Report to the ABA’s Minority Caucus
Activities from 2019 and 2020

Mission

The National LGBT Bar is a national association of lawyers, judges and other legal professionals, law students, activists, and affiliated lesbian, gay, bisexual, and transgender legal organizations. The LGBT Bar promotes justice in and through the legal profession for the LGBTQ+ community in all its diversity.

Racial Equity Efforts

The National LGBT Bar joined as part of the original signatories to a statement from LGBTQ+ organizations supporting Black lives and calling for racial justice and equity.

National LGBT Bar is continuing important existing programs and creating new programs that amplify voices and help address systemic racial oppression and inequality throughout our society, including:

- Launching an affinity-based webcast series for law students who experience oppression across their intersectional identities;
- Developing a new mini-series as part of Lavender Link which focuses on advocating for and promoting racial justice and diversity, equity, and inclusion within corporate organizations;
- Continuing to intentionally include diverse expert speakers for Lavender Law workshops and expecting those workshops to have a racial justice lens; and
- Connecting the impact of COVID-19, racial bias, and anti-Black police violence with LGBTQ+ people in our Lavender Law 365® curriculum.

The National LGBT Bar Association joined NAPABA’s Stand Against Hate Campaign, recording a joint video with other national bar associations that denounced the anti-Asian hate, violence, and racism related to the coronavirus.

The National Bar Association President joined the presidents of NBA, SABA, NAPABA, and HNBA in a Belonging Project webinar to discuss how the minority bar associations are working to advance diversity, equity, and inclusion as our country battles two pandemics—coronavirus and systemic racism.

The National Bar Association is joining with a variety of judicial and bar organizations in publicizing the importance of participating in the U.S census.
Advocacy Efforts

**LGBTQ+ Panic Defense.** The National LGBT Bar Association continues to lead the effort to enact legislation to ban the use of the LGBTQ+ “Panic” Defense, which is a legal strategy that asks a jury to find that a victim’s sexual orientation or gender identity is to blame for a defendant’s violent assault or murder. In 2013, the American Bar Association unanimously approved a resolution—introduced by the LGBT Bar—calling for an end to this heinous defense strategy. In 2019, five states enacted this legislation (NV, CT, HI, NY, and ME), and three more states have enacted the legislation thus far in 2020 (CO, NJ, and WA). With these enactments, a total of 11 states have banned this defense. Legislation is pending in Congress as well as in multiple states and the District of Columbia.

**Juror Non-Discrimination.** The National LGBT Bar Association is also actively supporting Federal legislation to prevent discrimination in jury selection based on sexual orientation or gender identity. While a freestanding bill is pending in Congress, the provision was also included in the Equality Act, which passed the House of Representatives in 2019 and is pending before the U.S. Senate.

**Amici Briefs.** The National LGBT Bar Association submitted an amicus brief supporting the employees in the three Title VII cases. In June 2020, the U.S. Supreme Court, in *Bostock v. Clayton County, Georgia*, ruled that Title VII’s prohibition on discrimination on the basis of sex includes discrimination on the basis of sexual orientation and gender identity.

**Asylum Regulations.** In June, the Trump Administration released a draft rule that would effectively eviscerate the U.S. asylum process and deny protection to tens of thousands LGBTQ+ who are seeking asylum. Concerned about the impact this proposal would have on vulnerable LGBTQ+ asylum seekers, the National LGBT Bar submitted 19 pages of comments that raised more than a dozen specific objections to the rule and detailed how the proposed rule would cut off existing avenues to safety for LGBTQ+ asylum seekers.

**2020 Lavender Law Conference & Career Fair**

At this year's virtual Lavender Law® Conference & Career Fair (held from August 12th through 14th), we are thrilled to welcome 175 speakers, 534 professionals, and 648 students (as of three weeks out) -- the highest number of students to attend, nearly double from last year thanks to how accessible the conference is this year.

Our featured plenary, *Addressing Racial Equity within the LGBTQ+ Legal Community*, features leaders in the diversity, equity, & inclusion space, and will be moderated by Hawaii Supreme Court Justice Sabrina McKenna.
At the 2020 Lavender Law Conference, the National LGBT Bar will honor:

- David Lat, an author and the founder of Above the Law, with its Dan Bradley Award;
- GLMA, a national organization of LGBTQ+ health professionals, with its Frank Kameny Award;
- Abby Rubenfeld, a family law and civil rights lawyer and law professor, with its Leading Family Law Practitioner Award; and
- Ian Falefuafula Tapu, a 2020 graduate of the University of Hawai‘i William S. Richardson School of Law, with its Student Leadership Award.

**Lavender Law 365 Inclusion Consulting Program**

In its inaugural year, Lavender Law 365™ reached over 5,000 legal professionals at law firms, organizations, and law schools, moving the needle further with diversity, equity, and inclusion across the legal profession.

**Law Student & Law School Activities**

In its second year, our Law School Campus Climate Survey reached a record-high participation of 87 ABA-accredited law schools, which was a 30% increase from last year. The Campus Climate Survey helps prospective LGBTQ+ law students see which schools are the most welcoming for them.

The National LGBT Bar Association’s LEAD Academy is welcoming its second class of students. Designed to provide LGBTQ+ and ally law students with the tools they need to create change in and through the legal profession, the LEAD Academy consists of three main components: (1) LGBTQ+ legal and cultural advocacy; (2) How to implement a commitment to LGBTQ+ equality in a legal career; and (3) Mentoring and networking with diverse, experienced faculty of lawyers from a wide breadth of legal sectors and personal experiences.

In 2019, the National LGBT Bar compiled non-discrimination policies for each ABA-accredited law school in the United States, to ensure that each school bars discrimination on the basis of sexual orientation and gender identity. For those schools that did not have a specific statement on non-discrimination related to sexual orientation and gender identity, the National LGBT Bar Association successfully advocated for an update to the law school’s policy.

**Lavender Link**

The National LGBT Bar unveiled a new corporate counsel practice webinar series, Lavender Link. The first programs included: Bullying in the Workplace; Partnering with Law Firm Diversity Professionals to Advance Change; Employment Issues When Returning to Work During or After a
Pandemic; and CBD + FDA: Demystifying Evolving Rules Around Foods, Supplements & Cosmetics.

Affiliate Bar Associations

The National LGBT Bar continues to support its affiliate state and local bar associations, providing guidance and advice to these affiliates.