

FALL 2009 SOCIAL JUSTICE WORKSHOP:
Sexuality and the Law

Chaired by Professor Pat Cain

Professor Pat Cain will teach the Fall 2009 Social Justice Workshop: Sexuality and the Law. This workshop will begin with historical material that contextualizes the modern battle for Lesbian, Gay, Bisexual, and Transgender (LGBT) rights. We will study key legal cases brought in federal and state court. Litigation topics include the constitutional right to privacy, marriage and other forms of recognition for same-sex couples and their children, equality claims to benefits, antidiscrimination law, and free speech. In addition to discussing legal doctrine, we will focus on the role of public interest litigators in civil rights movements generally and in the LGBT movement in particular. The Workshop includes a series of public lectures by key participants in this legal battle for LGBT equality. All speakers have been active in public interest organizations as well as in private legal practice representing LGBT clients. The first public event will include a recently completed film about an early legal battle, known as the "Gay Olympics Case," argued before the United States Supreme Court by lesbian activist Mary Dunlap. The case was decided in 1987, just one year after *Bowers v. Hardwick*, and the film provides a sense of history for that period of the movement.

Lectures are open to members of the university community and the general public.

Seminars and film to begin at 4:10 p.m. in Bannan 333

Receptions will be held at 5:30 p.m. in the Strong Common room

- 9/1/09 "Claiming the Title: Gay Olympics on Trial" (2009) [filmmakers: Jonathan Joiner and Robert H. Martin]**
This film is a short-subject documentary that tells the story of the San Francisco athletic group that tried to hold a "Gay Olympics," instigating a battle at the nation's highest court and a challenge over the place of gays and lesbians in American society. The movie offers a rare glimpse behind the scenes at the Court through interviews with Court insiders, recently released papers and archival video. The case was *San Francisco Arts & Athletics v. USOC*, 483 U.S. 522 (1987) and the issue was whether Congress could give the U.S. Olympic Committee exclusive ownership of the word "Olympics" even if the USOC discriminated against minorities in deciding which groups could use the word.
Guest commentator: Maureen Mason, San Francisco
Maureen Mason is a lawyer and activist. She is the surviving partner of Mary Dunlap, a co-founder of Equal Rights Advocates and a civil rights lawyer, who argued the case before the Supreme Court. Ms. Mason was at the Supreme Court in person for the arguments in the case.
- 10/8/09 Kenneth Upton (Senior Staff Attorney, Lambda Legal Defense)**
Public Lawyering for LGBT Rights: The Lambda Experience
Kenneth Upton is the supervising senior staff attorney in the Southern Central Regional Office of Lambda Legal. Licensed by both the State Bar of Texas and Oklahoma Bar Association, he has handled litigation in state and federal courts across the United States, including most of the eight states covered in the south central region. He also has received regular court admissions to the U.S. Supreme Court, the U.S. Court of Appeals for the 10th Circuit and several regional U.S. District Courts.
- 10/22/09 Abby Rubenfeld (Rubenfeld Law Office)**
Lawyering for LGBT Rights From New York to Nashville
Abby R. Rubenfeld has a general law practice in Nashville with an emphasis on family law, sexual orientation, and AIDS-related issues. She currently serves on the board of directors of the ACLU of Tennessee, and she served on the board of directors of the Human Rights Campaign, a national civil rights organization and the largest lesbian and gay political organization in the world. Earlier in her career, she served as Legal Director of Lambda Legal Defense and Education Fund.
- 10/29/09 Matthew Coles (Director, LGBT & AIDS Project of American Civil Liberties Union)**
Lawyering for LGBT Rights: A 30 Year Perspective
Matthew Coles, director of the Lesbian, Gay, Bisexual, Transgender, and AIDS Project of the American Civil Liberties Union Foundation since 1995, has been a leader in the lesbian and gay civil rights movement for more than three decades. He wrote and helped lead the campaigns to pass many gay rights laws, including the first comprehensive law banning discrimination based on sexual orientation in California, California's law barring employment discrimination based on sexual orientation statewide, and the nation's first domestic partnership law. He was also one of the lead lawyers on *Romer v. Evans*, the U.S. Supreme court case that struck down Colorado's Amendment 2, and on important cases on adoption, AIDS and "Don't Ask, Don't Tell."
- 11/5/09 Kate Kendall (Executive Director, National Center for Lesbian Rights)**
Public Interest Lawyering: The NCLR Experience
Kate Kendall leads the National Center for Lesbian Rights (NCLR), a national legal organization committed to advancing the civil and human rights of lesbian, gay, bisexual, and transgender people and their families through litigation, public policy advocacy, and public education. After earning her J.D. from the University of Utah College of Law in 1988, and a few years practicing corporate law, she became the first staff attorney for the American Civil Liberties Union of Utah. She directly litigated many high-profile cases focusing on all aspects of civil liberties, including reproductive rights, prisoners' rights, free speech, the rights of LGBT people, and the intersection of church and state. She has been with NCLR since 1994.