

2012 ANNUAL REPORT

LIGHTING THE WAY FOR LGBT RIGHTS



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 (LGBT) people and their families through litigation, public policy advocacy, and public education.

Thirty-six 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 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. 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 blazing trails 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.



**IT IS CLEAR THAT 2012 WAS A
WATERSHED YEAR.
FOR OUR MOVEMENT IT WAS
A YEAR THAT CATAPULTED OUR
STORIES INTO THE SPOTLIGHT.**

Dear NCLR Champion:

As I write this, we are well into 2013. But of course, this report highlights our work and finances for 2012. It is so interesting to reflect on last year with the benefit of recent developments. It is clear that 2012 was a watershed year. For NCLR, it was a very good year. For our movement, it was a year of catalytic change. A year that catapulted the stories of LGBT people to center stage and headline grabbing lead stories. In some ways, we always knew this moment would come. We knew there had to be a tipping point—a moment when our nation would shift from bare tolerance to supporting and embracing us. What I do not think we could have imagined was how soon the moment would come and how breathless it would leave us.

And yet, as we contemplate how far we have come and as we revel in how much better life is in so many places for so many of us, we cannot help but notice how many are being left behind and how much more work there is to do. In far too many states, there is not one single measure of protection for LGBT residents; in far too many schools, kids are still daily targets because of their sexual orientation or gender identity; in far too many communities, same-sex couples struggle not just with making ends meet, but with daily insults and harassment just because of who they are. We have come a long way, but we are far from done.

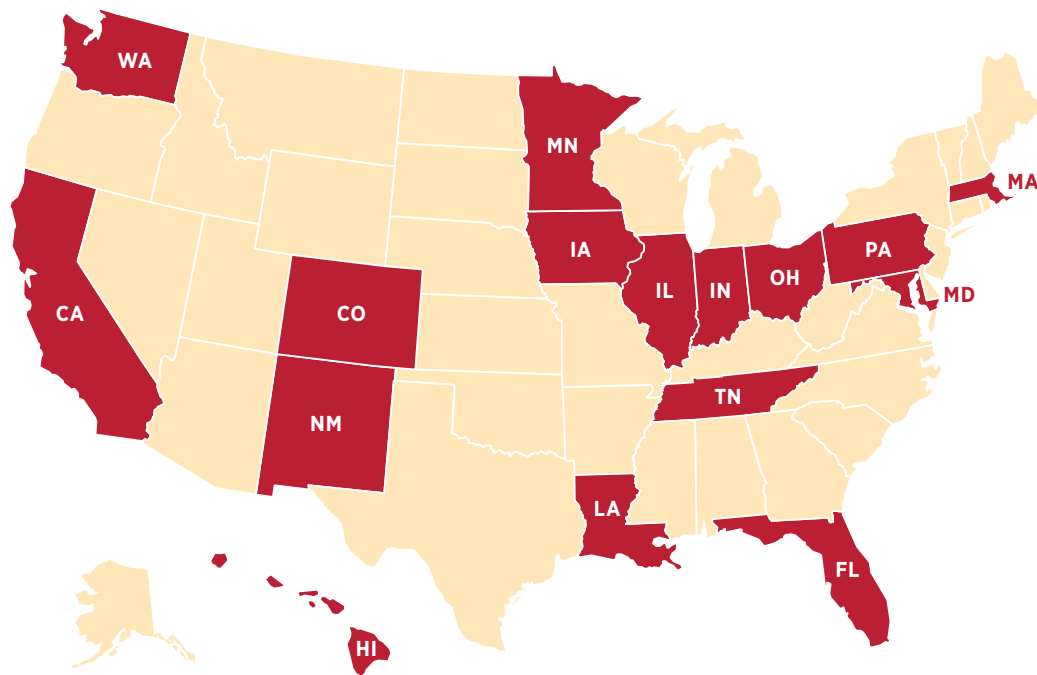
And of course, with the U.S. Supreme Court's historic decisions this year, we have once again felt the ground shift and our movement accelerate. We celebrate the wins and savor the victories. And we are soberly assessing who is not with us and making certain our future work is about assuring that every one of us, regardless of race, class, or geography, lives with dignity and security, free from shame or fear. This is the work we do every day, every year. This is the work you believe in and make possible. This is the work it is our privilege to do. Last year was groundbreaking, but you should buckle up, because the ride is not yet over.

With all my gratitude,

A handwritten signature in black ink, appearing to read 'Kate Kendell'.

Kate Kendell, Esq.
Executive Director

2012 CASES



Elder Law

In re J.W.

FEDERAL

In re M.

CALIFORNIA

In re J.H.

CALIFORNIA



Marriage

Hollingsworth v. Perry

CALIFORNIA

Port v. Cowan

MARYLAND

Windsor v. US

FEDERAL (SECOND CIRCUIT COURT OF APPEALS)



Youth

Anoka-Hennepin School District

MINNESOTA

In re D.B.

OHIO

Young v. IPS

INDIANA



Families & Parenting

Chatterjee v. King

NEW MEXICO

D.M.T. v. T.M.H.

FLORIDA

Gartner v. Iowa Department of Public Health

IOWA

Hunter v. Rose

MASSACHUSETTS

In re Adoption of a Male Child

HAWAII

In re the Parental Responsibilities of M.W.

COLORADO

Karen Atala Riffo v. Chile

CHILE



Relationship Recognition

Cozen O'Connor, P.C. v. Jennifer

Tobits, et al.

ILLINOIS/PENNSYLVANIA

Beckwith v. Dahl

CALIFORNIA



Additional Civil Rights

Stutte v. Milsap

TENNESSEE

Doe v. Jindal

LOUISIANA

Howe v. Haslam

TENNESSEE

Pickup v. Brown

CALIFORNIA

Stormans v. Selecky

WASHINGTON

Welch v. Brown

CALIFORNIA



Immigration & Asylum

Berera v. Holder

CALIFORNIA

Castro-Martinez

CALIFORNIA

Gonzalez Arredondo

CALIFORNIA

In re Shakheel Khan

MINNESOTA

In re Alex R., Andrea C.

MEXICO

In re Angeles M.

MEXICO

In re Angel P.

MEXICO (IMMIGRATION COURT)

In re Bernabe R., Jose U., Arturo G.

MEXICO (IMMIGRATION COURT)

In re Stephanie G., Johanna S.,
Dayana C.

MEXICO

In re Jessica S.

EL SALVADOR

In re Jose S.

MEXICO

In re Nestor R.

NICARAGUA

In re Jocelyn M., Alexa H.

MEXICO

In re Fabrizio G.

PERU

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



In re Monica B.

EL SALVADOR

In re Luis L.

COLOMBIA

In re Fausto C., Aldo C., David V.

MEXICO

In re Edgar A.G., Carla L.

MEXICO

In re Janeth C., Mario E.

MEXICO

In re Oscar A.

EL SALVADOR

In re Victor R., Ricardo R.

NICARAGUA

In re Sergio C. Garcia

CALIFORNIA

In re Evelyn O.

GUATEMALA

In re Benito V.

EL SALVADOR

In re Paola B.

MEXICO

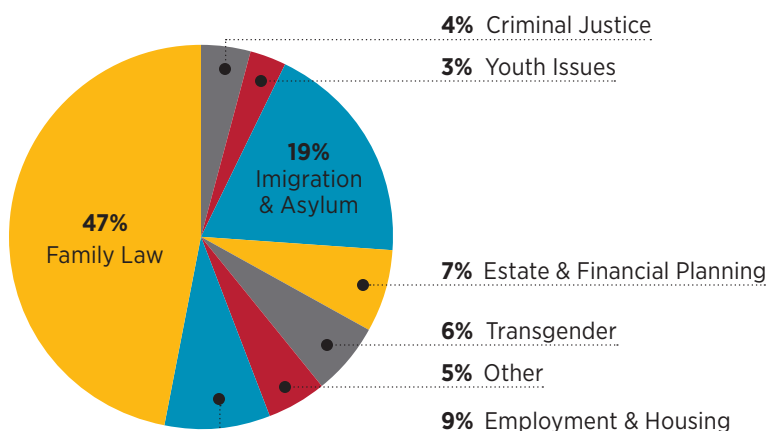
J.G. v. Holder

MEXICO

John Doe v. Alberto Gonzales

EGYPT

HELPLINE CONTACTS



NCLR's Helpline fields thousands of phone calls each year. The pie chart shows the percentage breakdown by issue area for 2012.

LITIGATION HIGHLIGHTS



Youth

Doe v. Anoka-Hennepin School District No. 11

MINNESOTA FEDERAL DISTRICT COURT

All students should be able to receive an education in an environment that is safe and inclusive. Unfortunately, many schools in the Anoka-Hennepin School District in Minnesota presented a frightening environment for lesbian, gay, bisexual, and transgender (LGBT) students.

In 2011, NCLR joined the Southern Poverty Law Center (SPLC), Faegre & Benson LLP, and Culberth & Lienemann, LLP and filed suit against the district and school officials on behalf of six district students seeking new policies to effectively address the pervasive anti-LGBT atmosphere in the district's schools. On March 5, 2012, the student plaintiffs announced that they had entered into a consent decree with the school district to resolve their lawsuits against the district. The agreement also resolved an investigation of district schools by the U.S. Department of Justice and the U.S. Department of Education. The consent decree includes important new protections designed to prevent harassment of students who are or perceived to be LGBT and gender non-conforming, as well as those who have friends or parents who are LGBT. The decree also includes a comprehensive, federally-supervised plan to counter and prevent future harassment in district education programs and activities.



Some of the brave students seeking new policies to address the anti-LGBT atmosphere in their schools.



Marriage Law

Cozen O'Connor v. Jennifer Tobits

PENNSYLVANIA FEDERAL DISTRICT COURT



NCLR represented Jennifer Tobits, a surviving same-sex spouse, in a case that will determine whether the federal Defense of Marriage Act (DOMA) applies to private employers.

After suffering the devastating loss of her wife to an aggressive form of cancer, Ms. Tobits (pictured above, right) attempted to obtain her wife's death benefit through her former employer. But the employer, Cozen O'Connor, and her spouse's parents, argue that DOMA prevents Ms. Tobits from receiving that benefit. The case was stayed pending the Supreme Court's ruling in Windsor v. U.S. and was subsequently decided in Jennifer's favor on July 29, 2013.



Families & Parenting

Chatterjee v. King

NEW MEXICO SUPREME COURT

Like many couples, Bani Chatterjee and Taya King were a same-sex couple who decided to adopt a child, but only one of them was able to legally adopt their child.

After raising their child together for nine years, Bani was initially denied the ability to seek custody of her child after the women broke up. Along with local co-counsel, NCLR successfully represented Bani before the New Mexico Supreme Court, which held that a woman who raises a child with another woman and assumes parental and financial responsibility for the child can be a legal parent under New Mexico law, regardless of whether she is a biological parent.

PROGRAM HIGHLIGHTS

Senate Bill 1172

NCLR was a lead sponsor of a first-of-its-kind California law that prohibits licensed therapists from trying to change a young person's sexual orientation or gender expression. These practices have been rejected by every major mental health professional association because they put them at risk of extreme and severe harm, such as depression, substance abuse, and suicide. Senate Bill 1172 was authored by Senator Ted Lieu and sponsored by NCLR, Equality California (EQCA), Gaylesta, Courage Campaign, Lambda Legal, and Mental Health America of Northern California, and supported by dozens of organizations including the California Psychological Association, the California Chapter of the National Association of Social Workers, and the California Division of the American Association for Marriage and Family Therapy. California Governor Jerry Brown signed the bill into law on September 29, 2012.



Ryan Kendall suffered the consequences of a therapist trying to change his sexual orientation.

Helpline Couple from United Arab Emirates

NCLR hears from hundreds of LGBT people each year who face horrifying persecution in their home country. In 2012, two women living in the United Arab Emirates (UAE) contacted us. They were urgently leaving the country to escape persecution and violence they faced because they were a lesbian couple, but did not know what to do once they left the UAE. NCLR gave the women resources and information on U.S. immigration law, including the option of seeking asylum in the U.S., and the contact information of an attorney in San Francisco, Cara Jobson, who has done extensive pro bono work with NCLR's Immigration Project. The women managed to make their way to San Francisco, and, represented by Jobson, were both eventually granted asylum. They now live and work in the U.S., and have started a website and video blog for other Arabic-speaking LGBT people.

Nike LGBT Sports Summit

NCLR's Sports Project Director Helen Carroll (pictured, right) was one of the key organizers and planners for the groundbreaking inaugural Nike LGBT Sports Summit to combat bullying and anti-LGBTQ bias and discrimination in sports. The nation's top LGBT sports leaders joined Nike representatives at Nike World Headquarters in Portland, Oregon to develop a unified plan to end harassment and discrimination against LGBT athletes and coaches in kindergarten through high school, college, recreational, and professional sports. NCLR is actively involved in implementing the plans that emerged from the summit.



Nondiscrimination in Affordable Care Act

NCLR led a coalition of organizations arguing that the prohibition against discrimination based on sex in the Affordable Care Act (ACA) includes a prohibition against discrimination based on sex stereotypes and gender identity. In 2012, the Department of Health and Human Services (HHS) issued a letter to NCLR stating that they agreed with our interpretation and clarifying that the ACA prohibits discrimination against transgender and gender non-conforming people in the provision of all healthcare programs, services, and activities.

Department of Housing and Urban Development Equal Access Rule

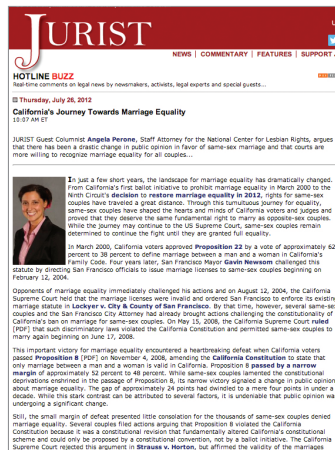
In 2012, the Department of Housing and Urban Development (HUD) announced the historic LGBT Equal Access Rule. That rule prohibits discrimination based on sexual orientation, gender identity, or marital status in all HUD and HUD-assisted housing programs and services, including services like FHA-insured mortgages and Section 8 housing. This rule represents the most comprehensive LGBT nondiscrimination rule enacted by a federal agency to date. NCLR was HUD's lead partner in the development of that rule and has partnered with HUD to publicize and implement the rule in many ways, including co-hosting an event for stakeholders with HUD and the White House following the release of the rule to educate housing providers and the public about the rule and its impact.

PUBLICATION HIGHLIGHTS



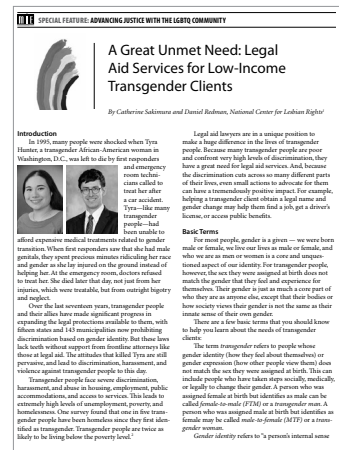
Como Navegar El Sistema (Navigating the System) A Know-Your-Rights Guide for Lesbian, Gay, Bisexual, and Transgender Elders in California

To live lives of integrity and honesty, today's LGBT elders endured—and continue to endure—discrimination, harassment, and violence. In conjunction with Lavender Seniors, Planning for Elders, Openhouse, and the Transgender Law Center, NCLR produced a Spanish publication, “Como Navegar El Sistema” (Navigating the System) to help Spanish-speaking LGBT elders understand their rights in California. This publication describes how LGBT elders can identify available benefits, understand California's anti-discrimination laws, find LGBT-friendly housing and service providers, effectively address discrimination or mistreatment, and understand how relationship recognition laws affect benefits. NCLR distributed this publication to service-providers, long-term care facilities, aging networks, and LGBT advocacy groups throughout California.



California's Journey Towards Marriage Equality

In just a few short years, the landscape for marriage equality dramatically changed. From California's first ballot initiative to prohibit marriage equality in March 2000 to the Ninth Circuit's decision to restore marriage equality in 2012, rights for same-sex couples traveled a great distance. Through this tumultuous journey for equality, same-sex couples shaped the hearts and minds of California voters and judges and proved that they deserve the same fundamental right to marry as opposite-sex couples. In July 2012, NCLR authored an article describing California's legal and political stepping stones on the road to marriage equality and described how support for marriage equality has rapidly increased in recent years. This article provided important context for California's unique journey for marriage equality amidst speculation by lawyers, commentators, and LGBT community members as to whether the U.S. Supreme Court would review *Perry v. Schwarzenegger*, the case in which a California trial court and federal appellate court struck down Proposition 8.



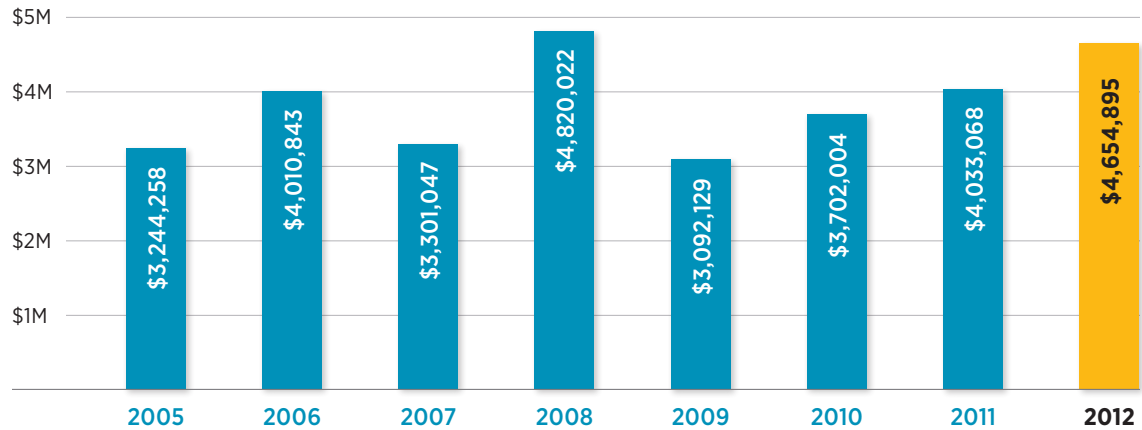
Articles on legal services for low-income LGBT people

In a special issue of a journal for legal aid organizations focused on LGBT clients, NCLR authored articles on serving low-income transgender clients, and on new federal protections for LGBT people against housing discrimination. Management Innovation Excellence for Legal Aid is the premiere journal for managers of legal aid organizations, reaching hundreds of offices throughout the country. Through our Family Protection Project and Proyecto Poderoso, our joint partnership with California Rural Legal Assistance, NCLR continues to work with legal aid organizations to improve their services to very low-income LGBT people.

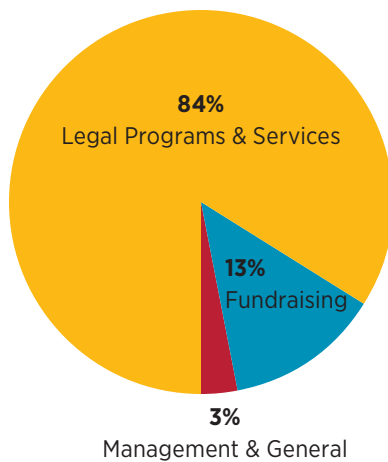
FINANCIALS

History of Public Support & Revenue

2005–2012 (Does not include donated professional services.)



2012 Expenses



NCLR Audited Financial Statements

For the Year Ended December 31, 2012

Public Support and Revenue

| | |
|---|--------------------|
| Individuals | \$2,687,378 |
| Bequests | \$35,000 |
| Foundations | \$1,231,629 |
| Donated Professional Services | \$1,369,037 |
| Special Events | \$689,813 |
| Other Revenue | \$32,660 |
| Case Fees | \$11,808 |
| Total Public Support and Revenue | \$6,057,325 |

Expenses

| | |
|-----------------------------|--------------------|
| Legal Programs and Services | \$4,874,014 |
| Management and General | \$201,398 |
| Fundraising | \$772,696 |
| Total Expenses | \$5,848,108 |

| | |
|--|--------------------|
| Increase in Unrestricted Net Assets | \$209,217 |
| Net Assets, Beginning of Year | \$1,972,852 |
| Net Assets, End of Year | \$2,182,069 |

Please contact NCLR for a complete audited statement.

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



NATIONAL CENTER FOR LESBIAN RIGHTS

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