



# **2011 ANNUAL REPORT**

Advocating for LGBT Equality and  
Educating the Legal Profession on LGBT Issues

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## Welcome Message from Commission on Sexual Orientation and Gender Identity Chair Courtney G. Joslin

Greetings on behalf of the members of the American Bar Association Commission on Sexual Orientation and Gender Identity (SOGI).

Now in its fifth year, the SOGI Commission seeks to secure for lesbian, gay, bisexual and transgender (LGBT) persons full and equal participation in the American Bar Association (ABA), the legal profession, and the justice system. The SOGI Commission is one of four ABA entities that together seek to further the ABA's Goal III commitment to diversity and inclusion.

Since the publication of our first Annual Report last bar year, we are proud to report that the SOGI Commission enjoyed an active and accomplished 2010 - 2011 bar year. Building upon our successful collaborative and advocacy efforts which resulted in ABA leadership passing Recommendation 111 in support of marriage equality for same-sex couples, the SOGI Commission organized and put on a CLE Program at the ABA Annual Meeting in Toronto on the Changing Landscape of LGBT Rights. Additionally this bar year, the SOGI Commission established the ABA's first award intended to honor of members of the legal profession who have worked to remove barriers faced by LGBT persons in the profession and the justice system. The SOGI Commission also created our own Program Support Fund.

In collaboration with other entities, the SOGI Commission produced valuable training programs for lawyers and judges on issues related to sexual orientation and gender identity. For example, the SOGI Commission, in collaboration with the Williams Institute, UCLA School of Law, produced a full-day training module for D.C. superior court judges on issues related to same-sex couples and relationship recognition. This past spring, the SOGI Commission co-sponsored a webinar organized by Gay & Lesbian Advocates & Defenders on representing transgender people in family law matters. Using material and insights gathered at the hearings the SOGI Commission held at the 2009 Annual Meeting in Chicago, the SOGI Commission completed the publication of our Best Practices Guide for Promoting LGBT Diversity.

While we have achieved many important successes, the work of the SOGI Commission to remove barriers to full and equal participation of openly LGBT persons in the ABA, the legal profession, and in the justice system is far from over. According to the National Association of Legal Professionals (NALP), the number of openly LGBT persons in the legal profession remains stubbornly low. Although there are no definitive statistics, estimates suggest that approximately 4% of the general population identifies as lesbian, gay, bisexual, or transgender (LGBT).<sup>1</sup> By contrast, in the 2010-2011 NALP Directory of Legal Employers (NDLE) survey, openly LGBT lawyers accounted for only 1.88% of the total lawyers represented,<sup>2</sup> and in 2010, only 2.4% of ABA leaders were openly LGBT.

Rather than be discouraged by the seeming enormity of work that lay ahead of us, however, the SOGI Commission is eager to continue to be a positive change agent for increased LGBT diversity and inclusion. In the upcoming bar year, the SOGI Commission will continue to avail ourselves to opportunities to collaborate with ABA leadership and others on diversity and inclusion initiatives; to advocate for LGBT issues through policy development; to be a resource on sexual orientation and gender identity-related legal matters; and, to educate the profession and public about the barriers that LGBT persons face in the legal profession and the justice system.

Sincerely,



A handwritten signature in black ink, appearing to read 'C. Joslin', written in a cursive style.

<sup>1</sup> Gary J. Gates, How Many People Are Lesbian, Gay, Bisexual, or Transgender?, The Williams Institute, UCLA School of Law, available at <http://www3.law.ucla.edu/williamsinstitute/pdf/How-many-people-are-LGBT-Final.pdf>.  
<sup>2</sup> Ibid.

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## About The American Bar Association

The American Bar Association (ABA) was founded on August 21, 1878, in Saratoga Springs, New York, by 100 lawyers from 21 states. The legal profession as we know it today barely existed at that time. Lawyers were generally sole practitioners who trained under a system of apprenticeship. There was no national code of ethics; there was no national organization to serve as a forum for discussion of the increasingly intricate issues involved in legal practice.

The first ABA constitution, which is still substantially the charter of the association, defined the purpose of the ABA as being for “the advancement of the science of jurisprudence, the promotion of the administration of justice and a uniformity of legislation throughout the country...”

Today, the stated mission of the ABA is “to serve equally our members, our profession and the public by defending liberty and delivering justice as the national representative of the legal profession.”

The four goals of the ABA are:

### **GOAL I: SERVE OUR MEMBERS**

Objective:

Provide benefits, programs and services which promote members’ professional growth and quality of life.

### **GOAL II: IMPROVE OUR PROFESSION**

Objectives:

1. Promote the highest quality legal education.
2. Promote competence, ethical conduct and professionalism.
3. Promote pro bono and public service by the legal profession.

### **GOAL III: ELIMINATE BIAS AND ENHANCE DIVERSITY**

Objectives:

1. Promote full and equal participation in the association, our profession, and the justice system by all persons.
2. Eliminate bias in the legal profession and the justice system.

### **GOAL IV: ADVANCE THE RULE OF LAW**

Objectives:

1. Increase public understanding of and respect for the rule of law, the legal process, and the role of the legal profession at home and throughout the world.
2. Hold governments accountable under law.
3. Work for just laws, including human rights, and a fair legal process.
4. Assure meaningful access to justice for all persons.
5. Preserve the independence of the legal profession and the judiciary.

With more than 400,000 members, the ABA is the largest voluntary professional membership organization in the world. As the national voice of the legal profession, the ABA works to improve the administration of justice, promotes programs that assist lawyers and judges in their work, accredits law schools, provides continuing legal education, and works to build public understanding around the world of the importance of the rule of law.

## About The Commission on Sexual Orientation and Gender Identity

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In 2007, the ABA Board of Governors approved the creation of the Commission on Sexual Orientation and Gender Identity (SOGI), and gave the SOGI Commission jurisdiction over the undertaking of programs and activities that promote full and equal participation by persons of differing sexual orientations and gender identities in the ABA, the legal profession, and the justice system. The SOGI Commission is the most recent addition to the association's Goal III entities, whose efforts focus on eliminating bias and enhancing diversity in the legal profession and whose purpose is the furtherance of the third goal of the Association.

Since its creation, the SOGI Commission has conducted programs on the experiences of lesbian, gay, bisexual, and transgender (LGBT) persons in the legal profession and the justice system; performed data analysis of constituency participation within the ABA; become a leading advocate on issues concerning sexual orientation and gender identity; collaborated with many other ABA entities and affiliated entities by co-sponsoring events and policy matters on LGBT diversity, inclusion, human, and civil rights issues; educated others about LGBT issues; and served as an informational resource for the ABA, members of the legal profession and justice system, and the general public.

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# Executive Summary

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## 2011 ANNUAL REPORT

Advocating for LGBT Equality and  
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## Executive Summary

The American Bar Association (ABA) Commission on Sexual Orientation and Gender Identity (SOGI) continues to be a voice, a home, and a resource for lesbian, gay, bisexual and transgender (LGBT) members and practitioners as well as for persons and groups interested in LGBT issues. The SOGI Commission also serves as a clearinghouse for information and expertise on LGBT-legal issues for the ABA and for the greater legal community. The Commission advocates, educates, and collaborates on legal issues affecting LGBT persons in the legal profession and in the justice system.

Through our initiatives we strive: 1) to remove the barriers that prevent the full and equal participation of LGBT people in the ABA, the profession and the justice system; 2) to advance the human and civil rights of LGBT persons; 3) to serve as a leading resource on LGBT legal topics; and 4) to ensure that the ABA is, and is perceived to be, a leader on diversity in the legal profession.

One of the ways that the SOGI Commission works to ensure full and equal participation of LGBT people in the legal profession and in the justice system is by collaborating with other ABA and non-ABA entities on expanding and developing policy with regard to LGBT issues. In its five years of existence, the SOGI Commission has partnered with other groups to support a number of ABA policy recommendations related to LGBT legal issues as well as with respect to civil rights more generally.

Additionally, the SOGI Commission has become recognized for its advocacy on behalf of LGBT persons and major LGBT human and civil rights issues. These advocacy efforts have also helped to further solidify the ABA as a leader committed to helping LGBT persons overcome barriers in the profession and justice system.

Building on our prior work—including a series of focus groups comprising LGBT lawyers, conducted in 2008; and hearings on the experiences of LGBT lawyers across practice settings, held at the 2009 Annual Meeting—this bar year the SOGI Commission produced and made available key resources. For example, the SOGI Commission produced a number of publications and other written materials for ABA members, the legal profession, and the justice system and employers designed to raise greater awareness about LGBT issues and foster LGBT inclusion and participation in the legal profession, justice system and in workplace settings.

Programming in the form of CLE and other events are essential parts of the SOGI Commission's and the Association's educational efforts. By sponsoring or co-sponsoring educational programs designed to promote greater diversity and equity in the legal profession and justice system, the SOGI Commission ensures that the LGBT perspective is included in helping to inform thinking on many key legal issues.

### **2010-2011 Bar Year Action**

To help persons charged with hiring or implementing workplace diversity and inclusion programs designed to foster LGBT inclusion and participation, the SOGI Commission published its Best Practices Guide for Promoting LGBT Diversity and Inclusion in the legal profession and other professional settings.

In the 2010-2011 Bar Year, the SOGI Commission began a collaboration with the Williams Institute, UCLA School of Law, to provide judicial training sessions on legal issues affecting same-sex couples. In December 2010, the SOGI Commission and the Williams Institute put on their first joint training. The training was a full-day judicial session for the superior judges of the District of Columbia on issues related to same-sex relationships. The training was prompted by the fact that the District has recently begun permitting same-sex couples to marry. The Commission and the Williams Institute have now expanded their collaborative circle to include the ABA Judicial Division. The entities are planning a number of other future training sessions, in both in-person and in webinar format.

Empowered by the ABA to have jurisdiction over the undertaking of programs and activities that promote full and equal participation by persons of differing sexual orientations and gender identities in the ABA, the legal profession, and the justice system, the SOGI Commission collaborated with the other ABA Goal III Entities as one of the lead crafters of the ABA Diversity Plan, adopted by the Association's Board of Governors in June 2011.

The SOGI Commission, in collaboration with the ABA Section of Individual Rights and Responsibilities and ABA Youth at Risk Commission, submitted a letter, accompanied by an appendix listing all relevant ABA policy, to the U.S. Commission on Civil Rights' Peer-to-Peer Violence Project on issues affecting LGBT youth. Additionally the SOGI Commission co-sponsored the Beyond "Mean Girls": What Parents, Students, and the Legal Profession Can Do About School Bullying and Harassment CLE panel discussion held in Memphis, Tennessee, in October 2010. The panel discussion focused on the rise of harassment and bullying via social media, and the various laws and regulations that offer recourse for students who have experienced harassment or discrimination, as well as a discussion of other efforts being undertaken to address the situation.

Through advocacy efforts designed to break down barriers and ensure that human and civil rights are inclusive of LGBT persons, this year the SOGI Commission took great pride in co-sponsoring numerous ABA policy recommendations; from stopping harassment and bullying of youth, including LGBT youth; to promoting youth court programs designed to increase youth interest (including LGBT youth) and participation in the legal profession and justice system. The SOGI Commission also continued its efforts urging the U.S. Congress to repeal of Section 3 of the Defense of Marriage Act.

In the 2010-2011 bar year, the ABA Board of Governors approved the SOGI Commission's Stonewall Award. Named after the New York City, Greenwich Village Stonewall Inn riot of June 28, 1969, which was a turning point in the struggle for LGBT civil and human rights equality, the Commission's Stonewall Award will be presented annually starting in the 2012-2013 bar year. The purpose of this Award is to recognize those lawyers, members of the judiciary and legal academia who have effected real change to remove barriers on the basis of sexual orientation or gender identity in the legal profession and the world, nation, state, and/or locale, and to recognize those who have championed that diversity for the LGBT community, both within the legal profession and impacting the greater human universe.

In order to educate members and others in the legal profession about issues affecting LGBT people, the SOGI Commission regularly produces educational programming including CLEs. At the 2011 Annual Meeting in Toronto, Ontario, Canada, the Commission sponsored the Changing Landscape of LGBT Rights: A Global Look, which focused on human and civil rights issues, immigration and family law matters affecting members of the LGBT community globally. This CLE program was led by a diverse group of experts.

The SOGI Commission co-sponsored a webinar put on by Gay & Lesbian Advocates & Defenders (GLAD) entitled Representing Transgender Clients in Family Law. The webinar was designed to educate members of the legal profession on how to more effectively work with and represent transgender clients. The webinar was prompted by survey data showing that few attorneys felt educated on these issues. The slides from the webinar continue to be available for all legal professionals on the web free of charge.

As the Association's leading resource on LGBT ABA membership and LGBT issues in the legal profession and justice system created and gave a presentation to educate ABA leadership on the current status of LGBT ABA membership and LGBT inclusion and participation in the legal profession and justice system during the 2011 Board of Governor's Meeting in San Diego, California.

## ABA Leadership

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ABA Presidents play a key role in appointing diverse members to leadership positions, and in recent years, each President has appointed a number of openly LGBT ABA members to a variety of leadership positions. These appointments are a clear demonstration of commitment of the ABA Presidents to membership diversity and inclusion at the Association.

## Goal III Data

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The Goal III Report is a survey that seeks to measure the qualitative and quantitative participation of diverse constituencies in the ABA's volunteer leadership. Each bar year the SOGI Commission produces a Goal III Report, focused on LGBT participation at the ABA. Additionally the SOGI Commission provides guidance to other ABA entities on matters relating to Goal III, including the best ways to solicit LGBT-related data, the most effective use of surveys and questionnaires to obtain diversity information, and the most appropriate way to craft language when seeking statistics on LGBT participation. In the 2010-2011 bar year, 58 ABA entities responded to our call for Goal III data, up from 36 entities the previous year. Thirty-two entities reported the participation of one or more LGBT members in leadership. This represents a 52% increase from the 21 entities reporting LGBT members in leadership positions in 2009-10. Five of the 32 entities indicated the participation of transgender members, an increase from the three entities reporting such members in 2009-10. Overall, openly LGBT persons account for less than 1% of ABA membership.

There are now a total of 298 openly LGBT members participating in entity leadership compared to 187 in 2009-2010. This represents a 59% increase in LGBT participation. Further, there are seven members identified as transgender currently participating in entity leadership compared to just three in 2009-2010 (representing a 1.3% increase). In the 2010- 2011 bar year, overall LGBT leadership at the ABA rose 91% over the previous bar year.

While the improving numbers of reporting entities, and entities reporting growth in leadership positions held by LGBT persons, are encouraging, the SOGI Commission is working to develop ways to improve the data collection process to ensure greater data accuracy, as the Commission continues in its on-going efforts to increase LGBT member participation.

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# 2011 Annual Report

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# Collaborate



## **COLLABORATE: Seeking out and creating opportunities to partner with others committed to advancing LGBT participation in the ABA, the legal profession, and justice system**

The SOGI Commission continues to establish connections with ABA leadership, ABA entities and commissions, bar associations, and other organizations working on issues of importance to the LGBT legal community and our allies. Our collaborative efforts are critical to our success in enhancing LGBT participation in the ABA. The SOGI Commission's collaborative work in the 2010-2011 bar year included:

Working with the other ABA Goal III entities to craft the ABA Diversity Plan adopted by the Association's Board of Governors in June 2011.

### **The goals of the Diversity Plan are:**

- To foster the recruitment and retention of diverse lawyers and law students in the ABA, and their advancement through its leadership;
- To enhance opportunities for diverse individuals to participate in ABA activities and programs, including the provision of accommodations to persons with disabilities;
- To promote a culture of inclusion that attracts diverse members of the profession to the ABA;
- To educate Association members and leaders about the benefits and importance of diversity; and,
- To build diversity within the Association, to support the ABA's efforts to promote diversity in academia, the judiciary, and public and private legal workplaces.

### **SOGI Commission collaborative efforts in the 2010-2011 bar year also consisted of:**

- Working in conjunction with the UCLA School of Law Williams Institute, coordinated a full-day judicial training session for the superior judges of the District of Columbia on issues related to same-sex relationships, prompted by the fact that the District permits same-sex couples to marry. The Commission has on-going plans to conduct more judicial trainings across the country.
- Partnering with the ABA Section of Individual Rights and Responsibilities and the ABA Commission on Youth at Risk, the SOGI Commission submitted a letter, accompanied by an appendix listing all relevant ABA policy, to the U.S. Commission on Civil Rights' Peer-to-Peer Violence Project on issues affecting LGBT youth.
- Co-sponsoring a webinar program on *Representing Transgender Clients in Family Law*, done in conjunction with Gay & Lesbian Advocates & Defenders (GLAD) and the ABA Family Law Section. Serving as a co-sponsor of the CLE panel discussion Beyond "Mean Girls": *What Parents, Students, and the Legal Profession Can Do About School Bullying and Harassment* with the ABA Section of Individual Rights and Responsibilities and the ABA Council on Racial and Ethnic Justice during the SOGI Commission's 2010 Fall Business Meeting in Memphis, Tennessee.



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**The SOGI Commission also co-sponsored the following programming:**

- Human Rights, Domestic and Sexual Violence: A Cross-Border Perspective sponsored by the ABA Commission on Domestic Violence.
- Career Management and Development for the Diverse Lawyer sponsored by the ABA Commission on Women in the Profession.
- “The Kids Are Listening” website project sponsored by the ABA Commission for Youth at Risk.

**This bar year the SOGI Commission co-sponsored a number of ABA policy recommendations, such as:**

- Calling for the establishment of Youth Courts, inclusive of LGBT youth and LGBT youth issues.
- Enhancing anti-bullying legislation and assistance programs for bullying victims on the part of federal, state, tribal, territorial, and local government officials; and, expanding resources to include more educational programs for educators and law enforcement enabling them to more effectively recognize and respond to bullying, harassment and cyber bullying.



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# Advocating for LGBT Equality...

**ABA** Commission on  
Sexual Orientation  
and Gender Identity  
AMERICAN BAR ASSOCIATION

**ADVOCATE: Working with ABA leadership and others to be a positive change agent for LGBT issues by developing substantive policies and building grass roots support**

The SOGI Commission remains committed to breaking down barriers and ensuring that human and civil rights are inclusive of LGBT persons. The SOGI Commission continues to grow as a leading and respected authority within the Association on the development of policy and recommendations in support of LGBT issues. The support of ABA leadership on these major and groundbreaking issues is a clear signal that the Association is fully dedicated to eliminating bias against and enhancing diversity and inclusion of persons of differing sexual orientations and gender identities.

- In recognition of the advocacy efforts made by members of the profession on behalf of LGBT persons, this bar year the SOGI Commission established The Stonewall Award. Beginning in the 2012-2013 bar year, the ABA Stonewall Award will be presented to attorneys, members of the judiciary, or academics for their excellence in practice, legal academia, jurisprudence or leadership who have effected real change to remove barriers to justice or to inclusion and opportunity on the basis of sexual orientation or gender identity in the legal profession and in the world, nation, state, and/or locale.

**Other important advocacy efforts undertaken by the SOGI Commission this bar year consisted of:**

- Building off the successful adoptions of Resolution 112 in August 2009 urging repeal of Section 3 of the federal Defense of Marriage Act (DOMA) and Resolution 111 in August 2010 which called for states to remove legal barriers that prevent same-sex couples from access to legal married, the SOGI Commission has continued to work to secure U.S. Congressional support for the repeal of Section 3 of the Defense of Marriage Act.
- The SOGI Commission, in collaboration with the ABA Section of Individual Rights and Responsibilities and ABA Youth at Risk Commission, submitted a letter to the U.S. Commission on Civil Rights' Peer-to-Peer Violence Project on issues harassment and discrimination with respect to LGBT youth.





# Resource



## RESOURCE: Providing comprehensive information for and about LGBT persons at the ABA, in the legal profession and the justice system

The SOGI Commission is committed to becoming the Association's leading resource on LGBT lawyers and their experiences in the profession.



Building on prior work – a series of focus groups comprising LGBT lawyers, conducted in 2008 and hearings on the experiences of LGBT lawyers across practice settings, held at the 2009 Annual Meeting – the SOGI Commission published its *Best Practices Guide for Promoting LGBT Diversity* in the legal profession and other professional settings. This tool helps persons charged with hiring or implementing workplace diversity and inclusion programs to understand how to incorporate workplace policies that foster LGBT participation. Visit [www.americanbar.org/sogi](http://www.americanbar.org/sogi) to download a copy of the SOGI Commission's *Best Practices for Promoting LGBT Diversity*.

### Other resource-related works of the SOGI Commission in 2010-2011 included:

- Contributing articles to ABA entity publications on a variety of LGBT-related issues, including analysis of LGBT participation at the ABA.
- Maintaining a comprehensive listing of ABA policy related to LGBT issues on the SOGI Commission's website.
- Providing comments on draft policy, publications, and other resources developed by ABA entities to reflect expertise on LGBT lawyers and legal issues.
- Serving as a clearinghouse on LGBT issues.
- Providing expert panelists and contributors to ABA CLE and other programs.



*Changing Landscape of LGBT Rights: A Global Look* panel members (left to right) Shannon Minter (CLE Panel Speaker), Saghi Ghahraman (CLE Panel Speaker), C. Dixon Osburn (CLE Panel Speaker), James J.S. Holmes (CLE Introductions), D'Arcy Kemnitz (CLE Moderator), El-Farouk Khaki (CLE Panel Speaker)

# Educating the Legal Profession on LGBT Issues...



## EDUCATE: Raising awareness about LGBT diversity and inclusion to make society, the legal profession and the justice system fairer for everyone

Programming in the form of CLE and other events are critical to the SOGI Commission's and the Association's educational efforts. The SOGI Commission sponsored and co-sponsored a variety of educational programs in the 2010-2011 bar year. These programs focused on relevant and timely issues, and were designed to raise awareness, foster greater diversity, and inform the legal community on the legal barriers faced by LGBT persons.

- In December 2010, the SOGI Commission, in conjunction with the UCLA School of Law Williams Institute, coordinated a full-day judicial training session for the superior judges of the District of Columbia on issues related to same-sex relationships, prompted by the fact that the District permits same-sex couples to marry. The Commission has on-going plans to conduct more judicial trainings across the country.
- As the Association's leading resource on LGBT ABA membership and LGBT issues in the legal profession and justice system conducted a presentation to educate ABA leadership on the current status of LGBT ABA membership and LGBT inclusion and participation in the legal profession and justice system during the 2011 Board of Governor's Meeting in San Diego, California.
- At the 2011 Annual Meeting in Toronto, Ontario, Canada, the SOGI Commission sponsored the *Changing Landscape of LGBT Rights: A Global Look*. This highly substantive and informative CLE program, led by a diverse panel of experts, consisted of discussions on international LGBT human and civil rights, LGBT immigration issues, and family law matters.

"Amazing program!  
Great mix of speakers."  
Corporate Attorney, admitted to  
the bar in 2003





James J.S. Holmes, partner in resident, Sedgwick, LLP



El-Farouk Khaki, refugee and immigration lawyer



D'Arcy Kemnitz, executive director, National LGBT Bar Association



C. Dixon Osburn, director Law and Security Program, Human Rights First



Shannon Minter, legal director, National Center for Lesbian Rights



Saghi Ghahraman, CEO & president, Iranian Queer Organization

“Good diversity offering. The focus on the ‘T’ in LGBT was greatly appreciated.”  
Attorney, admitted to the bar in 2003



“This was a wonderful CLE program with lots of helpful knowledge. Each speaker had different angles that were very informative on a global front.”  
Current Law School Student





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# Status of LGBT Membership at the ABA...



The full inclusion of historically and disproportionately underrepresented groups, such as LGBT persons, in the legal profession remains an elusive goal.<sup>3</sup> Although estimates suggest that 4% percent of the population is LGBT,<sup>4</sup> openly LGBT persons represent less than 1% of the overall membership of the ABA. Fortunately, however, the ABA continues to work to eradicate entrenched barriers that have prevented practitioners of diverse backgrounds from achieving parity with their non-diverse counterparts, particularly in leadership circles. For example, the ABA President plays a key role in appointing diverse members to leadership positions, and each year the ABA President-elect appoints LGBT ABA members to a variety of leadership positions. These appointments, therefore, are a clear demonstration of the commitment of the ABA Presidents to membership diversity and inclusion at the Association.

<b>2010-2011 Stephen N. Zack</b>	<b>2009-2010 Carolyn B. Lamm</b>	<b>2008-2009 H. Thomas Wells, Jr.</b>
<b>750 Total Member Appointments</b>	<b>760 Total Member Appointments</b>	<b>693 Total Member Appointments</b>
<b>LGBT Appointments 2.4% (18 of 750)</b>	<b>LGBT Appointments 1.84% (14 of 760)</b>	<b>LGBT Appointments 2.0% (14 of 693)</b>

<sup>3</sup> In the 2010-2011 NALP Directory of Legal Employers (NDLE) survey, openly LGBT lawyers accounted for only 1.88% of the total lawyers represented.

<sup>4</sup> Gary J. Gates, How Many People Are Lesbian, Gay, Bisexual, or Transgender?, The Williams Institute, UCLA School of Law, available at <http://www3.law.ucla.edu/williamsinstitute/pdf/How-many-people-are-LGBT-Final.pdf>.

## 2010-2011 Goal III Report

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The Goal III Report is a survey that seeks to measure the qualitative and quantitative participation of different constituencies in the ABA's volunteer leadership. The SOGI Commission's Goal III Report collated data and provided analysis of LGBT participation in the ABA for the 2010-2011 bar year. The Goal III Report serves a tool by which the ABA can annually engage in honest self-examination and critique of its own progress relative to the quantity and quality of opportunities for its diverse membership.

In our third year of reporting Goal III statistics on the progression of LGBT members, the numbers continue to show improvement over previous years. The SOGI Commission strives to increase LGBT participation throughout the Association and to improve the data collection effort to ensure greater reporting accuracy.

Fifty-eight ABA entities responded to the SOGI Commission's call for Goal III data in the 2010-2011 bar year. Twenty-six of the 58 reported that they had no members in leadership who identified as lesbian, gay, bisexual or transgender. However, 32 entities reported the participation of one or more LGBT members in leadership. This represents a 52% increase from the 21 entities reporting LGBT members in leadership positions in the 2009-2010 bar year. Five of the 32 entities indicated the participation of transgender members, an increase from the three entities reporting such members in 2009-2010.

There are now a total of 298 openly LGBT members participating in entity leadership compared to 187 in 2009-2010. This represents a 59% increase in LGBT participation. Further, there are seven members identified as transgender currently participating in entity leadership compared to just three in 2009-2010 (representing a 1.3% increase). Seven of the entities show an increase in the number of LGBT leaders from 2009-2010, including Litigation (27 new members), Labor & Employment Law (34 new members), the Young Lawyers Division (five new members), Dispute Resolution (seven new members), Environment, Energy & Resources (seven new members), the Law Student Division (four new members) and the Commission on Domestic Violence (two new members).

An analysis of Table I. shows a 91% increase in the overall number of leadership positions held by LGBT members in 2010-2011 over the previous bar year.

**Table I.**

<b>Type of Leadership Position</b>	<b>2010-2011 LGBT Participation in Leadership by Position</b>	<b>2009-2010 LGBT Participation in Leadership by Position</b>
Chair	1	1
Chair-Elect	1	0
Primary Leadership/Officers	5	1
Council or Forum Governing Committee	11	17
Committee Chairs or Forum Division Chairs	29	26
Membership	67	N/A
Committee Vice Chairs	16	16
Additional Committee Leadership	31	24
Other Leadership	13	11
Nominating Committee Chair	1	1
Nominating Committee	3	2
Subcommittee Chairs	6	9
Programming Faculty	82	26
Publication Authors	31	22
House of Delegates	1	1
<b>Total</b>	<b>298</b>	<b>156</b>

\*Note: The Membership Committee was not included in this table in 2009-10.

Numbers count. Whether looking at the data from the perspective of the increase in the number of entities reporting, the overall growth of LGBT leadership participation or the expansion of the number and type of leadership positions held by LGBT members, all indicators point in a favorable direction. Although the journey toward full participation of LGBT practitioners in Association leadership continues to be long and arduous, the progress that has been made thus far is heartening and strengthens our resolve to reach our goal.

To view the 2010-2011 SOGI Commission Goal III Report in its entirety, please visit:  
[www.americanbar.org/sogi](http://www.americanbar.org/sogi).



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# Commissioner Biographies

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The SOGI Commission consists of one chair and 12 commissioners who together decide the program, policies and activities that will be pursued by the Commission. The SOGI Commission continues to thrive thanks to the dedication and talents of its commissioners.

## SOGI Commission Chair



**Courtney G. Joslin** is an Acting Professor of Law at the UC Davis School of Law where she teaches Family Law; Employment Discrimination; and Sexual Orientation, Gender Identity, and the Law. Prior to joining the faculty at UC Davis, Professor Joslin served as an attorney at the National Center for Lesbian Rights (NCLR), where she litigated cases on behalf of lesbian, gay, bisexual, and transgender people and their families. She received her undergraduate degree *magna cum laude* from Brown University and her law degree *magna cum laude* from Harvard Law School, where she was an executive editor of the Harvard Civil Rights-Civil Liberties Law Review. She has authored or co-authored numerous publications on family and relationship recognition, including *LESBIAN, GAY, BISEXUAL, AND TRANSGENDER FAMILY LAW* (West) (with Shannon Price Minter).

## 2010-2011 SOGI Commissioners



\***Elaine Arabatzis** joined Dickstein Shapiro in September 2001, as a senior associate. She has extensive experience in the area of professional liability, including legal and medical malpractice. She presently serves as Diversity/Pro Bono Counsel to the firm. She has represented numerous pro bono clients, including a number of victims and families of victims of the September 11 terrorist attacks.



\***Ann M. Courtney** is an Assistant Vice President and Senior Counsel in Unum's Portland, Maine office, where she manages both ERISA and non-ERISA claim litigation in life, disability and long-term care cases in state and federal courts. She currently serves on the ABA Commission on Sexual Orientation and Gender Identity and as Chair of the Editorial Board of Perspectives, the newsletter of the ABA Commission on Women in the Profession.



\***Jimmy Goodman**, a past president of Crowe & Dunlevy, tries lawsuits with a specialty in complex business and commercial litigation. He has been selected by his peers as one of The Best Lawyers in America. He is Oklahoma's Delegate to the ABA House of Delegates, has held numerous positions of leadership in the ABA Litigation Section, and has served on both the ABA's Council on Racial and Ethnic Justice and the Commission on Racial and Ethnic Diversity.



**Jim Holmes** is a partner in resident at the Los Angeles office of Sedgwick, LLP. Jim is a member of Sedgwick's Management Committee and chairs that firm's Media, Entertainment and Sports Law Practice Group and LGBT Affinity Group. Jim is an active member of the American Bar Association and is a past chair of the Tort Trial and Insurance Practice Section (TIPS) Media Privacy and Defamation Law General Committee and is a vice chair of that section's Committee on Diversity in the Profession. Jim is a Fellow of the American Bar Foundation and a member of the National LGBT Bar Association and is a member of the Board of Governors for the Lesbian and Gay Lawyers Association of Los Angeles. Jim has received a commendation from the California Bar Association for his pro bono work for Los Angeles HIV and AIDS Legal Services Alliance, authored the chapter "Using bar association participation to build a bridge to equality" for *Attracting, Advancing and Retaining LGBT Lawyers*, ARK Group, 2009 and was recently named "Volunteer of the Year" by the Los Angeles Superior Court for his service as a temporary judge.



\***Jennifer Levi** is one of our nation's leading experts on transgender legal issues. She serves as the director, of the Transgender Rights Project at Gay & Lesbian Advocates & Defenders (GLAD). During her tenure with GLAD, she was lead counsel in a number of precedent setting cases establishing basic rights for transgender people. Jennifer is a Professor of Law at Western New England College.



**Jodi B. Levine** is a U.S. Administrative Law Judge in Oklahoma City. She is a Past Chair of the ABA Judicial Division and of the National Conference of the Administrative Law Judiciary. Judge Levine currently is a member of the ABA Section of Individual Rights and Responsibilities Council and a member of the ABA Section of Administrative Law and Regulatory Practice Council. She also is a member of the ABA AIDS Coordinating Committee and of the ABA Standing Committee on Gavel Awards.



**Louis Lopez** is Deputy Chief in the Employment Litigation Section of the Civil Rights Division at the U.S. Department of Justice, where he serves on the Division's GLBT Working Group. He also is an adjunct professor at Georgetown Law School, where he teaches labor and employment law courses. Louis currently serves as Co-Chair of the Employment Rights and Responsibilities Committee and Co-Chair of the Outreach to Government Lawyers Committee in the ABA's Labor and Employment Law Section.



**Alyson Dodi Meiselman** practices out of Gaithersburg, Maryland. She is an advocate regarding individuals with gender identity issues. She was the primary author of Cause of Action for Legal Change of Gender, 24 COA2d 135 (2004). She currently serves as the SOGI Commission's liaison to the ABA Commission on Women in the Profession and as the Family Law Sections liaison to the SOGI Commission. Ms. Meiselman recently served as Chair of the ABA Family Law Section's Alternative Families Committee, on the Editorial Board of Perspectives, the quarterly publication of the ABA Commission on Women in the Profession, and on the executive committee of the ABA Health Law Section's Breast Cancer Task Force. Ms. Meiselman was appointed to the ABA Commission on Sexual Orientation & Gender Identity in 2010.



**Glenn Stover** is the founder and principal partner of StoverLaw, a boutique telecom law firm in San Francisco. He served, for 17 years, as a Senior Attorney for AT&T. Glenn served as a Senior Attorney in the Antitrust Division of the US Department of Justice. He is a member of the Section Council of the ABA's Section of Individual Rights and Responsibilities and has chaired committees in that Section and in the Administrative Law Section.



**Adonica-Jo R. Wada** is a partner with the law firm of Simon, Gluck & Kane LLP, resident in the San Francisco office. Ms. Wada's practice is focused on import/export and trade-related matters. Ms. Wada advises companies on a wide range of technical areas including: valuation and preference, classification, country or origin determination, licensing, penalties and developing and implementing compliance programs. Ms. Wada is a member of the California and Washington State Bars and is admitted to practice before the District Court for the Northern District of California, the U.S. Court of Appeals for the Federal Circuit, and the U.S. Court of International Trade.



**Randi Whitehead** is a lawyer in Sarasota, Florida and has been an active member of the ABA for more than fifteen years. She has served on the ABA Working Group on Health Care Reform as well as on the Publications Board of the Law Practice Management Section, in addition to serving as Chair of the Health Care Law Committee of the Young Lawyers Division. She is active in the General Practice, Solo & Small Firm Division and Tort Trial and Insurance Practice Section.



**Janson Wu** is a staff attorney with Gay & Lesbian Advocates & Defenders (GLAD), a New England-based legal organization dedicated to ending discrimination based upon sexual orientation, gender identity and expression, and HIV status. He also serves as Vice Chair of the Sexual Orientation/Gender Identity Committee of the ABA Section of Individual Rights and Responsibilities, and on the Legal Committee of the World Professional Association for Transgender Health.

## New SOGI Commissioners appointed in 2011



**Cristhian de Jesus Escobar** is a California licensed attorney appointed by the Governor to provide legal, policy, and strategic recommendations to a California Public Utilities Commission (CPUC) Commissioner and executive staff. He focuses on the development of policies and programs to promote infrastructure investment, emerging technologies, as well as to address climate change and public safety imperatives. During law school Cristhian worked full-time at JPMorgan Chase and as a Corporate Social Responsibility Project Assistant at Pillsbury Winthrop. Prior to law school he worked in various aspects of media, including a sports marketing firm and Time Warner. He received his J.D. from the University of San Francisco School of Law and graduated cum laude from Wesleyan University.



**J. Cunyon Gordon** is an accomplished attorney and experienced litigator, Ms. Gordon's legal career spans 25 years. In addition to Eimer Stahl, Ms. Gordon was a civil litigator at member firm Jenner & Block LLP for ten years, where she earned the distinction of being the first black woman to make partner at the then 75-year old firm. Cunyon has also served as an attorney with the U. S. Navy JAG office, and was a Distinguished Visiting Professor for the Boston University School of Law and Visiting Professor for Seattle University School of Law. She is deeply familiar with pro bono culture, and has working relationships with many of Chicago's large law firm pro bono partners and managers. Cunyon attended Yale College and earned her JD from Yale Law School.



**Lauren Stiller Rikleen** is a nationally recognized expert on developing a thriving, diverse and multi-generational workforce. Lauren launched the Rikleen Institute for Strategic Leadership to help businesses and other organizations create a culture where their professionals can advance and flourish. She is also the Executive-in-Residence at the Boston College Center for Work & Family. As a former equity partner at Bowditch & Dewey, LLP, Lauren founded the firm's environmental practice group and managed a diverse environmental law practice, bringing her strategic and negotiating skills to her clients' enforcement and compliance problems. Lauren is also an experienced mediator. She has been listed in The Best Lawyers in America, Chambers USA America's Leading Business Lawyers, and Massachusetts Super Lawyers for many years



**Mark E. Wojcik** is a professor of law at The John Marshall Law School in Chicago. He also teaches at law schools in Mexico and Switzerland. He is a former president of the Lesbian and Gay Bar Association of Chicago and served as a board member of the National Lesbian and Gay Law Association. He chaired the Association of American Law Schools Section on Sexual Orientation and Gender Identity Issues. He started the LGBT Committee in the Chicago Bar Association. He co-authored the first casebook on Legal Issues relating to HIV and AIDS. He currently serves on the Board of Governors of the Illinois State Bar Association. In 2010, he was inducted into the City of Chicago Gay and Lesbian Hall of Fame.



**Christine W. Young** is a partner in Kuhn Young Law Firm, PLLC, in Tucson, Arizona, a general business and civil litigation law firm. Chris represents clients in the areas of business and corporate transactions and formations, real estate, land use, environmental and employment law. She is a member of the Business Law Section and active with its Diversity Committee, serving on both the Diversity LGBT Involvement and Women's Business Law Network Subcommittees. Chris is also a member of the Ethics and Fee Arbitration Committees for the State Bar of Arizona. She was appointed to the ABA Commission on Sexual Orientation and Gender Identity in 2011.

\*Denotes Commissioners who rotated off at the end of the 2010-2011 bar year.

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# Commission Liaisons

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## 2011 ANNUAL REPORT

Advocating for LGBT Equality and  
Educating the Legal Profession on LGBT Issues

**The SOGI Commission has also benefitted from strategic partnerships with other ABA entities that each year appoint representatives who serve to liaise with the SOGI Commission on behalf of their home sections, divisions, forums, commissions and organizations.**

**The 2010 – 2011 SOGI Commissions Liaisons:**

Board of Governors  
**Harold D. Pope III**  
Jaffe Rait Heuer & Weiss

Intellectual Property Law, Section of  
**Wayne P. Sobon**  
Rambus

State and Local Government, Section of  
**H. Lawrence Hoyt**  
Boulder County Attorney

Antitrust Law, Section of  
**Patrick Kelleher**  
Drinker Biddle & Reath LLP

Individual Rights and Responsibilities,  
Section of  
**Kylar Broadus**  
Transgender Law & Policy Institute

Tort, Trial and Insurance Practice Section  
**Holly Marie Polglase**  
Campbell Campbell Edwards & Conroy

Business Law, Section of  
**Catherine Brennan Hudson**  
Cook LLP

International Law, Section of  
**Prof. Mark E. Wojcik**  
The John Marshall Law School

Section of Criminal Justice  
**Ryan W. Scott**  
Indiana University Maurer School of Law

Environment, Energy and Resources,  
Section of  
**Claudia Rast**  
Pear, Sperling Eggan & Daniels PC,  
Llby D

Judicial Division  
**Judge Jodi B. Levine**  
Social Security Administration

Women in the Profession, Commission on  
**Alyson Dodi Meiselman**  
Alyson Dodi Meiselman  
Attorney at Law

Family Law, Section on  
**Alyson Dodi Meiselman**  
Alyson Dodi Meiselman  
Attorney at Law

Labor and Employment Law, Section of  
**Louis Lopez**  
U.S. Department of Justice  
Civil Rights Division  
Employment Litigation

Franchising, Forum on  
**Clay A. Tillack**  
Schiff Hardin LLP

Mental and Physical Disability Law,  
Commission on  
**Howard J. Fulfrost, Esq.**  
Fagen, Friedman, & Fulfrost, LLP

Litigation, Section of  
**Zesara C. Chan**  
Shartsis Friese et al

Young Lawyers Division  
**Ali D. Fawaz**  
Latham & Watkins LLP

General Practice, Solo and Small Firm  
Division  
**James L Schwartz**  
James L Schwartz & Associates

Racial and Ethnic Diversity, Center on  
**Gary A. Munneke**  
Pace University School of Law

Association of the Bar of the  
City of New York  
**C. Elaine Arabatzis**  
Dickstein Shapiro LLP

Law Student Division  
**David Bell**  
Whittier Law School

Real Property, Estate and Trust Law,  
Section of  
**William P. La Piana**  
New York Law School

National LGBT Bar Association  
**D’Arcy Kemnitz**

National LGBT Bar Association Delegate  
**John T. Hendricks**  
Law Offices of John T. Hendricks

**CONTACT**

The SOGI Commission welcomes participation in its activities, and invites participation as a volunteer or liaison, and always welcomes guests. To learn more about how to get involved with the SOGI Commission, or to get more information about the SOGI Commission, contact:  
ABA Commission on Sexual Orientation and Gender Identity

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# Sexual Orientation and Gender Identity at the ABA

- 1973** Calls for the repeal of all laws that classify as criminal conduct any form of noncommercial sexual conduct between consenting adults in private.
- 1987** Condemns crimes of violence, including those based on bias or prejudice of race, religion, sexual orientation or minority status; urges government officials to focus public attention on this growing national problem.
- 1989** Urges the enactment of federal, state, and local legislation prohibiting discrimination on the basis of sexual orientation.
- 1999** Supports Legislation and public policy that provides that adoption shall not be denied on the basis of sexual orientation when it is determined to be in the best interest of the child.
- 2002** Encourages legislation to ensure that an unmarried surviving partner who shared a mutual, interdependent, committed relationship with a victim of terrorism or other crime can qualify for crime victim compensation and assistance funds provided by that government to eligible spouses.
- 2003** Supports state and territorial laws and court decisions that permit the establishment of legal parent-child relationships through joint adoptions and second-parent adoptions by unmarried persons who are functioning as a child's parents, when such adoptions are in the best interests of the child.
- 2004** Opposes any federal enactment that would restrict the ability of a state to: (a) prescribe the qualifications for civil marriage between two persons within its jurisdiction; or (b) determine when effect should be given to a civil marriage validly contracted between two persons under the laws of another jurisdiction.
- 2006** Opposes legislation and policies that prohibit, limit, or restrict placement into foster care of any child on the basis of sexual orientation of the proposed foster parent when such foster care placement is otherwise appropriate under the applicable law of the state, territory, or tribe.
- 2007** Creates the Commission on Sexual Orientation and Gender Identity to secure equal treatment of persons in the ABA, the legal profession and justice system.
- ABA Goal IX is amended as: To promote full and equal participation in the legal profession by minorities, women, persons with disabilities, and persons of differing sexual orientations and gender identities.
- Urges federal, state, territorial, tribal, and local legislatures, government agencies, and courts to adopt and laws, regulations, policies, and court rules that promote the safety, well-being, and permanent placement of lesbian, gay, bisexual, transgender, and questioning (LGBTQ) youth who are homeless or involved with the foster care system.
- 2008** ABA restructures its Mission & Goals, and indentifies diversity as one of four association priorities. The new Goal III is to:  
"ELIMINATE BIAS AND ENHANCE DIVERSITY"  
With the following objectives:  
Promote full and equal participation in the association, our profession, and the justice system by all persons.  
Eliminate bias in the legal profession and the justice system.
- 2009** Urges Congress to repeal 1 U.S.C. § 7, which denies federal marital benefits and protections to lawfully married same-sex spouses.
- Urges legislation and public policy to enable a United States citizen or lawful permanent resident who shares a mutual, interdependent, committed relationship with a non-citizen of the same sex to sponsor that person for permanent residence in the United States.
- 2010** Urges state and territorial governments to eliminate all legal barriers to civil marriage between two persons of the same sex who are otherwise eligible to marry.
- Sends letters to the U.S. Congress and U.S. Department of Defense urging the repeal of the U.S. military's "Don't Ask, Don't Tell" policy.



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