MEMORANDUM

DATE: February 4, 2016

TO: Jean Durling, NALP President
Fred Thrasher, NALP Deputy Director
Andrew Chapin, NALP Board Liaison, SOGIE Section

FROM: Melanie Rowen, SOGIE Section Chair

RE: Quarterly LGBT Section Board Report, February 2016

SECTION CONFERENCE CALLS

We held our third quarterly conference call on January 20, 2016 to discuss: (1) LGBT data collection from schools and law firms, (2) Lavender Law (3) Annual Education Conference planning, and (4) the future of the Sexual Orientation & Gender Identity Section.

WORK GROUP REPORTS

ANNUAL EDUCATION CONFERENCE/BULLETIN ARTICLE PLANNING/HOT TOPICS:
An article on transgender veterans by D’Arcy Kemnitz has been submitted to the Bulletin and will be coming out in either February or March.

The Section is moving forward with planning our meeting and annual dinner at the AEC. In the Third Quarterly Conference Call, we discussed the turnout issues we have had for the meeting in recent years. There is hope that turnout might be better this year because there will not be a conflict with the Public Service Section meeting, but call attendees also expressed concern about conflicts with the meetings of all of the other sections.

The Section will also gather for dinner on Friday night of the conference, as in past years.

LAVENDER LAW CONFERENCE:
Please see the Third Quarterly Board Report from the Liaison to the LGBT Bar Association, Lori Lorenzo.

DATA REPORTING:
In the Third Quarterly Conference Call, there was a discussion about the continued need for data collection relating to LGBTQ law students and attorneys at both law firms and law schools. Overall, call attendees agreed that LGBTQ data collection is still not where it needs to be compared with other diversity criteria, and that this remains an important issue for NALP to address.

GENDER IDENTITY AND EXPRESSION ISSUES:
As reported in the Second Quarterly Report, the SOGIE Section’s RFP for the 2016 Annual Conference addresses gender identity and expression issues, as do two proposed Bulletin articles.

ENVIRONMENTAL SCANNING

A few highlights from current events that are particularly relevant to LGBTQ people and potentially relevant to NALP members:

The military’s longstanding ban on transgender people serving in the military may be repealed.
soon. A Pentagon working group has been conducting a review of the ban, with the presumption that it should be repealed, and a final decision by Defense Secretary Ashton Carter is expected this spring. The military has also recently taken steps to improve access to gender-affirming health care for transgender dependents of servicemembers.

In January, the U.S. Department of Health and Human Services made history when it determined that a transgender Air Force veteran's gender-affirming surgery must be covered under Medicare. The decision came on the heels of more than two dozen state insurance providers dropping categorical bans on transition-related care for trans individuals. These events reflect momentum towards eliminating and eventually outlawing these categorical bans in health insurance more broadly, making it easier for employers to offer only trans-inclusive insurance plans.

In the presidential campaign, Democratic candidates have been using the issue of upcoming Supreme Court appointments, and the importance of maintaining gains in LGBT rights, to appeal to progressive voters. Republican candidates have conversely been campaigning on promises to roll back gains by LGBT advocates, and are particularly vocal about supporting proposed federal legislation that would allow people or entities to discriminate against LGBT people on the basis of religious or moral views, regardless of anti-discrimination laws.

**ADDITIONAL UPDATES**

**FUTURE OF SOGIE SECTION:**
We discussed again in our third quarter conference call the question whether low volunteer energy within the SOGIE Section means that it might make sense to fold the Section into the Diversity & Inclusion Section. All members on the call (4 people, not including the Chair) expressed the view that the Section should continue. Some call attendees expressed the view that without adequate process, a decision to disband the Section within the year could be expected to strike many members, particularly long-time members, as sudden and unwarranted; the number of Section members who have participated in the quarterly calls where this issue has been discussed is fairly low (fewer than 20), and members of the Section who have not been reading the call agendas and notes posted on NALP Connect are likely not aware that this discussion is taking place.

In light of this, we discussed what sort of process would be appropriate for moving this issue forward among the membership. The idea of surveying the members of the SOGIE Section about the section’s future got support from everyone on the call. Melanie Rowen will draft a survey and work with Andrew Chapin to finalize and distribute it and share results prior to the AEC.