



**NOW LEGAL DEFENSE
AND
EDUCATION FUND**

2003 ANNUAL REPORT

opportunities
advocacy
progress
legislation
change

DEAR FRIENDS,

For those of us committed to civil rights and justice for all, this past year has often seemed bleak, indeed. But as you will read in this report, NOW Legal Defense accomplished a great deal. Undaunted, we continued our new and groundbreaking work for women's rights. We helped to turn back formidable challenges that would have undercut gains we fought long and hard to achieve. And we beat back power with truth in the ongoing struggle to prevent an ideological hijacking of our federal judiciary and the imposition of punitive and counterproductive policies designed to limit women's choices and lives, especially for women who already have too few choices.

We've been working hard and we're proud of our achievements:

We launched the Family Initiative: Better Child Care, Preschool and Afterschool. Our vision is nothing less than quality, affordable child care for every family that needs and wants it. Our strategy is to mobilize women from every background and other allied groups to demand that policy makers address this national priority, and to engage parents, corporations and government in a partnership to find a solution. There is no quick fix and so we intend to be in this campaign for the long haul, just as we were for the success of the Violence Against Women Act. We want every one of you to go to the website, www.familyinitiative.org, and sign on. There is no better time than right now.

We have been vigilant in protecting rights already in place. One of the most successful civil rights laws for women, without question, is Title IX, which prohibits sex discrimination in education. Astoundingly, conservatives, through a presidential commission, attempted to eradicate the promise of equality in sports for girls, in favor of, for example, men's wrestling, the House Majority Leader's sport. But the American public, women and girls — men and boys, too — wouldn't let it happen and the public outcry led to a reaffirmation of the goals of Title IX and of the truth that treating girls and women fairly doesn't harm boys and men. It never has. This was a huge victory for all of us and should encourage us to continue to speak out against the minority in America who want to turn the clock back.

We have led the charge to block a White House proposal that would coerce welfare recipients into government-sponsored marriage programs. The best way to fight poverty is clear: provide job training and skills development that lead to good-paying jobs with benefits. Government intrusion into the most private and intimate of life decisions is not the answer. The right-wing leadership wanted to ram this through Congress without a fight, but we haven't let them.

That's not the half of it. In this report you'll learn even more about the progress we're making: winning major civil rights victories in the Supreme Court; eradicating gender bias in the courtroom; standing up for immigrant victims of domestic violence, sexual assault and trafficking; and breaking down barriers for women firefighters. Plus, you'll hear from some of the actual women whose lives we've been honored to touch.

Who does this remarkable work? Our team of incredibly talented, committed and professional employees, interns and volunteers. It is true that we don't have anywhere near the level of material resources that government agencies or major corporations have to mount litigation or campaigns. Our sterling track record, second to none, stands as a tribute to the superb human resources we have attracted to our cause.

We are very pleased that two new, remarkable leaders joined us this year. Jennifer Brown, Vice President and Legal Director, and Lisalyn Jacobs, Vice President for Government Relations, bring to NOW Legal Defense extensive experience in the law and women's and minority rights. They've already demonstrated that they will carry forward our best traditions of excellence and innovation.

But our most important resource is the sustained financial support we receive from you each year. You have earned the satisfaction of knowing that you are making a real difference, for real women, every day. I invite you also to rededicate yourself to our work in the challenging year ahead. Consider that our capacity for progress in partnership with you is limited only by the resources you entrust to us, and let's look to the year ahead as another opportunity to help generations of women attain their aspirations.

Thank you!





FAMILY INITIATIVE: BETTER CHILD CARE, PRESCHOOL AND AFTERSCHOOL

TAKING THE LEAD

NOW Legal Defense believes that all families should be able to find high-quality child care, preschool and afterschool for their children. That is why in June we launched the *Family Initiative: Better Child Care, Preschool and Afterschool*, a campaign to mobilize parents and grandparents, community leaders, employers, unions, and local, state, and national governments, and women across the nation to raise their voices in demanding this long overdue investment in our children and families.

We began our efforts by developing a distinguished National Advisory Commission co-chaired by former Vermont Governor Madeleine Kunin and former U.S. Representative Carrie Meek. The Commission includes top educators and researchers, representatives of the corporate community, union officials, and public policy advocates. Together, we developed a set of principles to guide the initiative. We held focus groups with mothers of young children to learn their opinions and to develop clear, persuasive messages. We published and distributed to political decision-makers an informative booklet on the state of child care, preschool and afterschool in the United States today, and made recommendations for change. Our new website, www.familyinitiative.org, is an action-oriented site where visitors can learn what is happening in their states and at the federal level, find the most up-to-date research, sign on to the Guiding Principles (see page 3) and join in activities to promote the initiative. Finally, on June 17, 2003, we launched the initiative in Washington, D.C., with a standing-room-only briefing for members of Congress and their staffs on Capitol Hill.

Developing a better set of programs is in everyone's interest. Educators agree that the best preschools are invaluable for getting young children ready for school by giving them the social skills and cognitive learning they need. Parents and community leaders know the value of quality afterschool: it keeps youngsters safe and off the streets while enhancing their academic performance. Business leaders know that their employees work more happily and efficiently when their children are well cared for.

With respect to what working families need, we have to catch up to reality. Sixty percent of working women have children, and women are the sole support of a quarter of the households with children. Taking care of the children in these families is not just a personal problem, but a broad social concern. Women — with their multiple responsibilities — are especially attuned to how vital it is for there to be meaningful public investment in children and families. The Family Initiative is therefore reaching out to mobilize women leaders from every walk of life to move the effort forward.

ONE OF OUR OWN

When NOW Legal Defense was creating a publication about our new Family Initiative, we decided to include photos of our own Rosetta Johnson and her daughter, Tyra, (below) whose experiences with child care are typical of the difficulties that many families face.

For Johnson, Senior Accountant, the biggest problem with child care in this country is its cost. "When Tyra was younger, I found it to be very expensive," said Johnson, who paid almost \$700 a month for day care. "Especially if you're a single mother." She noted that the city offers child care subsidies and reduced rates to some parents, but her income was not low enough to qualify.

Tyra is now three and a half, and enrolled in a private preschool at the more reasonable rate of \$300 a month. But the school is not in her neighborhood, another big problem Johnson sees in the child care system. "It's hard to find good child care in your neighborhood," she said. "And you want your kids to have the best education."

Every morning, Johnson and Tyra take the train from their home in Bedford-Stuyvesant to Tyra's school in downtown Brooklyn. After dropping her daughter off, Johnson gets back on the train to go to work in Manhattan.

"Urban neighborhoods, they don't really have good programs," she said. "My daughter will probably always have to commute with me."



CREATING A BETTER FUTURE: SIX PRINCIPLES

The United States must develop child care, preschool and afterschool programs we can be proud of. All parents who want it and need it should be able to choose high-quality care so their children can thrive.

Although parents and children have the most immediate need for improved child care programs, quality child care, preschool and afterschool, inside and outside the home, benefit everyone. If children are to grow into the engaged citizens and productive workers of tomorrow, they need to be well-educated today. Additionally, quality child care is vital to today's economic growth — it enables parents to contribute to the support of their families and be productive workers.

Given the vital function it plays in our society and our economy, child care deserves greater public investment. Meeting the child care challenge requires the partnership of parents and grandparents, community leaders from all sectors, employers, unions, and local, state and national government.

Today, we have fragmented programs and policies. How families care for their children is often not determined by what parents think best, but by luck and a family's particular circumstances. These include the cost of available care in the state and/or locality (and whether there has been state or local investment), lack of high-quality options in some communities, the family income, whether an employer contributes to care (nationwide, employers pay for 1% of child care), and parents' access to referral networks.

To assure that all families can afford the quality care their children need, there must be increased resources for providers and parents.

We adopt the following values and principles to guide our efforts to create a new framework for child care, preschool and afterschool:

Quality care for children benefits the whole child. Education and preparation for school achievement; social, emotional and physical development; and safety and security are an integrated whole.

Quality care for children benefits the whole family. Families need a full range of meaningful choices: support for in-home care in the earliest years through expanded, paid parental leave or children's tax credits; family- and center-based child care and universally available preschool offered both inside and outside the public schools; and afterschool and summer care for older children.

Local networks of care must be as seamless as possible to provide all families with flexible hours that match today's patterns of work and family life.

Quality care and education of children is skilled and challenging work. Those who do it deserve public respect, equitable compensation, opportunities for career development, and the right to have a voice at work through an association or union of their choice.

An affordable quality system requires a funding partnership that includes investment by the federal government (for both tax and program initiatives), state and local governments, and employers, together with parents.

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GATHERING STRENGTH: WORKING FOR IMMIGRANT WOMEN

Not all victims of violence have the same avenues for support; immigrant women and their children are particularly vulnerable. NOW Legal Defense's Immigrant Women Program (IWP) strives to enhance the legal rights and basic economic security of this traditionally underserved group.

It has been a year of success and transition for IWP. We have expanded our work beyond domestic violence to include a focus on immigrant victims of trafficking and sexual assault. The Justice Department's Violence Against Women Office (VAWO) awarded IWP our largest grant to date: \$600,000 to support training, technical assistance, and materials development work for 18 months.

TRAINING THE GOVERNMENT AND VICTIM ADVOCATES

To help immigrant victims of domestic violence, sexual assault and trafficking, it is integral that prosecutors and police have the necessary tools, as well as a specific expertise, in working with immigrant victims. This was a significant focus of IWP's training work this year. We collaborated with the Battered Women's Justice Project and the American Prosecutors Research Institute to develop the first national training series for law enforcement officials. IWP staff members were active in planning and serving as expert faculty for 83 workshops at 34 conferences in 14 states. Many of these conferences drew nationwide audiences.

We also offered a first-time training for state grant administrators responsible for funding domestic violence and sexual assault programs. The goal was to ensure that programs that serve immigrant victims receive a fair share of Violence Against Women funding and to establish a base of trust in the immigrant communities they serve.

Other training highlights included the first training for any branch of the U.S. military on immigrant victims' legal rights, conducted for the United States Navy. In addition, IWP gave presentations on immigrant women's issues at the Woodrow Wilson International Center for Scholars.

ENDING VIOLENCE

IWP serves as co-chair of the National Network to End Violence Against Immigrant Women. This year, we spearheaded the implementation and planning of the Network's National Conference and Midwest Regional Training.

The 8th National Conference, held in August in Miami, was attended by more than 475 participants, including 250 VAWO grantees. Over 125 people attended the Midwest Regional Training in Chicago on May 5-6 2003, including representatives of the Bureau of Citizenship and Immigration Services at the Department of Homeland Security. Their involvement as faculty members provided us with an opportunity to join together in developing means to move protections for immigrant victims forward.

WORKING WITH CONGRESS AND HUD:

- IWP gained improved access to food stamps for immigrant working families. We also rewrote language in the 2003 Omnibus Appropriations bill outlining Congress' intent to guarantee access to public and assisted housing programs to battered immigrants. The bill further directs the INS to centralize, and therefore speed, the processing of violence against women cases.
- We worked closely with the Department of Housing and Urban Development in developing policy about access to housing for and protection of domestic violence victims. In addition, we helped draft *amicus* briefs on behalf of immigrant victims who were denied VAWA protections and threatened with deportation.

Thanks to the Violence Against Women Act, more than 20,000 immigrant victims of domestic violence, along with their children, have received protection status since 1996.

FIGHTING ON THE FRONTLINES

When activist Kate Kahan (right) first applied for welfare, she was six months pregnant and just out of high school, with little to no job experience. "I was denied assistance due to the fact that I had seven dollars too much in my bank account," Kahan testified to the Senate Finance Committee last year. With nowhere else to turn, she married the father of her child, only to leave less than two years later, after the relationship became abusive.

Kahan says that scenario of single parenthood, poverty, and abuse is still typical of many women on welfare today, and that coercing those women to marry will not help them to leave violent relationships or escape from poverty. For Kahan, a work-study job and a college education, which she completed while on welfare, gave her the knowledge and experience to improve her situation.

"Marriage was not the solution to my poverty or my son's poverty," she says. "If I had not left that violent home, I can assure you that I would not be here today."

Where Kahan is today is Missoula, Montana, where she serves as executive director of the grassroots organization WEEL (Working for Equality and Economic Liberation). Founded in 1996 in response to welfare reform, WEEL is one of NOW Legal Defense's coalition partners on welfare reform. "WEEL informs us about issues on the local level, and we're able to inform them about what's going on in Washington," says Senior Staff Attorney Sherry Leiwant of the partnership, which Kahan calls "an incredibly positive experience."



SPEAKING TRUTH TO POWER

In February, IWP Director Leslye Orloff (left) testified at a Congressional hearing to re-examine New York City's "sanctuary policy," which prohibited city workers, including police officers, from revealing immigration information to federal authorities unless the immigrant had committed a crime.

Orloff used the story of Lucia, an undocumented immigrant married to a U.S. citizen, to illustrate the consequences that would ensue if the policy were officially revoked. Lucia's husband abused her, then threatened her with deportation if she reported him. "Her fear of being deported was so great that she chose to put up with the beatings," Orloff said. "We see this happening all over the country."

New York's policy has been under debate since a 1996 federal law made it illegal for states to prohibit their employees from reporting immigration information to the INS. In response to increasing pressure, Mayor Michael Bloomberg signed a new executive order in May 2003, which he claimed would still protect immigrants by prohibiting city employees from enquiring into immigration status unless it were relevant. However, unlike other "don't ask" policies, such as the one in Seattle, New York's order did not apply to police officers. By press time, Mayor Bloomberg, citing the dangers to domestic violence victims among other groups, had reconsidered, signing a new executive order, one that offered broad, new privacy protections to immigrants.



IN THE COURTS, ON THE HILL, ON MAIN STREET

SUPREME COURT VICTORIES

NOW Legal Defense makes a special point of participating in cases before the United States Supreme Court that are of particular importance to women's rights. Sometimes, our greatest contribution to advancing the law comes through our role as a "friend of the court," when we submit an *amicus curiae* legal brief that focuses the Court's attention on arguments not fully made by the actual parties to the case.

In *Nevada Department of Human Resources v. Hibbs*, our brief documented how state government employers used sex role stereotypes to deny women job opportunities that the states viewed as incompatible with motherhood and to deny men leave time needed to care for family members.

Our brief in *Lawrence v. Texas* — a challenge to a Texas law that criminalizes some sexual acts but only between same-sex couples — demonstrated how the statute is unconstitutional under the Supreme Court's firmly established precedents against sex discrimination. This analysis helped the Justices to see discrimination against lesbians and gay men within the framework of established law, defusing claims that proponents of equal treatment are asking the Court to establish "new" rights.

FEDERALISM

We have continued our efforts to raise public awareness of a campaign to pack the federal courts with lifetime appointments of activist, extremely conservative judges. And we've shined a light on decisions by the conservative majority of Supreme Court Justices to undermine Congress' power to protect civil rights and individuals' power to enforce them. We see cause for hope. Our far-reaching victory in the Supreme Court case *Nevada Department of Human Resources v. Hibbs* bears that out. But litigation is just one of the many tools we use to persuade the media and to educate the public about threats to our hard-won civil rights and, in particular, to women's rights, and to that end we have worked successfully with other progressive groups in developing messages that resonate with voters.

Much of the messaging work has been based on our well-received report "Toward a More Perfect Union: Understanding and Countering the Federalism Revolution." The report analyzes the so-called Federalism Revolution through five "lenses" or perspectives: states' rights, restrictions on Congressional power, restricted access to the courts, opposition to civil rights, including of course, women's rights, and finally what may be its most important motivation, rollback of government regulations in general and the goals of the Great Society and even the New Deal. As a result of our public education and litigation efforts and growing general awakening to the true ideological underpinnings of the radical right, both in the courts and in the political arena, more and more opinion leaders are asking tough questions about the directions in which the Bush administration and its judicial allies are leading the country.

EQUAL OPPORTUNITY FOR TRADESWOMEN

Our client Nancy Mahl is one of only a handful of women who work in all of New York City as elevator mechanics. While she has found personal and financial rewards on the job, she has



VIOLENCE AGAINST WOMEN ACT

Before NOW Legal Defense helped draft the 1994 Violence Against Women Act, legal barriers, along with gender bias on the part of judges, prosecutors and police officers, made it hard for victims to come forward and receive fair treatment.

VAWA changed all that, which is why it is one of our proudest achievements. The law gave survivors of violence needed protections. It funded rape crisis centers and shelters. It transformed public attitudes with prevention and education programs.

The comprehensive approach is working. According to the U.S. Department of Justice:

- From 1993 to 2001, the number of reported rapes and sexual assaults is down by half
- Over the same time period, nonfatal domestic violence incidents have dropped by almost half
- \$185M each year has been authorized for STOP grants: Services and Training for Officers and Prosecutors
- \$40M each year now funds legal assistance for victims
- \$80M each year supports rape prevention and education programs
- VAWA established the only nationwide Domestic Violence Hotline

But our work is nowhere near done. Nearly 600,000 instances of intimate partner violence and 250,000 sexual assaults occur each year.



EMPLOYMENT RIGHTS FOR WORKFARE PARTICIPANTS

Local governments for many years have required some welfare recipients to work in municipal jobs in order to receive their benefits. NOW Legal Defense represents several women who sought redress for sexual harassment by their “workfare” supervisors, only to be told by the City of New York that Title VII, the federal law prohibiting employment discrimination based on sex, race, color, national origin or religion, did not apply to them. We represent individual clients in two cases, *Colon v. City of New York* and *United States v. City of New York*. These cases — now before the Second Circuit Court of Appeals — are the first since the 1996 overhaul of the welfare system to consider whether a welfare recipient, required to work in order to receive cash benefits, is an “employee” with legal protection against workplace discrimination. We think that no matter where you work, you are entitled to be free of harassment. Given the likelihood that welfare reauthorization will encourage more states to create workfare programs, the case has nationwide significance.

ERADICATING VIOLENCE AGAINST WOMEN

NOW Legal Defense runs an extensive, multi-dimensioned program to redress the devastating impact of violence against women, particularly domestic violence, sexual assault, and stalking. We help individual survivors of violence find shelter; we go to court for women who have lost jobs or homes due to violence; we help train police, lawyers and social service providers about the rights and benefits available to battered immigrant women; and we work with state legislators and members of Congress to forge improved legal protection.

In a notable victory for our EHRSA (Employment and Housing Rights for Survivors of Abuse) project, a Massachusetts court ruled that a woman who alleges she was terminated from her employment because she missed work to pursue legal remedies against her abusive husband could sue her employer for wrongful discharge in violation of public policy. In stirring terms, the judge wrote, “The public policy interests here are primal, not complex. [A] victim should not have to seek physical safety at the cost of her employment.”

Violence motivates a large percentage of the calls and e-mails fielded by our Public Education and Outreach staff, while visitors to our website get practical help in multiple languages on topics ranging from designing workplace policies that enhance the safety of domestic violence survivors to getting access to unemployment insurance if violence forces you off the job. Increasingly, we hear from state legislators eager to adapt our model legislation that prohibits employment and housing discrimination against victims of violence for use in their states.

also experienced sexual harassment from a supervisor, endured pay and overtime inequities, and faced isolation that has limited her training and advancement opportunities. As co-counsel, we represent Ms. Mahl in a lawsuit against her employer, one of the largest elevator companies in the world. This suit and others like it send the message that NOW Legal Defense is here to enforce the law of equal opportunity for every woman in whatever job she chooses.

A POLICY OF PROGRESS

In the policy arena, taxes, federal and state budget deficits, and homeland security threatened to eclipse all else on Capitol Hill. Nevertheless, NOW Legal Defense successfully focused attention on some of our key issues, such as violence against women, the need for child care, and the administration's efforts to position marriage over education and training as a tool to fight poverty in the welfare reauthorization debate. We also raised our voices along with others against the dismaying exclusion of low-income families from tax cut benefits.

Despite hopes that welfare reform would be completed by early 2003, our work on reauthorization of the Temporary Assistance to Needy Families (TANF) program continued through the new term. At the high-profile event, "Stand With Sisters," featuring actors Danny Glover and Tim Robbins, Kathy Rodgers spoke out against coercive marriage promotion, showing evidence linking domestic violence to poverty. We have continued the marriage promotion battle in the media, keeping our opponents on the defensive by debating them on TV and radio. We've been on the inside as well, working with Senate members to provide language that would improve the draconian bill passed by the House. And as chair of the Building Opportunities Beyond Welfare Coalition, we drafted a letter signed by more than 100 organizations expressing the views of the advocacy community.

We continued to lead the way on anti-violence issues. We laid the groundwork for the Victims' Economic Security and Safety Act (VESSA), our bill that addresses workplace treatment of survivors and which will likely be introduced in the 108th Congress. After providing dramatic testimony to the Senate, we furthered our public education efforts with news coverage in the *Los Angeles Times* and *USA Today*.

NOW Legal Defense has also helped frame the debate around the Unborn Victims of Violence Act. Our position favors enhanced penalties for crimes resulting in harm to pregnant women rather than criminalizing acts against a broadly defined "unborn child."

We chair the National Task Force to End Sexual and Domestic Violence Against Women. Our task force has begun work on the reauthorization of the Violence Against Women Act (VAWA), which expires in 2005. As chair, we are managing the creation of the first draft of the advocates' version of VAWA III, and Capitol Hill staffers regularly seek our expertise.

We have participated in strategy meetings with allied organizations on the reauthorization of the Workforce Investment Act, focusing on job training services and nontraditional employment, such as women in the construction trades and municipal services.

In addition, we have successfully fought challenges to Title IX and made our voices heard on critical topics as such as reproductive choice, hate crimes, and judicial nominations. We have issued several reports on particularly dangerous judicial nominees, and continue to educate women on the significance of federalism issues.



BUILDING A VICTORY: THE HIBBS BRIEF

The *amicus* brief that NOW Legal Defense filed in *Nevada Dept. of Human Resources v. Hibbs* (plaintiff William Hibbs, above) was "more work than any brief I've done here," says Wendy Weiser, Staff Attorney. Weiser, a co-author, spent two months working on the brief, which proved to play a crucial role in the victory. Filed with the help of pro bono attorneys from Simpson, Thacher & Bartlett on behalf of women's history scholars, it documented a history of sex discrimination in state family leave policies, strengthening the argument that this discrimination was pervasive enough to allow Congress to override the states' authority. "We focused on trying to show there was a sufficiently egregious pattern of discrimination by states," Weiser says. "This turned out to be the issue the Court's opinion turned on."

Since this was the first time that the Family and Medical Leave Act had been challenged, research was key. The lawyers relied on pro bono assistance to defray the costs of inter-library loans and other expenses, and utilized the scholarship of their clients, who included history professors Alice Kessler-Harris of Columbia University and Linda Kerber of the University of Iowa. "We put in a tremendous amount of work gathering the information that the states' family leave policies were inadequate," Weiser says, "and that paid off."

TOOLS FOR CHANGE: EXPLORING INTERNATIONAL LAW

Since the 1990s, NOW Legal Defense has been working to incorporate international human rights law into our domestic law. Although the United States was once a global leader in human rights, says NOW Legal Defense Legal Director, Jennifer Brown, in many ways other countries have now surpassed us on this front. "You can't get very far into this without feeling that the United States is being left behind in the dust," Brown says. As a result, NOW Legal Defense has urged our courts to look to international comparative law as a guide on issues such as affirmative action and gender equality, one of the first domestic civil rights organizations to do so.

Although the U.S. Supreme Court has traditionally been reluctant to consider international law, its recent rulings in high-profile cases on affirmative action and lesbian and gay rights provide some new hope. In the affirmative action cases *Gratz v. Bollinger* and *Grutter v. Bollinger*, NOW Legal Defense filed an *amicus* brief arguing that international treaties and the decisions of other countries' courts were relevant and valuable in assessing the programs at issue. "Our brief argued that human rights law is a body of law that the Court should look to, and some justices did," says Staff Attorney Wendy Weiser, who co-authored the brief.

In *Grutter*, Justice Ginsburg's concurrence, signed onto by Justice Stephen Breyer, referenced international treaties to show that the Court's decision was consistent with the international understanding of affirmative action as a temporary remedy. In her dissent in the undergraduate case, *Gratz*, Justice Ginsburg again referenced international treaties to support the argument that a distinction should be made between policies designed to promote discrimination and those designed to end it, the same argument we made in our brief.

Even more significantly, conservative justice Anthony Kennedy drew on an international context in the Court's majority opinion in *Lawrence v. Texas*, another case in which NOW Legal Defense filed an *amicus* brief. Kennedy brought up actions by the British Parliament and the European Court of Human Rights to refute the notion that Western law has uniformly condemned homosexuality. The newly created European Court of Human Rights, which Brown calls "an international body with clout," had never before been mentioned in the text of a U.S. Supreme Court decision.

"You can't really avoid the implication that our Court ought to have been paying attention to what other courts were thinking in deciding this case of fundamental human rights, and that's a very unusual thing coming from any court in the United States," says Brown, who calls the decision "striking."

Each time international law is mentioned in a Supreme Court decision, it encourages others to press the issue, Brown adds. "In the Michigan cases, ours was the only brief to raise the issue of international law," she says. "I think the *Lawrence* decision is going to drive a lot more interest."



PROMOTING PROGRAMS, PROMPTING DEBATE

Most of our communications efforts involve shining a spotlight on NOW Legal Defense's well-earned achievements.

We have pushed the issue of discrimination against victims of domestic violence into the public consciousness with prominent coverage in the *Los Angeles Times* and *USA Today*.

When many hesitated to challenge the administration on government-funded marriage promotion as part of welfare reform, we chose public forums on Fox News and MSNBC to battle the radical right, and organized a high-profile media event featuring Danny Glover and Tim Robbins.

And we made a sizeable splash in the mainstream media with the launch of our Family Initiative.

At other times, however, the Communications team works behind the scenes to advance issues the organization cares deeply about. Nowhere has this strategy been more effective than in the Women Rebuild program, NOW Legal Defense's effort to reach a critical mass of women working in such nontraditional fields as the construction trades and municipal services.

In February, for example, Communications had great success in publicizing the launch of a partnership brokered by NOW Legal Defense between the Fire Department of New York and Town Sports International, parent company of the New York, Philadelphia, Boston, and Washington Sports Clubs. The goal was to train women firefighter candidates for FDNY's physical abilities entry test. Remarkably, Robert Giardina, Town Sports' CEO, didn't hesitate in investing more than \$4 million in the program. Communications was able to use the stories of Town Sports' generosity and expertise, along with the dramatic stories of the women who participated in the training, as a media vehicle to raise the profile of firefighting as a career option for women.

Similarly, in April, Communications lent its media expertise to the 10th International Women in the Fire Service Conference in Denver, where more than 500 attendees participated in hands-on workshops. Front-page print stories, TV interviews in Spanish and English, and drive-time radio broadcasts devoted to women smokejumpers, wildland, and structural firefighters went a long way in dispelling the myth that women can't take the heat.

In June, tradeswomen were front and center at the second annual meeting of Tradeswomen Now and Tomorrow (TNT). Communications helped the group take advantage of the Washington, D.C. venue by organizing a lunch on Capitol Hill, sponsored by Sens. Hillary Clinton, Patty Murray, and Susan Collins. As keynote speaker, Sen. Clinton pushed for the inclusion of women in the rebuilding of New York and at other federal job sites across the nation.

As we continue to work on these and other issues, Communications will maintain NOW Legal Defense's prominent position as an advocate for women and a voice for their concerns.



Photos, clockwise: Effective media advocacy relies on many tools such as shaping coverage for a national conference of women firefighters; finding ways to help women train for nontraditional jobs; persuading legislators, like Sen. Hillary Clinton, to raise the profile of women in hard hats; and calling in star power like actors Danny Glover and Tim Robbins to join Kathy Rodgers in the fight against harmful welfare reform measures.

PUSHING THE ISSUES



GENDER JUSTICE IN THE COURTS

Thanks to the on going efforts of the National Judicial Education Program (NJE), state chief justices nationwide have appointed task forces to investigate gender bias in their own court systems. This past year, for example, a Pennsylvania Supreme Court committee released a report in which it found “racial, ethnic and gender bias still emerge as significantly affecting the way an individual...is treated.” We were not surprised. As new personnel come to the bench and the bar, they must be educated, particularly about cases that involve domestic violence and rape.

For just that reason, NJEP, through funding from the Department of Justice Office on Violence Against Women, has created training programs and videos, such as *Understanding Sexual Violence: The Judge’s Role in Stranger and Nonstranger Rape and Sexual Assault Cases*, a four-hour taped curriculum, and *Presenting Medical Evidence in an Adult Rape Case*, a two-hour video released last May.

In addition, NJEP began production of the second volume of its Prosecutor Video Library, a primer on the direct examination of the nonstranger rape victim. This teaching tool includes professionally acted demonstrations of courtroom testimony (as in the scene above), interviews with victim impact experts, and commentary from sex crimes prosecutors from around the country.

Child custody is another area of concern to NJEP. Too often, supposedly neutral evaluators cling to outmoded stereotypes of parenting roles while they ignore issues of domestic violence in the home. NJEP Director Lynn Hecht Schafran addressed these situations in “Evaluating the Evaluators: Problems with ‘Outside Neutrals,’” an article published in the Winter 2003 issue of *The Judges’ Journal*. In response, Mary Rothwell Davis, Principal Court Attorney for the Integrated Domestic Violence Court in Bronx County, New York, wrote, “We struggle with this issue daily and I have never seen it laid out so clearly and with such good guidelines...we’re going to redo our orders to track a lot of these recommendations.”



NONSTRANGER RAPE, REALITY CHECK

Lynn Hecht Schafran, Director of the National Judicial Education Project, is as comfortable on camera as in the courtroom. As she was on a recent appearance on ABC’s “Nightline” (above), Lynn is often asked to comment on issues involving nonstranger rape. Among the many misperceptions about rape and those who commit it, she says, are that a “real victim” will be bruised and beaten and will immediately report the crime, and that the rapist will be a stranger who looks nothing like the college boy next door. In truth, few victims sustain visible physical injuries and most never report the assault; those who do rarely come forward right away. Also, the majority of rapes are committed by someone known to the victim and who may well be the college boy next door.

SPECIAL EVENTS

Our fundraisers — the BUDDY (Bringing Up Daughters Differently) luncheon, Equal Opportunity Awards Dinner, and Aiming High luncheon — raised \$2,000,000, providing crucial support for our programs.

The 12th **BUDDY** luncheon, held in Los Angeles in October, honored the achievements of four extraordinary women and the families who provided the support, encouragement, and guidance. Individual honorees included: Gisselle Acevedo-Franco, Vice President Public Affairs, *Los Angeles Times*; Sumi Haru, producer, Los Angeles City Cultural Affairs Department; Molly Munger, founding partner, English, Munger & Rice, and Holly Robinson Peete, actor. For the first time, we were privileged to honor a company, Deloitte Consulting, for its inspired leadership in advancing women's careers. Manoj P. Singh, Managing Director for the Americas, accepted the award for Deloitte.

Our premier fundraising event of the year, November's **Equal Opportunity Awards** Dinner, raised a record \$1,167,000. We were pleased that Lainie Kazan acted as emcee as we celebrated the leadership of Val Ackerman, President, Women's National Basketball Association; Robert Essner, President and CEO, Wyeth; and Terry J. Lundgren, CEO, Federated Department Stores, Inc. The dinner's continued success as a must-attend in New York's crowded events calendar is due to our hard-working volunteers who have served as co-chairs for many years: Ina Drew, Managing Director, JP Morgan Chase & Co.; Stephanie George, President, *In Style*; Robert Iger, President and COO, The Walt Disney Company; Richard Jay Kogan, Chairman and CEO, Schering-Plough Corporation; James B. Lee, Jr., Vice Chairman, JP Morgan Chase & Co.; and Ivan G. Seidenberg, President and CEO, Verizon Communications.

Established just three years ago, the **Aiming High Luncheon** — A Celebration of the Power of Women — set a financial precedent this past March. The sell-out audience of 550 paid tribute to our powerhouse honorees: Maria Elena Lagomasino, Chairman and CEO, JP Morgan Private Bank; Dawn Gould Lepore, Vice Chairman of Technology, Operations, and Administration, The Charles Schwab Corporation; Judy C. Lewent, Executive Vice President & Chief Financial Officer and President, Human Health Asia, Merck & Co., Inc.; Pearl Meyer, President, Pearl Meyer & Partners; and Stephanie B. Mudick, Executive Vice President and Chief Administrative Officer, Global Consumer Group, Citigroup, Inc. Along with our honorees, we were fortunate to have a dedicated and high-energy Benefit Committee that raised \$657,000. Special thanks to Karen Kaplowitz, a founding co-chair of Aiming High, for this resounding success.

In addition, NOW Legal Defense conducted a **Supreme Court Press Briefing** in September and sponsored its third annual **Ruth Bader Ginsburg Distinguished Lecture on Women and the Law** in November.

The briefing, held at the National Press Club in Washington, D.C., gave reporters insight into how this year's court docket could impact women's rights, and was attended by journalists from *The New York Times*, the *Houston Chronicle*, *Legal Times*, and other publications. We presented cases involving civil rights and equality, as well as the threat that the Court's trend towards federalism poses to women's rights, civil liberties, and congressional power.

NOW Legal Defense President Kathy Rodgers opened the Ruth Bader Ginsburg Lecture, describing it as "the signature event for New York's women lawyers." In this year's lecture, Harvard Law School professor and former NOW Legal Defense board member, Lani Guinier, urged a rethinking of traditional notions of power as it relates to race and gender. "There are alternative sites of power that we should be exploring — 'power with' rather than 'power over,'" she said. Guinier's speech was preceded by a panel discussion, moderated by NOW Legal Defense Legal Director Jennifer Brown, on the relationship of women in non-traditional roles to power.




Terry J. Lundgren, Federated Department Stores, Inc.,
Stephanie George, *InStyle*



Justice Ruth Bader Ginsburg



Professor Lani Guinier



Stephanie B. Mudick, Citigroup, Inc.
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FINANCIAL INFORMATION

	Year Ended June 30, 2003	Year Ended June 30, 2002
Income		
Major Gifts	747,493	794,749
Corporations and Foundations	802,968	1,349,817
Government Grants	1,255,000	1,350,000
Direct Mail Income	544,242	528,021
Legacies and Bequests	974,130	20,439
Special Events	1,738,150	978,365
Other Income	1,147,930	650,213
	7,209,913	5,671,604
Expenses		
Violence Against Women	393,853	501,544
Public Information and Education	351,776	470,531
Economic Justice	505,899	931,596
Child Care	467,657	409,734
Gender Fairness in the Courts	840,489	804,374
Women, Policy and Media		439,980
Immigrant Women Program	606,834	467,468
Program Planning and Organizational Development	654,514	448,771
Communications	665,775	465,861
Management and General	640,469	600,834
Fundraising	1,262,579	1,292,863
	6,389,845	6,833,556
Net Revenue	820,068	(1,161,952)
Fund Balance July 1	4,980,901	6,142,853
Fund Balance June 30	5,800,969	4,980,901

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