

GLAD WinterBriefs

equal justice under the law

Gay & Lesbian Advocates & Defenders: 30 Years of Making History

The urge to shame gay men by entrapping them in bathroom dragnets isn't new.

Nearly thirty years ago, a sting operation that took place in the Boston Public Library (BPL) resulted not only in the arrest of 103 men, but in an angry response by the gay community and, ultimately, the creation of Gay & Lesbian Advocates & Defenders, GLAD.

Throughout 2008, GLAD will be honoring its history, taking a look at some of the precedent-setting cases that have catapulted us into the headlines, and putting the spotlight on some of the people whose courage and determination have changed the lives of LGBT people throughout the country.

"The chance to be a part of history drew me to GLAD," says Executive Director Lee Swislow. "It is amazing to be part of an organization that is so focused, so ground-breaking, and so effective."

The first 30th anniversary event in 2008 will be a January 23 panel discussion entitled "Sex on the Margins: The More Things Change ...," tracing trends in liberation and assimilation, sex and marriage, and culture and the law. See back page for details.

Two other panels will highlight key precedent-setting cases in GLAD's 30 year history. In April, we will focus on GLAD's 1998 win at the U.S. Supreme Court establishing that all people with HIV are protected under the Americans with Disabilities Act. November 2008 will be the fifth anniversary of the



Protesting entrapment of gay men in bathroom sex stings at the Boston Public Library.

Goodridge decision establishing marriage equality in Massachusetts and will provide an occasion to look back at GLAD's role in establishing Vermont civil unions, and to look forward to the outcome of GLAD's current marriage case in Connecticut.

And in monthly podcasts, GLAD will converse with the plaintiffs and attorneys involved in some of the organization's most important cases. In August, for instance, we'll talk with Trina Harrington. As a transgender middle-schooler in Brockton in the late 1990s, she wanted only to wear the clothing of her choice to school – and with GLAD's help, she won the right to do so.

Even when GLAD has lost a legal fight, it has used (and continues to use) its cases as an opportunity to educate courts and the public about our lives – as it did at the Supreme Court in 1992 representing gay men and lesbians who wanted to march in Boston's St. Patrick's Day parade.

GLAD evolved from the law practice of attorney John Ward, then the only openly gay man practicing law in Boston, and other attorneys who rallied to represent those men arrested at the BPL. Only one criminal conviction resulted from those 103 arrests, and it was overturned on appeal. A civil suit, *Doe v. City of Boston*, charged the city with false arrest, negligence, malicious prosecution and civil conspiracy. The City

Help GLAD Celebrate Thirty Years of Working for Equal Justice Under Law

Do you have memorabilia, photos, or stories you'd like to contribute to the GLAD archives?

We'll be highlighting GLAD's history on our website throughout 2008.

Email jcooley@glad.org
to donate your materials.

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From the Executive Director Lee Swislow

GLAD was founded in 1978 “to give gay men and lesbians a means to defend ourselves in our own voices in the courts.” Founder John Ward did just that memorably for years, including in the U.S. Supreme Court in 1995. There he argued on behalf of gay Irish-American Bostonians who wished to march in the St. Patrick’s Day parade, held each year in South Boston.

It was the first time an openly gay attorney had argued in our country’s highest court, and some members of the Court were clearly hostile. Although well-armed with a carefully-developed legal theory, John likens the experience to “Aikido with nine opponents,” requiring months of preparation. Still, despite the loss in the case, he says “in a larger sense it did some good in that we were taken seriously.”

Senior GLAD attorney Ben Klein has also had the exhilarating (and terrifying) experience of arguing before the Supreme Court. In *Bragdon v. Abbott* (1998), Ben represented a woman with HIV who had been refused treatment by a dentist in Bangor, Maine. GLAD won the case, establishing that people with HIV are protected from discrimination by the Americans with Disabilities Act. Ben remembers every detail of the experience, from the tie he wore (a gift from his father) to the note passed to him during argument by his co-counsel. He still keeps the souvenir quill given by the Court to each attorney in his very old briefcase.

Speaking in our own voices, on our own behalf – we do that every time we go to court, in cases large and small. Just as being out makes a difference in all walks of life, being out in the judicial system helps LGBT and HIV-positive people everywhere achieve justice. ▶



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A Family Forever

Victory for Maine Same-Sex Parents and Children



Portland couple Ann Courtney and Marilyn Kirby were finally able to jointly adopt their children, Michelle and Ryan, this fall.

After Ann Courtney and Marilyn Kirby began providing foster care for siblings Ryan and Michelle in 2001, each month the children's DHHS caseworker visited their Portland, ME home. And after the couple decided to adopt the children, each month their caseworker told them that they had to sign paperwork designating just one of them as the intended legal parent in order to start the adoption process. For six years Ann and Marilyn loved and cared for these children, and so each month they refused to sign.

While they were allowed to co-foster Ryan and Michelle, Maine law prevented the couple from jointly adopting. Forced to choose which of them would be the legal parent, Ann and Marilyn instead chose to fight.

At issue in GLAD's case *In Re Adoptions of RA and MA* was whether courts have the power to consider a joint petition for adoption by an unmarried couple. Ann and Marilyn applied to jointly adopt Michelle and Ryan in 2002, and filed adoption petitions in Cumberland County Probate Court in May 2006. Interpreting Maine adoption law to allow only one unmarried person or a married couple to adopt, the local Judge of Probate denied their petition. The appeal reached the Law

“The decision was clearly in the best interest of Ryan and Michelle, who have flourished under Ann and Marilyn's care.”

Court, Maine's highest court, in the Fall and was officially considered in February 2007.

In an historic decision on August 30, the Maine Law Court refused to interpret the adoption law as creating a bar on unmarried couples adopting together.

It was a decision, the Law Court said, prioritizing children's

best interests. “A joint adoption assures that in the event of either adoptive parent's death, the children's continued relationship with the surviving parent is fixed and certain,” the Court said. “A joint adoption also enables the children to be eligible for a variety of public and private benefits ... Most importantly, a joint adoption affords the adopted children the love, nurturing, and support of not one, but two parents.”

“The decision was clearly in the best interest of Ryan and Michelle, who have flourished under Ann and Marilyn's care,” said GLAD attorney Mary Bonauto, who represented the couple, along with Maine attorneys Patricia Peard of Bernstein, Shur, and Judith M. Berry. “The court heard from the experts who knew this family well – everyone from the state's adoption workers to the children's guardian to the social worker who completed the home study.”

Ryan, four months old at the time, and Michelle, then four years old, were removed from their home in 2001 when their biological parents were no longer able to care for them. They were placed with Ann, an attorney, and Marilyn, a counselor, who quickly re-organized their lives to address the children's multiple emotional, learning, and developmental difficulties.

The family's legal battle ended on November 17 when Probate Court Judge Mazziotti announced that Ryan, now six years old, and Michelle, now 10, finally had two legal parents – parents Mazziotti described as some of the best-qualified, most caring he'd met in his years on the bench.

What adoption really means for this family – what they have really “won” with this case – is the security of knowing they are a family forever.

As Ann recently remembered, after they heard the Law Court decision, Ryan ran up to her and said, “Mommy Marilyn said we won!” Then, puzzled, he asked, “What's the prize?”

Laughing, Ann said, “You are.” ▶

School Discrimination/Harassment Calls Increase

GLAD has seen an increase recently in the number of Legal InfoLine calls that deal with school related discrimination and/or harassment. The issues reported include:

- a student with a lesbian mother being harassed by fellow students
- a transgender student not being provided enough protection from a bullying fellow student
- a transgender student who is transitioning not being provided with a pro-active safety plan
- two lesbian parents being told that they should not appear together at any school functions where children are present
- a lesbian high school student whose parents are trying to prevent her from contact with her girlfriend and from supportive staff at the school

When GLAD's Legal InfoLine receives a call, a trained volunteer talks with the caller and, after hearing what has happened and what the caller is seeking, provides legal information and resources, referrals to other agencies that may be able to assist the caller and, if the caller wishes, referrals to independent attorneys in GLAD's Lawyer Referral Service.

In the six New England states that GLAD serves, there are various legal protections prohibiting harassment and discrimination against students. Most of these protections only extend to public K-12 students, although some harassment protections apply to any school or college which receives

federal funds. In general LGBTQ students have the right:

- to attend school in safety, without facing harassment or violence
- to form Gay Straight Alliances
- to express opinions about LGBT issues and to express their gender identity
- to learn about LGBT issues

Each of the six New England state's LGBT Overview publication has a section on Students' Rights. In addition, GLAD has the following publications:

- Rights of LGBT Public School Students in Massachusetts
- I'm Being Harassed at School
- Legal Rights of Public School Students and Teachers in Massachusetts
- Rights of LGBTQ Youth Maine
- Rights of LGBTQ Youth Rhode Island
- Hey LGBT Students!
- Hey Transgender Students!

These publications and further information about the legal rights of students can be obtained by contacting GLAD's Legal InfoLine, Monday – Friday between 1:30 – 4:30 pm, at 800-455-GLAD (4523). These publications can also be found online at www.glad.org. ▶

GLAD InfoLine Volunteers provide callers with information on their legal rights. The latest group of volunteers includes, from left to right, Amanda Moore, Shanna Halpern, Caitlin Reed, Bill Pruitt, Rik Haber, Gary Weisent, Katie Tyson, Jeremy Wolff, Sarah Turrin, Fran Turner, Alison Falb, Izzy Barros, Dillon Cuthbertson.





Ashley Shaw (L) and her mother Liz (R), with attorney Ben Klein.

GLAD Fights for MassHealth Coverage for HIV-Positive Teen

GLAD argued before a three-judge panel of the Massachusetts Appeals Court on October 9 representing teenager Ashley Shaw and her mother, Liz, in the appeal of a lower court decision upholding MassHealth's refusal to pay for Ashley's HIV-related surgery.

Ashley has lived with AIDS since her birth. She takes powerful HIV antiviral medications that keep her alive, medications that are highly toxic. One side effect of the drugs is "buffalo hump," an abnormal pad of fat that grew on the nape of Ashley's neck.

The condition resulted in severe headaches and neck pain as well as abnormal posture, which Ashley's doctors determined would have caused permanent damage if left untreated in a still-growing adolescent. The fat pad also

"There are so many things I can't cure in Ashley. How could I deny her the chance to live without pain?"

impeded Ashley's ability to take part in sports and regular teenage activities. "Ashley was in constant pain," says Liz, who adopted Ashley as a toddler. "She had to fight to keep her head up. Because she was unable to do the things she loved, she became more withdrawn – more like the scared child who had first come into my home."

In 2004, Ashley's doctor concluded that surgical removal of the pad was the only effective medical treatment. On the eve of the scheduled surgery, MassHealth denied coverage. Because of her daughter's pain and the risk of long-term damage, Liz made the decision to go ahead with the surgery and then appeal MassHealth's denial. The alternative would have been to delay the surgery indefinitely.

"My daughter's condition was getting worse," says Liz, "and this was a concrete step I could take to help her feel better. There are so many things I can't cure in Ashley. How could I deny her the chance to live without pain?"

The surgery was successful, but left Liz, a single mom and visiting nurse, with a large bill. MassHealth ruled that by proceeding with the surgery, Liz had waived all right to payment, regardless of whether the initial denial was, in fact, wrong.

"Liz adopted a child with complex medical problems, who otherwise would have been in state custody. Ashley clearly benefited – but so did the Commonwealth," said Bennett Klein, GLAD's AIDS Law Project Director who is representing Ashley and Liz. "Liz saved the state hundreds of thousands of dollars by adopting and caring for Ashley – but now the state is placing petty bureaucratic obstacles in her way as she tries to care for her child."

A ruling is expected soon from the Appeals Court. ▶

Docket Highlights:

Bedford and Breen v. New Hampshire Community Technical College

System: GLAD is at the New Hampshire Superior Court to determine proper relief in this case involving two long-time state employees who sought insurance and leave benefits for their same-sex partners and their children. GLAD was victorious in May, when the state withdrew its appeal of a trial court finding in favor of the plaintiffs. The Superior Court has since restated its finding that denying benefits for employees' same-sex partners violates New Hampshire's anti-discrimination law and has ruled that the plaintiffs are entitled to both compensatory damages and attorney's fees.

Chambers v. Ormiston: GLAD has filed two amicus briefs with the Rhode Island Supreme Court in this matter which should determine whether a Family Court judge can recognize the Massachusetts marriage of a Rhode Island same-sex couple, Cassandra Ormiston and Margaret Chambers, for the purpose of granting them a divorce. A decision is expected shortly.

Charron v. Amaral: GLAD has filed an amicus brief in the Massachusetts Supreme Judicial Court in this medical malpractice case involving an alleged failure to appropriately test for and diagnose breast cancer. The case raises the question of the right of the now-surviving same-sex spouse to bring a claim for the loss of her wife's consortium. Massachusetts law categorically denies claims of loss of consortium where a couple is unmarried at the time the claim originates, yet it was legally impossible for the couple to be married in 2003, when the alleged misdiagnosis occurred. Therefore, GLAD argues that if the common law does not make room to accommodate this situation, it violates the equal protection guarantees of the MA Constitution.

D'Amico v. Cranston School

Department: GLAD continues to work with local counsel in Rhode Island to pursue a sexual orientation discrimination claim on behalf of a Rhode Island teacher who was denied family leave to care for her partner. The Rhode Island Human Rights Commission found probable cause that sexual orientation discrimination had occurred, and the case is now pending in Rhode Island Superior Court.

Kerrigan and Mock et al v. Connecticut Department of Public Health

Health: GLAD is currently awaiting a ruling from the Connecticut Supreme Court on the question of marriage equality for same-sex couples under Connecticut law. This case, argued in May, 2007, squarely confronts the court with the issue of whether a separate status just for gay people is constitutional. A decision could come any time.

Miller Jenkins v. Miller Jenkins: GLAD continues as appellate counsel for a Vermont woman in a custody dispute with her former civil union spouse, now residing in Virginia with the couple's daughter. Following GLAD's victory in the Vermont Supreme Court in August, 2006, there was a trial on the civil union dissolution and child custody and

visitation in April, 2007. With rulings continuing in our client's favor, the other side has begun a second round of appeals in the Vermont Supreme Court. In the meantime, our client has finally been able to visit with her daughter.

Parker v. Hurley: GLAD has submitted an amicus brief in a dispute between two sets of parents and the Lexington school system over teachings about family diversity. The parents have appealed a U.S. District Court's dismissal of their lawsuit, claiming the school violated their constitutional rights by exposing their children to stories that included families headed by same-sex couples. Viewing this lawsuit as an attempt to disrupt the crucial role that public schools play in preparing students to participate in our diverse society, GLAD argues that when a public school includes a curriculum about families and teaches about what makes a family, that curriculum ought to reflect the reality that same-sex families exist. The plaintiffs moved to block the submission of GLAD's brief, as well as briefs from the ACLU and the Anti-Defamation League. The Court, however, accepted all briefs in late October. Oral Argument in the First Circuit was scheduled for December 5. ▶



Spirit of Justice Award Dinner

Honors Celebrated Playwright Terrence McNally

For nearly 30 years GLAD has been making it possible for LGBT people to speak in our own voices in the courts and to tell our own stories in pursuit of justice and equality. Our 2007 Spirit of Justice Honoree, playwright Terrence McNally, began that same work of telling our stories to America – on the stage – more than 40 years ago. Terrence’s powerful, and still growing, body of work, together with a life lived with honesty and integrity, has advanced the cause of equality for the LGBT community.

This year’s Spirit of Justice program included stirring remarks from Civil Rights Project Director Mary Bonauto, whose chronicle of GLAD’s many successes in New England demonstrated how, as she put it that night, “the principle of equal justice under law, when addressed strategically, in the right cases, at the right time, and animated by real people, moves us forward in truly historic ways.”

Our featured speaker, Liz Shaw, spoke of GLAD’s unyielding persistence in the fight to get MassHealth to cover her teenaged daughter Ashley’s HIV-related medical expenses (see article on page 5). And honoree Terrence McNally summed up the evening by making the connection between his work as a playwright and GLAD’s fight for LGBT legal rights: “The arts can help change people’s hearts. Really bright journalists who write great editorials can help change their minds. But finally, we need people who can change the law, and that’s why we need an organization like GLAD so desperately.”

With over 800 people in attendance and a challenge pledge from supporters Jeffrey Levin and Andrew Goffe encouraging generous giving, this year’s Spirit of Justice event raised over \$460,000 to support GLAD’s work changing the law for the better. ▶



Honoree Terrence McNally with Executive Director Lee Swislow and Legal Director Gary Buseck.

“The principle of equal justice under law, when addressed strategically, in the right cases, at the right time, and animated by real people, moves us forward in truly historic ways.”

– Mary Bonauto, Civil Rights Project Director



Megan Ladd with Board Member Joanne Herman.



Nicole Polaski and Judy K. Mencher.



SOJ Co-chairs Dianne Phillips and Ken Hirschkind.



Gary Bailey (Center) with GLAD Board Members Stefan Krug (L) and Jo Davis (R).

PHOTOS: MANNFRAME PHOTOGRAPHICS, INC.

Establish Your Personal Legacy

Advance Equal Justice Under Law With a Planned Gift to GLAD

A new law allows you to make a significant gift to GLAD, but this opportunity is only available through December 31, 2007. The Pension Protection Act allows immediate tax-free IRA charitable rollovers from supporters age 70 or older.

See www.glad.org/Donate_to_GLAD/IRA.html for further details.

A gift from your IRA, or other planned gift or bequest, can provide meaningful, substantial support for GLAD's ongoing legal work. We encourage you to consider ways you can leave a legacy for equality. If you would like more information about making such a gift, please contact Brianna Boggs at 617-426-1350 for a sample request form and for more information.

This is not legal advice. Consult your accountant, tax attorney or financial advisor for counsel on these and any other financial planning considerations.

FEDERAL DISCRIMINATION

GLAD is collecting information on issues married same-sex couples have encountered in dealing with the federal government. If you would like to share your story, please fill out our survey online at www.glad.org/feddisc.

30 Years of Making History » *continued from page 1*

eventually settled with the plaintiffs in 1984.

Early on, GLAD defined its mission thus: "To give gay men and lesbians a means to defend ourselves in our own voices in the courts, in cases where gay and lesbian rights are at issue." Later, the organization added to its mission ending discrimination based on HIV status as well as gender identity and expression.

GLAD has not only litigated precedent-setting and life-changing cases, it has been the entry point for many of today's LGBT movement leaders. Former GLAD Executive

"We have remarkable continuity among our lawyers ... that cohesiveness, maturity and experience have given us great advantages when we go to court."

Director Kevin Cathcart has spent the past fifteen years at the helm of Lambda Legal. Early board members Richard Burns and Tim McFeeley went on to become executive directors, respectively, of New York's Gay and Lesbian Community Center

and the Human Rights Campaign. Urvashi Vaid interned at GLAD as a law student and later served as executive director of the National Gay and Lesbian Task Force, and, currently, the Arcus Foundation. Local executive directors Grace Sterling Stowell (BAGLY) and Jacob Smith Yang (MAP for Health) each worked at GLAD.

GLAD attorneys, including Gary Buseck, Ben Klein, Mary Bonauto, and Jennifer Levi, are recognized nationally as experts in their field, key strategic thinkers for the movement, and fearsome litigators. "We have remarkable continuity among our lawyers, with over seventy cumulative years of experience among them," says Swislow. "That cohesiveness, maturity, and experience have given us great advantages when we go to court."

Over the years, GLAD has been called everything from "the little engine that could" to "a legal powerhouse." Opponents have called GLAD less flattering things. To founder John Ward, the important thing is that GLAD has changed people's lives in positive ways. "For thirty years," says Ward, "GLAD has remembered that it's really all about human beings." »

Dignity, Respect, and Equal Treatment:

Attorney Jennifer Levi Talks About the Importance of GLAD's IRS Trans Medical Deduction Denial Case

GLAD spent the summer in U.S. Tax Court challenging the IRS denial of sex reassignment surgery to treat Gender Identity Disorder (GID) as a deductible medical expense. GLAD is representing Rhiannon O'Donnabhain, who underwent the professionally prescribed procedure in 2001, after spending years in anguish attempting to live as a man and eventually being diagnosed with GID in 1996.

Every mainstream medical authority from the American Psychiatric Association to the National Institutes of Health recognizes GID as a medical condition. Rhiannon's health care providers say that the treatment was critical to her mental health and ability to function at all levels.

And yet the IRS has refused the medical deduction – a deduction that would be available for an appendectomy, or bypass surgery – claiming that sex reassignment surgery is “cosmetic.”

The underlying principal in this case is that transgender people deserve dignity, respect and equal treatment for their medical care.

As the trial began in late July, GLAD Senior Staff Attorney Jennifer Levi sat down for an interview about the importance of the case.

What is this case about?

Jennifer Levi (JL): In this case, the IRS denied a tax deduction for a transsexual woman who deducted medical expenses relating to her transition.

Why should Rhiannon have been able to deduct the surgery as a medical expense?

JL: The Internal Revenue Code allows deductions for expenses relating to medical care. The entire reason Rhiannon sought psychotherapy – and eventually hormones and surgery for the feelings that she had about being female – was medical. She was diagnosed with Gender Identity Disorder (GID), as recognized in the DSM IV, in the World Health Organization's ICD-10, and in every major textbook and medical dictionary that addresses issues relating to mental health.

There's just no real question that for some people who experience gender dysphoria – whose gender identity doesn't match their sex – that experience causes very serious anxiety, distress, sadness, and depression. And people should have access to medical care.

There's an established course of treatment Rhiannon followed that clearly meets the statutory definition for medical care. All we have to show in this case is that the procedures she underwent were medical in nature. To suggest that they're not is really to call into question the legitimacy of that experience of dysphoria.

Why did the IRS deny her deduction?

JL: The position that the IRS has taken is that the surgeries that Rhiannon had were “cosmetic.” And what that means is that they're insignificant – they're just about trying to look better. And these weren't about “looking better.” They were about transition. They were about being able not to just transform the way she looked, but the way she felt, and the way that she was able to present her gender in the world. To trivialize this kind of surgical procedure, and to compare it to something like a nose job, is demeaning. And really centrally misses the basic point of transgender identity.

Why is this case important?

JL: It's important because it addresses pervasive misunderstandings, pervasive bias, pervasive prejudice that transgender people face. There is a lot of misinformation that underlies the discrimination that transgender people face in many areas of their lives.

What we've found in the context of this case is that most people really do see through what the IRS has said. People understand that if you wake up every day and you look in the mirror and the person that you see is not the person you feel like you are, that's an uncomfortable experience at best, and disorienting and disabling at worst. Fair-minded people understand that individuals should be able to take steps to change that experience and integrate their lives more fully in order to be who they are – in order to wake up every day and see the person in the mirror that they feel themselves to be. And that when somebody does that, they shouldn't be fired from their jobs, they shouldn't be beaten up on the streets, they shouldn't be denied equal treatment that other Americans receive under something as basic as the tax code.

Rhiannon's experience is one piece of the experience of transgender people. Not everybody has the same interest in transitioning medically. Not everyone can afford to, and not everyone would want to. But this is an important case for the entire community. And that's because what's really at the heart of this case is a central misunderstanding about the importance of being able to express one's gender identity. Everybody should be able to do that. ▶

The trial phase of this potentially precedent-setting case concluded on August 23. Final briefing from both sides is due on January 21, 2008, after which the court will issue a decision.



Rhiannon O'Donnabhain

PHOTO: MANFRAME PHOTOGRAPHICS, INC.

Married in Massachusetts

New Mexico Residents Take Advantage of Court Decision

Santa Fe residents Sandy Simpson and Bruce Iglehart received an email from Equality New Mexico on July 19, 2007, announcing that same-sex New Mexican couples were now able to marry in Massachusetts. The couple was astounded. Together for six years, neither one had ever imagined they would have the opportunity to marry.

Sandy and Bruce met in 2001, when both were living in Anchorage, Alaska. In 2002, they moved to New Mexico, where Sandy works as a training specialist at Los Alamos National Laboratory, and Bruce serves as radiology manager at Physicians Medical Center in Santa Fe.

The idea of traveling to Massachusetts to marry seemed complicated to Sandy and Bruce at first. But they followed a link to GLAD's web site provided in the Equality New Mexico email, where they found helpful legal and practical information, and corresponded with GLAD InfoLine Manager Bruce Bell, who talked with them about the logistics of flying up to Massachusetts to be married. It didn't take long for Sandy and Bruce to decide to do it.

Upon arriving in Massachusetts in late September, Sandy and Bruce went to Quincy City Hall to apply for a marriage license, where they were warmly greeted by Brenda Fernandez. "We were somewhat concerned about how we might be received when we showed up at City Hall," says Sandy, "but Ms. Fernandez was excellent and very happy to help us. We are very thankful to her for making the process feel like any other marriage. There was no hint of discrimination or disapproval from anyone we encountered there."

During the mandatory three-day waiting period the couple spent time visiting with three of Sandy's five grown children, who were able to meet up with them while they were in Massachusetts. When the day of their wedding, October 1, finally arrived, Justice of the Peace Tom Welch of Weymouth solemnized the ceremony, involving Sandy's daughter Kathleen in the celebration.

Sandy and Bruce's wedding was made possible as a result of GLAD's lawsuit challenging the denial of Massachusetts marriage licenses to eligible out-of-state same-sex couples. In 2006, the Massachusetts Supreme Judicial Court determined that if the law in a couple's home state is silent on the issue of same-sex couples marrying, same-sex couples from such states could marry in Massachusetts. Noting that nothing in New Mexico law expressly prohibits marriage between same-



New Mexico Residents Sandy Simpson and Bruce Iglehart, who married in Quincy, MA on October 1.

sex couples, GLAD attorneys worked with the Commonwealth to correct the erroneous denial of marriage licenses to New Mexico same-sex couples. On July 18, 2007, the Massachusetts Department of Public Health and Registry of Vital Statistics issued an official corrective notice providing clerks with the authority to grant such licenses.

"Without the help of GLAD, especially Bruce Bell, and the fine people at Quincy City Hall, I don't think we would have had as pleasant an experience as we did," says Sandy. "Our thanks go out to everyone who helped us, and to the Commonwealth of Massachusetts for making it possible for loving couples of the same sex to marry. It is our hope that someday in the not-too-distant future, marriage will be possible for same-sex couples in all the states in the country and recognized by the federal government as well."

He added, "Marriage has made a difference in how we view our relationship and how we view our place in society. All same-sex couples deserve the right to marry if they so desire and now, thanks to the hard work done by GLAD and the people of Massachusetts, it just might be possible." ▶

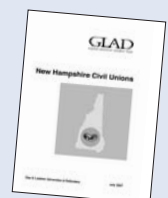
For further information, see GLAD's publication *Legal Issues for Non-Massachusetts Same-Sex Couples Who Married in Massachusetts*.

NEW PUBLICATIONS

Continuing to expand the information and resources available to the community, GLAD has released these new publications, available online or in hard copy:

New Hampshire Civil Unions

Provides information on the new civil union law taking effect in New Hampshire January 1, 2008.



New Board Member

Adrienne Benton has more than twelve years experience in healthcare management, eleven years as a professional in the technology-software development industries, and four years in design/build consulting.

She holds membership in several local and national professional and civic organizations, including the American College of Healthcare Executives, the National Association of Recording Arts and Sciences (NARAS), the Commonwealth Institute's WEDI Forum, and corporate membership in the Boston Society of Architects. She has served on the boards of the Boston Coalition of Black Women, the Lena Park Community Development Corporation, and Men of Color Against AIDS, and on advisory boards at Bank Boston/Fleet Bank.

In 2006, the National Foundation for Teaching Entrepreneurship presented Adrienne with their Nifty Fifty Award. She also received the UnityFirst.com/African-American Newswire Leadership Excellence Award at the 2005 Business World Summit, and the Global Diversity Group presented her with the Entrepreneurial Achievement Award – New England at the 2005 Tour for Success.

Adrienne is a native of Newark, New Jersey and holds a Master of Science degree from the University of Alabama at Birmingham and a Bachelor of Arts degree from Rutgers University. She lives in Roxbury. ▶

New Staff

As Webmaster, **Ruthie BenDor** updates, maintains, and extends the capabilities of GLAD's website. Prior to working at GLAD, Ruthie was the IT Manager at MassEquality, where she administered the office network and maintained the website. She concluded her work there with the complete redesign of the MassEquality website, which launched in early fall of 2007. Ruthie is currently pursuing her B.S. in Computer Science from Boston University. She holds a second-degree black belt in Tae Kwon Do, and is an avid biker.

Denise Davick has joined GLAD as Public Affairs and Administrative Assistant. Denise graduated with distinction from the University of Oklahoma in 2007 with a BA in Political Science and a minor in Sociology. Before joining GLAD she worked as a research assistant for one of her professors in the Political Science Department where she studied the contours of constitutional law. She also interned in the House of Representatives in Washington, D.C. in 2005.

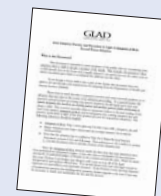
As GLAD's new Bilingual Outreach Educator, **Noreen Giga** responds to InfoLine calls from Spanish speakers and those with HIV-related concerns and questions. Additionally, she participates in outreach programs with LGBT and HIV service organizations throughout Massachusetts and the surrounding area. Noreen graduated from Emory University with a BA in Spanish and International Studies.

Tamar Malloy joined GLAD as a litigation assistant after graduating with a BA in Government from Smith College. While at Smith Tamar was the president of the Debate Society and a member of the college's strategic planning committee. In her spare time Tamar plays the cello and enjoys baking for her roommates.

Eileen Rodriguez is a litigation assistant originally from Miami, FL. She graduated in early May from Northeastern University with a BA in Sociology and a BA in Political Science with a concentration in Public Policy. In her free time she volunteers with Planned Parenthood and the AIDS Action Committee. Eileen lives in Brighton with her boyfriend and her two fish, Elizabeth and Beulah. ▶

Maine: Joint Adoption Practice and Procedure

Provides information for Maine residents considering joint or second parent adoption in light of the recent Law Court ruling that Probate Courts may consider a joint adoption petition by unmarried couples



SEX ON THE MARGINS:

the more things change...

So much has changed for LGBT people since GLAD was founded 30 years ago – embracing transgender concerns; the passing of non-discrimination laws; the losses and transformations of the AIDS epidemic; the “lesbian baby boom” and its attendant legal issues; and the cultural juggernaut of marriage equality. Yet some things are very much the same.

GLAD was founded, in part, around a police sting operation at the Boston Public Library with undercover police

enticing men into conversations leading then to arrest. Today, Idaho Senator Larry Craig captures the headlines because of a police officer stationed in a men’s room stall in order to arrest men allegedly seeking a sexual encounter. So, where are we on the issue of sex? Has America matured (to be more like France)? Does the gay community still define the cutting edge vis-a-vis America’s sexual attitudes? Or has the edge been dulled by a focus on marriage and childrearing?

Join GLAD and panelists Michael Bronski, Gary Buseck, Susie Bright and Keith Boykin (invited) as they discuss these issues and more.

**Wednesday, January 23, 2008
6:00 – 8:00 pm
Old South Meeting House
310 Washington Street
Boston, MA**

Reception to follow

Equal Justice

A Gift to Give And Receive

Supporting GLAD’s work for equal justice is a wonderful way to honor a wedding, a birthday, a holiday, or the birth of a child. It can also be a meaningful way to mark the passing of a friend or family member. Our new Gifts-in-Honor page makes it easier – and faster – than ever.

Simply visit www.glad.org/GiftsinHonor, and tell us who you’re honoring and why. If you choose, enter their email address* and they’ll receive notification of your gift AND a personal message from you as well!

*Recipients will NOT be added to GLAD’s email list. The address you provide will only be used to notify them of your gift.

GLAD
equal justice under law

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