

**Newly Elected  
Directors and Officers**

Daniel Anders (PA), Vice President  
Beth A. Allen (OR)  
Mary A. Celeste (CO)  
J. Gary Cohen (BC)  
Marisa Demeo (DC)  
Elizabeth (Beth) Gary (NY)  
Linda E. Giles (MA), Ex Officio  
Larnzell Martin, Jr. (MD), Secretary  
Steven E. Kirkland (TX)  
Victoria S. Kolakowski (CA), President  
Ian Jack Miller (NY)  
Michael R. Sonberg (NY), Ex Officio  
Mark F. Scurti (MD)  
Theodore M. Weathers (CA), Treasurer  
D. Zeke Zeidler (CA), Ex Officio



August 23, 2016

Hello Everyone,

This update includes some information about the Annual Meeting and other matters of interest to you. Shown in the text box is the roster of newly elected board members and officers who are to serve until the election at the next Annual Meeting.

Please keep Judge Tara M. Flanagan (CA) in your thoughts as she experiences a difficult time. August 15, 2016, Judge Wynne Carvill shared the following with judges and commissioners of the Alameda County Superior Court:

It is with a heavy heart that I share with you the news that Judge Flanagan's mother, Mary Anne Hart, passed away last Monday, August 8.

Many of you may have known Mary Anne personally or met her at Judge Flanagan's investiture ceremony. Some may have been aware of her recent health struggles over the last six months.

Regardless, I speak for all of us, as Judge Flanagan's court family, when I say that we are deeply sorry for her loss and we will continue to keep her in our thoughts during this painful time.

Judge Flanagan has returned to work today and will surely welcome your words of support and comfort as she transitions back.

Mary Anne's service will be held on October 22, 2016 at 11:00 a.m. at St. Andrew's Presbyterian Church in Pleasant Hill, CA.



*August 5, 2016, Annual Dinner Photo*



## **ANNUAL MEETING**

President Victoria S. Kolakowski (CA) convened the Annual Meeting at 12:46 PM in Congressional Ballroom C at the Renaissance Washington Hotel in Washington, DC and lasted just over one and one-half hours. Among the matters considered at the meeting were:

- A first, Judge Steven E. Kirkland (TX) introduced the winner of this year's Writing Competition, Francesco Salpierto to members. Mr. Salpierto is a recent graduate of the University of Pittsburg Law School.
- Members of the Board of Directors and Officers were elected as indicated above.
- Next year's Annual Meeting will convene in San Francisco during the period of August 2 through 4 in conjunction with the 2017 Lavender Law Conference and Career Fair at the Hyatt Regency San Francisco Hotel, 5 Embarcadero Center.
- An Organization and Annual Meeting Workgroup was established after a wide-ranging, yet focused discussion, that touched on issues such as: whether the Association should be subsumed under a larger organization; what do members want in terms of the annual meeting; consideration of allowing the National LGBT Bar Association to take over provision of administrative services for the Association; and to the extent that there are

concerns that varying judicial ethical restrictions might be viewed as precluding certain entanglements, does the Judicial Division of the ABA offer a model that overcomes such concerns.

Workgroup membership includes Judges Daniel Anders (PA); Marisa Demeo (DC); Victoria Kolakowski Christopher Panos (MD); Mark F. Scurti (MD); Harvey Silberman (CA); and D. Zeke Zeidler (CA). The deadline for a report is April 30, 2017 to provide an opportunity for the report's dissemination, review and discussion before the Annual Meeting.

- It is contemplated that there will be an examination of the Association's corporate documents, including the Bylaws, to determine what changes, if any, should be considered to bring the documents into conformity with current California law for organizations such as the Association and to avail the Association of certain beneficial provisions that were not available in 1993 when the Association was incorporated. Please let one of the officers know of any attorney who specializes in California law relating to non-profit corporations, especially on a pro bono or nominal fee basis.



*Judges Steve Kirkland (TX) and Victoria Kolakowski (CA) congratulate Writing Competition Winner Francesco Salpierto*



## **BEYOND THE ANNUAL MEETING**

The Welcoming Reception: Washington's usual hot sultry summer weather decided to take a day of absence for our Reception Wednesday at the Stewart R. Mott House. Those who were able to attend enjoyed the company of each other outside on the beautiful patio just across from the Supreme Court Building. (Yes, that was Judge J. Gary Cohen (BC) arriving with a warm sly smile and luggage fresh off the baggage carousel at Reagan National Airport.)

The Supreme Court Tour: Thursday's unrushed Supreme Court Tour, conducted by Volunteer Docent Susan Van Gelder, included the hallowed Courtroom, as well as the East Conference

Room. Those fortunate enough to be able to attend know a few things that are not likely to be uncovered by those who have not received the special treatment that we received.

Old Senate Chambers Tour: One would think that it would be impossible to top the Supreme Court Tour. Enough of the thinking. Friday, the Senate Historian, Betty K. Koed, conducted a tour of the Old Senate Chambers where the Supreme Court met until 1935 when it acquired its own building. As might be expected with a historian, Ms. Koed shared substantial history that occurred within the Chambers and placed the Chambers history in the context of this country's history. Two unexpected treats were experienced. Thanks to Andres D. Anzola, Staff Assistant to Senator Robert P. Casey, Jr. (PA), we were able to visit Senator Casey's private office the location of which can evade staff members for months. While there, Ms. Koed arranged for us to enter onto the floor of the current Senate Chambers, an extraordinary allowance. She shared with us the history of that chambers.

Lavender Law Programs: Members participated on Lavender Law Programs as identified in updates before the Annual Meeting. I was looking forward to attending the *Why Black Lives Matters to Us All* concurrent workshop and found that I had definitely made the right choice when Judge Phyllis R. Frye volunteered to participate on the panel when it was explained during introductions that the anticipated female member was not able to attend. Judge Frye comfortably contributed a perspective that added to the discussion of the important issues presented.

The Annual Dinner: The Acadiana Restaurant across from the Renaissance Washington provided an excellent comfortable setting for our Annual Dinner. The evening was a great opportunity to share conversation, become familiar with new acquaintances and enjoy a good meal. Thanks to the generosity of Judge Rosalyn Richter (NY), Francesco Salpierto joined us for dinner.

Annual Meeting Photos: Access to photographs taken by me (unless I am in them) and Judge Mark K. Leban (FL) will prove tricky if you do not have a Dropbox membership and do not desire to have one. As a matter of convenience, I have created a link to share the photos on Dropbox. The link is at [IALGBT Judges 2016 Annual Meeting Share](#) . If you are "unable" to access the photos, just let me know and I will solve the access problem by mailing you a disk of the photos.

If your image was captured by the photographer for the National LGBT Bar Association you can work your way through [this link for photos](#) posted at the Bar's site. Excellent photos of *Pathways to the Judiciary* are included there.



**JUDGE MROZIK JOINS NEWARK LGBTQ COMMUNITY CENTER BOARD**

Judge Albert J. Mrozik (NJ) shared that he has been appointed to the Newark LGBTQ Community Center Board of Directors. At its [website](#) , the Center’s mission and establishment is described:

As North Jersey’s only LGBTQ Center, our **mission** is to create and sustain a safe space that fosters a better quality of life for our community and allies in the Greater Newark area. In doing so, our vision is to support the diverse community in our area by offering programs, services and events that address the plethora of concerns of LGBTQ individuals— including homelessness, economic empowerment, health and wellness and social injustice. We strive to affirm lives and create a space where the community feels welcomed, embraced, empowered and celebrated. The Center offers LGBTQ Newarkers a place to feel safe and comfortable, to network and build relationships, to learn leadership and advocacy skills, and to enjoy social interactions in an affirming environment.

October 3, 2013, the Center began in direct response to the many murders, suicides and hate crimes over the years against lesbian, gay and transgender people in Newark. Our community struggle to create a safe space went into full gear immediately after the shocking 2003 murder of Sakia Gunn, a 15-year-old lesbian whose life was taken on the streets of Newark while she was returning home from a visit to New York City.

Congratulations, Judge Mrozik. There is always important work to be done.



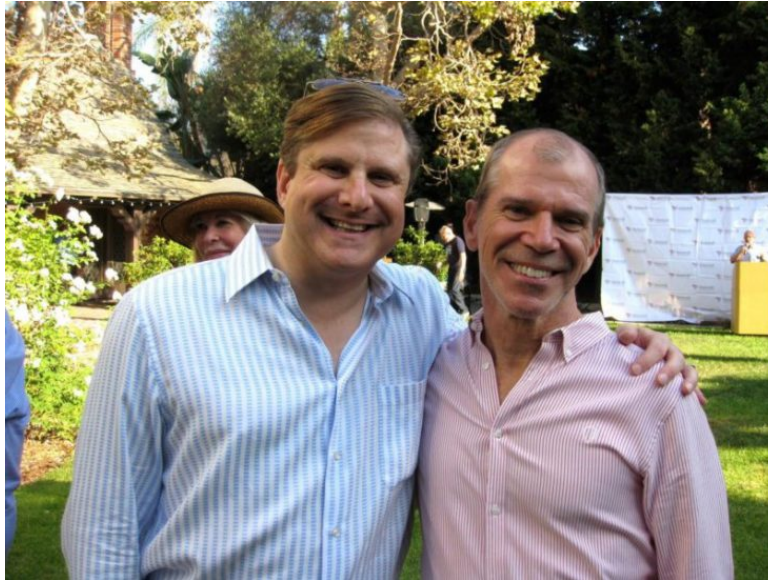
### **“JUDGE PETHERS EXPLAINS LEAVING THE BENCH” (A RARE OPPORTUNITY TO BE HEARD)**

I often refer to us judges as “stationary targets” because we seldom have the opportunity to defend ourselves or to let those who have taken liberty to construe our words or acts to mean one thing know exactly what we meant. Judge Sherryl A. Pethers (IL) had a rare opportunity to correct “the record”. Though, when asked if an article (brought to my attention by Judge Kolakowski) concerning her decision to retire could be shared, she modestly offered that it was hard to imagine what interest there could be since her decision was a matter of purely local interest; in addition, she offered that it is not a matter related to LGBT issues. Nevertheless, she has permitted me to share the article with you. Out of deference to the editor, I will provide [this link](#), rather than cut and paste it from the Chicago publication, *Viewpoint*. I invite you to read the article.

Thank you Judge Pethers for demonstrating the courage to be honest and showing, by example, a professional means by which other judges might be able to express that voice within. We know that the best lies ahead for you.



## A BIT MORE ABOUT NEW JUDGE DEAN HANSELL



*Dean with LA City Controller Ron Galprin at Dean's house – Photo by Karen Ocamb of the pride*

Undoubtedly, you have caught on to the fact that it is not unusual for the update regarding a newly appointed judge to include information about the appointee gathered from a quick Google search or by an unfiltered provided link. The Google search produced the information provided in a recent update about the appointment of now-sitting Judge Dean Hansell to the Los Angeles County Superior Court. The update was pretty sterile with part of the information coming from a lofty partner profile in a prominent law firm.

Fast forward, Judge Hansell was kind enough to point me to an article published by the *the pride*, Los Angeles' LGBT Newsletter on July 16, 2016. [Here is that article](#) - a must read - which gives a fuller picture of Judge Hansell and some important context relating to his appointment, including the celebration of historic judicial appointments in California, along with the valuable contributions that Judge Hansell made prior to his appointment.

### **The Importance of Dean Hansell's Appointment to the Los Angeles County Superior Court**

*By thepride on July 16, 2016*

**BY KAREN OCAMB** | There's a critical overlooked fact in the [brief release from Gov. Jerry Brown's press office announcing out attorney Dean Hansell's appointment](#) to serve as a Superior Court judge in Los Angeles. He's gay. He joins the approximately 17 other openly LGBT judges among the 430 judges serving on that court. But what makes Hansell's appointment so significant is that he has spent more than 20 years in the public eye

fighting for LGBT dignity and equality, visibility once considered a death-knell for judicial advancement.

Hansell's appointment is something of an ironic full circle for Brown, who has had the unique distinction of serving California as governor two times, decades apart. At the beginning of his second term during his first stint as governor in 1979, Brown—enlightened by the failed anti-gay Briggs Initiative in 1978 and hoping to win favor with a new group of out gay political fundraisers before his presidential bid—appointed MECLA co-founder Stephen Lachs to the L.A. Superior Court, making him the first openly gay judge in the world. In 1980, Brown appointed longtime gay activist and attorney Rand Schrader to the L.A. Municipal Court, just as the Christian Right gained prominence in the conservative administration of Ronald Reagan. Outspoken advocacy for LGBT civil rights was tainted as “judicial activism,” though even being gay was cause enough for recusal, as evidenced by the unsuccessful [attempt by the ProtectMarriage advocates to vacate quietly gay District Court Judge Vaughn Walker's decision in the federal Prop 8 trial in 2011.](#)

To be sure, there have been LGBT judicial advancements in California, often through careful political campaigns and elections. But appointments carry a different political weight and despite the Judicial Applicant and Appointment Demographics Inclusion Act signed into law by Brown in 2011, [the demographic categories cited by Brown's press office](#) of self-identified appointees only include: American Indian or Alaska Native; Asian; Black or African-American; Hispanic; Native Hawaiian or Other Pacific Islander; or Other/Unknown.

The press office did not explain why sexual orientation and gender identity are not listed, though the office did cite a number of “notable firsts” from 2011-2015: [Marsha G. Slough](#), the first openly gay justice in the history of the Fourth District Court of Appeal; [Luis A. Lavin](#), the first openly gay justice to serve on the Second District Court of Appeal; [Therese M. Stewart](#), the first openly lesbian justice to serve on the California Court of Appeal; [Jim Humes](#), the first openly gay justice ever appointed to the California Court of Appeal; and [Kimberly Colwell](#), the first openly lesbian judge ever appointed to the Alameda County Superior Court.

Of that list, [only Therese Stewart might be recognizable to the general LGBT public](#) for her work on marriage equality as Chief Deputy City Attorney for San Francisco. And, as the [Bay Area Reporter noted in 2012 about the LGBT makeup of the state judiciary](#), it is difficult to see how the judiciary reflects the LGBT population if applicants, appointees and politicians quake at the prospect of disclosing their sexual orientation or gender identity.

That's why Hansell's appointment is so crucial, despite the press office rendering him invisible. The L. A. LGBT community knows who he is.

“Hansell, 64, of Los Angeles, has been a partner at Hogan Lovells US LLP since 2012,” the press release says. “He was a partner at Dewey and LeBoeuf from 1988 to 2012, where he was an associate from 1986 to 1988. Hansell served as a police commissioner at the Los Angeles Police Department from 1997 to 2001. He was an associate at Donovan, Leisure, Newton and Irvine from 1984 to 1986 and at Lillick, McHose and Charles from 1982 to 1984. He served as a prosecutor at the Federal Trade Commission from 1980 to 1982 and as an assistant attorney general in the Illinois Attorney General’s Office from 1977 to 1980. He earned a Juris Doctor degree from the Northwestern University School of Law and a Bachelor of Arts from Denison University. Hansell fills the vacancy created by the retirement of Judge Arthur H. Jean. He is a Democrat.”

The Joe Friday “Just the facts, ma’am” condensation of Hansell’s legal qualifications does a disservice to the extraordinary service Hansell has provided to the LGBT community since 1988. That year, he helped co-found the L.A. chapter of the Gay & Lesbian Alliance Against Defamation, one year after the mainstream media ignored the important 1987 March on Washington.

This was at a time when the media fueled panic about the spread of AIDS and treated vile rhetoric spouted by hateful anti-gay homophobes as a legitimate “opposing point of view,” regardless of how many times station owners and publishers were asked if they would similarly give the KKK a platform to “oppose” an African American civil rights leader.

[“The media’s ability to shape perception is powerful,” Hansell wrote in his GLAAD/LA newsletter column in 1993.](#) “Mischaracterization has a substantial impact on molding public opinion about who we are, and, despite great strides, we have a lot of work to do.”

And while the LGBT community today is stressing the importance of “intersectionality” and coalition work with other struggles, [Hansell advocated for that in 1992.](#)

“Any strategy to address the issues of homophobia in Southern California must take into consideration our burgeoning Hispanic population,” he wrote in the newsletter, with a version written in Spanish. “[W]ith death squads and government torture and killing of gay and lesbian and AIDS activists in countries such as Nicaragua, Colombia and even Mexico, for many Hispanic lesbian and gay activists in Los Angeles many of our issues seem almost luxuries when compared with the life and death issues encountered in many Latin American countries.”

[In 2013, Hansell received GLAAD’s first Founders Award in recognition of his 27 years of service](#) – which included operating the pre-Internet telephone hotline for reports about media discrimination out of his home. Indeed, Hansell has famously used his home to host numerous LGBT non-profit and political fundraisers.



[Hansell also received acclaim for his work as board co-chair of the L.A. Gay & Lesbian Center in 2003](#) for helping convince former executive director Lorri Jean to return to helm the center after a run of weak leaders.

But perhaps some of Hansell's most important public work advancing the LGBT movement came during his service on the L.A. Police Commission from 1997-2001, a period of time best known for the horrendous [Rampart scandal in the LAPD](#).

Hansell, an Eagle Scout, sunk his teeth into a less understood but also devastating scandal of having the anti-gay Boy Scouts of America run the LAPD's popular youth training program. In 2000, Hansell held hearings to prove the connection between the nebulous-sounding "Learning for Life" organization running the Explorer Scouts and the BSA, which officially declared gays unfit to be "morally straight and clean in thought, word, and deed." Hansell sought ["to convince the Boy Scouts to end discrimination toward lesbian and gay representatives and if not successful, consider alternative models to the Explorer Program."](#)

Politics and conservative pushback stalled the transition until 2009, when the LAPD finally launched their own Explorer Scout program after the Police Commission—with continuous pressure from Hansell's gay and lesbian successors—[finally voted to end their relationship with the BSA over anti-gay discrimination](#).

[Today, with the appointment, Hansell has let go of his political backyard parties](#), Hansell served as out [L.A. County Supervisor Sheila Kuehl's](#) appointee to the Civilian Oversight Commission for the Los Angeles County Sheriff's Department and the chair for the Working Group overseeing the commission.

It is with all these years of visible service and LGBT cultural competency and experience that Hansell will serve as a judge on the L.A. Superior Court. It's a clear signal that other openly LGBT civil rights advocates can consider out judicial advancement, too.

"Although I have greatly enjoyed private practice," Hansell says modestly, "I am excited about being able to devote myself full time to public service. I am excited about going on the bench."

Thank you, Judge Hansell.



## **TRANSGENDER CONSIDERATIONS FOR COURTS**

Last Thursday, August 17, 2016, Judge Phyllis R. Frye (TX) did a one-hour webinar for the Texas Municipal Court Education Center. The webinar is *Transgender Considerations for the Municipal Courthouse*. At the beginning, Judge Frye identifies her goal as to cover the following areas:

- #1 Transgender People Don't Look "Trangender" as They Are Growing Up – Stereotypes Don't Work
- #2 What Name, Title or Pronoun Do I Use?
- #3 What About the Restrooms, What Is the Law?
- #4 Issues for Possible, Future Transgender Employees or Kids

Judge Frye encourages each of us to listen to the webinar which is available at <http://tmcec.adobeconnect.com/p6x94rhb2ax/>. Equally important, it is requested that each of us share the webinar with other judges and judicial associations.