kate Kendell, Esq." in a cursive style.

Kate Kendell, Esq.
NCLR Executive Director

*Save
the
Date!*



Docket Update / Marriage Equality

NCLR is taking the fight for marriage equality all the way to the Supreme Court. Last year, we won marriage cases in states once thought to be unwinnable, including Utah, Wyoming, and Idaho. NCLR also represents three legally married same-sex couples who are challenging Tennessee's refusal to recognize their marriages in federal court. After we won at the trial level, on November 6, 2014, the Sixth Circuit Court of Appeals reversed that victory and upheld marriage bans in Tennessee and three other states. That decision conflicted with decisions from the other federal appeals courts that invalidated similar state marriage bans. **In a historic announcement on January 16, 2015, the U.S. Supreme Court agreed to review our Tennessee case** along with cases in Ohio, Michigan, and Kentucky. The Court has an opportunity to extend the freedom to marry to all same-sex couples across the nation. The Court is expected to hear arguments this spring and issue a decision by the end of June 2015.

As we wait on the Supreme Court decision, marriage equality continues to sweep the nation. Just days before the Supreme Court's announcement, NCLR also secured a major marriage victory in **Florida** state court in Miami on behalf of six same-sex couples and Equality Florida Institute, enabling marriage in Florida and in **South Dakota**, where a federal district court recently struck down that state's marriage ban.

Nation's Capitol Ends Conversion Therapy



Former D.C. Mayor Vincent Gray signs bill protecting youth from dangerous and discredited practice of conversion therapy.

Learn more at:
www.NCLRights.org/BornPerfect

Advocating for Unmarried Couples

NCLR is working tirelessly to advance the rights of *unmarried* LGBT people at the same time that we are striving to achieve marriage equality. In December, we gained a major victory in that fight. Since 1979, Illinois has prohibited unmarried couples from having legal property rights. For over 35 years based on a case called *Hewitt v. Hewitt*, Illinois has stigmatized non-marital relationships as "illicit" and prevented unmarried couples from enforcing property claims against one another when they separate.

In NCLR's case *Blumenthal v. Brewer*, the

First District Court of Appeals ruled that the courthouse doors could no longer be closed to unmarried couples. Although Illinois and other states used to criminalize cohabitation outside of marriage, the law now recognizes many different kinds of families, and out-dated policies about what kinds of families are "immoral" cannot be used to deny rights to unmarried couples. NCLR's work to achieve justice for all LGBT people and their families will not be over until every family is free from discrimination and oppression—no matter how that family is formed.

Fighting for Workplace Protections for LGBT People



After almost 30 years together, Lesly Taboada-Hall married Stacey Schuett from a hospital bed in their home. The next day, Lesly succumbed to the uterine cancer she fought for years. Lesly was the primary breadwinner for her family, dedicating more than 26 years to FedEx Corporation. But when Lesly died, FedEx refused to recognize the couple's marriage and refused to grant Stacy the rights to Lesly's significant pension plan. With NCLR's help, Stacey is suing FedEx to get the legal recognition her family deserves.

"Our family is still reeling from the extreme pain that comes from losing a wife and mother,"

said Schuett. "I won't stop fighting until FedEx recognizes our family and respects Lesly's decades of service."

Since its inception, NCLR has fought for workplace protections for LGBT people and their families. "We will not stop until every LGBT person can be assured that her job and livelihood depends not on irrelevant characteristics, but on the quality of her work," said Amy Whelan, a Senior Staff Attorney at NCLR.

NCLR represents Stacey Schuett along with Lewis, Feinberg, Lee, Renaker and Jackson, P.C., and the Birnie Law Office.

White House Convening on LGBT Elders

On February 10, 2015, NCLR, the White House, and Services and Advocacy for GLBT Elders (SAGE) co-hosted the National LGBT Elder Housing Summit, a convening that addressed the disproportionate challenges facing LGBT elders in various housing contexts and explored federal policy solutions to target these issues.

This is the second time NCLR has partnered with the administration to tackle housing issues for LGBT elders. In 2011, we teamed up with the Department of Housing and Urban Development (HUD) and the Department of Health and Human Services (HHS) to host the first-ever LGBT Elder Housing Summit.

Since that enormously successful event, there have been significant changes that have impacted this community. In 2013, the Supreme Court

struck down Section 3 of the Defense of Marriage Act (DOMA), which prohibited the federal government from recognizing legal marriages between same-sex couples. Following that historic decision, the Obama administration moved quickly to direct federal agencies to respect those marriages. The administration has also taken many steps to protect and provide equal services to LGBT elders. The 2015 summit explored issues including access to affordable fair housing, social security spousal benefits, Medicare and Medicaid, non-discrimination in long-term care facilities, and veteran's spousal benefits. Hosted at the White House, this event brought together about 100 leading professionals, including advocates, activists, academics, healthcare providers, practitioners, and

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THE NATIONAL CENTER FOR LESBIAN RIGHTS NEWSLETTER WINTER 2015

NCLR is a national legal organization committed to advancing the human and civil rights of the lesbian, gay, bisexual, and transgender community through litigation, public policy advocacy, and public education.

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OUT FOR JUSTICE

policymakers who are working to improve the lives of LGBT elders.