



TITLE: Laws That Marginalize: Impact On Our Courts and Our Communities

SESSION DATE: October 7, 2021

SESSION TIME: 3:30 PM – 4:45 PM

SESSION DESCRIPTION:

Explore the current political environment and flood of recent anti-transgender laws, including laws that: 1) Ban or criminalize healthcare for transgender youth; 2) Ban access to the use of appropriate facilities such as restrooms; 3) Restrict transgender students' ability to fully participate in school and sports; 4) Make it more difficult for trans people to obtain identification documents with their name and gender; and 5) Permit religiously-motivated discrimination against trans people. Discover the impact of anti-transgender laws and explore how court actions can further traumatize vulnerable individuals and communities. Learn about the work of LGBTQ+-serving organizations and how the work of national organizations such as NAWJ can increase public awareness of these issues. Learn about examples of successful efforts to defeat anti-transgender laws around the country.

PANELISTS:



Dr. Marisa Richmond – Professor, Middle Tennessee State University, Lobbyist for the Tennessee Transgender Political Coalition (TTPC)

Dr. Marisa Richmond teaches history and women’s and gender studies at Middle Tennessee State University. She is a member, and recent Past Chair, of the *Metro (Nashville) Human Relations Commission*, one of only two openly transgender members of the *Democratic National Committee*, and a Member of the Board of the *Stonewall Inn Gives Back Initiative*.

She just finished serving as a member of the ad hoc Nashville Mayor’s Council on the Status of Women and the Davidson County General Sessions Court Judicial Equity Collective. Previously, she served many years as the President and Lobbyist for the Tennessee Transgender Political Coalition.

She is a prolific author and speaker on transgender rights, and has served on many boards at the Local, State, and National levels. She has been recognized for her work with many awards.

She has three degrees, all in U.S. History. Her A.B. is from Harvard University, her M.A. from the University of California, Berkeley, and her Ph.D. from George Washington University.



Chris Sanders – Executive Director, Tennessee Equality Project and the Tennessee Equality Project Foundation

Chris Sanders is executive director of Tennessee Equality Project, a statewide LGBTQ rights and public policy organization. He holds the M.Div. from Vanderbilt University and lives in Nashville.



Pamela Sheffer – Director and Founder of the Just Us program at the Oasis Center

Pam Sheffer is the Senior Director of Youth Action & Advocacy at Oasis Center and founded the Just Us program for LGBTQ+ youth.

www.justusoasis.org . After a lucrative 23-year career in corporate health insurance sales, Pam made a momentous decision to leave the corporate world and instead dedicate her life to creating system level changes for LGBTQ+ youth. She made it her new mission to ensure that LGBTQ+ young

people could grow, thrive, and create positive change in their lives and communities. Pam spent a year working fulltime for the Oasis Center, conducting the necessary research and development to create a program designed specifically for LGBTQ+ youth. She built the infrastructure for the “Just Us” program in 2010-11 and collaborated with LGBTQ+ youth to develop the programming that is currently delivered. After securing the necessary funding to sustain the program, Pam launched Just Us in 2011.

Since 2011, Just Us has expanded programming from one program to five and has expanded in staff by three professionals who are providing positive youth development programming as well as therapeutic mental health services on a weekly basis to over 100 young people each year.

Over the past six years, Pam has focused exclusively on working with the systems of care where LGBTQ+ youth are marginalized and mistreated – public education, juvenile justice, and foster care. Pam approaches her systems level work through a truly southern perspective: build relationships, earn their trust, be invited to the table, and respectfully educate them. Through this approach, she has been successful in changing policy, mandating trainings, and creating allies in places of influence.

FACILITATOR:



Abby Rubinfeld, Esq. – CEO and Lawyer, Rubinfeld Law Office, PC

Abby R. Rubinfeld is an attorney in Nashville, Tennessee. Her general practice includes an emphasis on family law , LGBT and AIDS-related issues, and civil rights cases. She was the founding Chair of the Tennessee Bar Association Section on LGBT Rights in 2015-2016. Ms. Rubinfeld also was an Adjunct Professor at the Vanderbilt University Law School in Nashville for seven years, teaching a course on Sexual Orientation and the Law. She served for seven years 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, and for many years on the Board of Directors of the ACLU of Tennessee. She has also served as Chair of the American Bar Association (ABA) Section of Individual Rights and Responsibilities (IRR- now called the Section on Civil Rights and Social Justice) and as Chair of the Nashville Bar Association Family Law Committee. From 2007 to 2009, she was appointed by the President of the ABA to serve on the then-newly created ABA Commission on Sexual Orientation and Gender Identity. She was also formerly a member of the Tennessee Bar Association Committee on Racial and Ethnic Diversity and on the Executive Committee of its Family Law Section. In 2014 , she was honored to be inducted into the YWCA Nashville Academy of Women of Achievement. In 2017, she joined the Board of Directors of the YWCA of Nashville and Middle Tennessee. She is extremely proud to have been co-counsel for the Tennessee plaintiffs in Obergefell v. Hodges (Tanco v. Haslam), the cases that brought full marriage equality to the United States on June 26, 2015. She was named Nashvillian of the Year for 2015 by the Nashville Scene magazine, along with Tanco co-counsel Bill Harbison, and also received the 2016 Tune Award from the Nashville Bar Association (also along with co-counsel Bill Harbison), the highest award given by the Nashville Bar Association.

In 2014, she was honored with a Legacy Award from Nashville Black Pride. In 2015, she was also honored with several awards, including the Justice Award from the National Center for Lesbian Rights (given to the plaintiffs and attorneys from Tanco v. Haslam, the successful companion case to Obergefell that brought marriage equality to the country) and the Bill of Rights Award from the ACLU of Tennessee (also given to the Tennessee plaintiffs and attorneys from Tanco v. Haslam). In 2016, she also received the prestigious Stonewall Award from the American Bar Association Sexual Orientation and Gender Identity Commission.

In 1996 , Ms. Rubinfeld was also successful in a four-year effort to overturn the Tennessee statute that criminalized private same sex consensual adult sexual behavior, representing five plaintiffs who obtained a statewide judicial determination that the Tennessee "Homosexual Acts" criminal statute unconstitutionally violates the fundamental right to privacy protected by the Tennessee Constitution. Because of that significant civil rights victory, she received the 1996 Bill of Rights Award from the ACLU of Tennessee. In October 1997, the National Lesbian and Gay Law Association (NLGLA) awarded her its highest honor, the Dan Bradley Award, recognizing her outstanding efforts on behalf of equality under the law. For many years, she has been a member of the National Family Law Advisory Council for the National Center for Lesbian Rights, and a cooperating attorney with NCLR (which co-counseled an unfortunately unsuccessful challenge to the constitutionality of a Tennessee statute that overturned a local non-discrimination ordinance because it includes sexual orientation and gender identity).

Ms. Rubinfeld formerly served from 1983-1988 as Legal Director of Lambda Legal Defense and Education Fund, Inc., a national civil rights organization that conducts test-case litigation across the country on behalf of lesbian and gay rights and AIDS issues. While at Lambda, among other things, she created the Lesbian and Gay Civil Rights Roundtable, which continues as an essential vehicle to coordinate legal efforts around the country, and helped build the Lambda legal program from a small local docket to a nationally respected legal entity. She was the editor of the AIDS Legal Guide, first and second editions (1984 and 1988), the first AIDS-related legal publication in the country. She was appointed by New York Governor Mario Cuomo to serve on the Governor's Task Force on Gay Issues from 1983 to 1986. In 1988, she received the Harvey Milk Award from the National Lesbian and Gay Health Foundation in recognition of her "precedent setting civil rights efforts that have enhanced the lives of lesbians and gay men". She was the Co-Chair of both Lavender Law I (San Francisco 1988) and Lavender Law II (Atlanta 1990), the national conferences on lesbian and gay legal issues sponsored by NLGLA. She served on the Board of Directors of the National Gay and Lesbian Task Force from 1988-1992, and in 1993-1994 was the General Counsel to the Nashville-based Lesbian and Gay Coalition for Justice, a local educational and political organization which she helped create in 1993. From 1990 through 1992, she was the Co-Chair of NLGLA, which she also helped create in 1988. She was also the Co-Chair of the Tennessee Gay Coalition for Human Rights from 1980-1982, and the Co-Chair of the Tennessee Gay and Lesbian Alliance from 1990-1992.

She served on the governing Council of IRR from 1987-1997, and formerly chaired the IRR Committee on the Rights of Lesbians and Gay Men (1985-1987). The ABA AIDS Coordinating Committee was created at her suggestion in 1987, and she was a member of that Committee from its creation until 1991. In 1992, she was appointed to serve as the first delegate from the NLGLA to the ABA House of Delegates, and became the first openly lesbian member of that body; she served as that delegate for three years. In 1992 and 1993 , she was nominated by the IRR Section for the ABA national Margaret Brent Women Lawyers of Achievement Award. In 1997, she was nominated for the ABA Thurgood Marshall Award, an award "to recognize substantial and long-term contributions to the furtherance of civil rights, civil liberties, or human rights in the United States". Ms. Rubinfeld also served on the ABA Standing Committee on Solo and Small Firm Practitioners from 1995 to 1997.

In 1992, she was appointed to serve on the Tennessee Bar Association Commission on Minorities in the Profession, the first such body appointed in the state. In 1994 , she was appointed by the Tennessee Supreme Court to serve on a its statewide Commission on Racial and Ethnic Fairness, and served on that Commission until it concluded its work in 1997. She has been a consultant with the National Judicial

College in Reno, Nevada, and is the editor of the AIDS Benchbook published by the College in 1991 for use by state trial judges throughout the country. She is a member of the American Bar Association, the Tennessee Bar Association, the Nashville Bar Association, the Lawyers Association for Women in Nashville, and the National Lesbian and Gay Law Association, as well as a Fellow of the Nashville Bar Foundation.

She is currently (and also was from 1997 to 2003) a Hearing Committee member for disciplinary enforcement by the Board of Professional Responsibility of Tennessee (appointed by the Supreme Court of Tennessee). In 1996, Ms. Rubinfeld was appointed by the Nashville Mayor and approved by the Davidson County Metropolitan Council to serve for two years on the Davidson County Board of Equalization. She was a participant in the Middle Tennessee Community AIDS Partnership, a project of United Way for Middle Tennessee, in the 1990s. She has served on the Professional Advisory Committee of the Nashville Community Foundation since 1996. She has also served on the Advisory Boards of Nashville CARES, a local AIDS service organization, the National Center for Lesbian Rights, a national public interest law firm, and the Franklin Brooks Philanthropic Fund in Nashville. She was a member of the West Group Tennessee Editorial Advisory Board for 1997. In 1994, she became the first openly gay or lesbian individual to be invited to participate in Leadership Nashville, a training program for established leaders in the Nashville community.

In 1990, 1994, 1995, and 1996, Ms. Rubinfeld was named as "Tennessean of the Year" by Qym, Tennessee's then lesbian and gay news weekly. In 1995 and 1996, she was honored by Out Magazine as one of "The Out 100", a list of the "100 most impressive, influential, or in-the-news" gay men and lesbians around the world. She was honored as "Nashvillian of the Year" by Tennessee's Out and About Newspaper in 2004, and further honored by that publication in both 2004 and 2005 as "Businesswoman of the Year". She was also honored as "Activist of the Year" in 2005 by Church Street Freedom Press, Tennessee's weekly LGBT newspaper. In 2004, she received the Transie Award from the Tennessee Vais for her services to the transgender community. She was also honored to receive the 2003 Equality Award from the Tennessee chapter of the Human Rights Campaign.

Ms. Rubinfeld received a J.D. from Boston University School of Law in 1979. While at law school, she helped create the Boston University Gay and Lesbian Law Association. She received an A.B. with honors from Princeton University, and while there, lettered in basketball and crew and was the first woman elected as a class president in more than 225 years of Princeton history. She is also very proud to be the shortest person ever to letter in basketball at Princeton University (a record that will probably never be broken).

PRODUCER:

Hon. Sheila Calloway