

# THE EQUAL TIMES

Women's Rights. Nothing Less.



## FAMILY MATTERS

*Family. The meaning of the word has changed over time, and means different things to different people. But regardless of the definition, families remain a central part of women's lives. All of us have families – some that we are born into, others that we create for ourselves.*



Since we began our work in 1978, we've fought to ensure that women have the right to decide when and how to form and maintain their families. As we look forward to 2012, we are excited by the opportunities to continue advancing this fundamental right.

Throughout the country and the Northwest, marriage equality remains one of the most high-profile battles for equal treatment of all families. We have always believed that LGBT couples must have the same right to civil marriage as different-sex couples. That's why we joined with our allies in 2004 to file the first lawsuit challenging Washington's so-called "Defense of Marriage Act" that restricts marriage to a man and a woman. Although we narrowly lost that case in the Washington Supreme Court in 2006, since then we have won a string of victories to move closer to the goal of full equality for LGBT families.

Between 2007 and 2009, we worked each year to pass legislation to create and expand Washington's domestic partnership law. When opponents of equality sought to put the matter to a public vote in 2009, we helped win voter approval of Referendum 71 to preserve the law. In the 2011 legislative session, we built on our success by winning passage of a bill to revise Washington's Uniform Parentage Act, which now recognizes that LGBT parents and their children must be treated the same under the law as other families.

And now, five years after the heartbreaking loss in the Washington Supreme Court, public support for marriage equality is moving steadily toward where we have been from the start. While we strongly believe that civil rights should not depend on majority rule, the growing public support for marriage equality in Washington provides a compelling opportunity to push for full marriage equality in the legislature.

Why do we care so much about marriage equality? It's not just because it's the right thing to do for the millions of women who are in committed relationships with other women. It's also because the fight for marriage equality is inextricably linked with our fight for women's rights. Just as no one should be denied equal treatment because of their gender, no one should be denied equal treatment because of the gender of the person they love. At bottom, discrimination based on sexual orientation is discrimination based on sex. As a result, LGBT equality must remain one of our core missions.

But of course, marriage equality is only one of many battles we are fighting to ensure that all women have the right to form and maintain their families. Some of our recent victories and initiatives include:

- We joined with our allies to win passage of a Paid Sick and Safe Days ordinance in Seattle to help ensure that women do not have to choose between keeping their jobs or caring for themselves and their families.

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## FAMILY MATTERS (CONTINUED)

- We sued and won a six-figure verdict for a woman in Eastern Washington who was fired from her job shortly after she gave birth because her employer thought her family responsibilities would negatively impact her job performance.
- Under the leadership of our new Equal Justice Works Fellow Lillian Hewko, we are increasing our advocacy for the rights of incarcerated women – one of the most vulnerable and underserved populations of women – to preserve their relationships with their children.

And we will never stop fighting for reproductive freedom for all women. Later this month, we will be in trial in U.S. District Court in Tacoma to preserve Washington's rule that requires pharmacies to fill all legal prescriptions, including emergency contraception.

We couldn't do any of this work without your support. And you can be sure that we won't stop until women – *all* women – have the right to decide when and how to form and maintain their families.

## DID YOU SEE THEM RACE TO THAT CAKE?!

If you were at the Legal Voice auction this year you got to see some very enthusiastic friends and supporters dash to their favorite dessert during the Auction! **Thank you** to all of our friends, fans, sponsors and colleagues who came out and made this evening so much fun on Saturday, September 24th. We even had a few of our favorite women who made history – like Amelia Earhart, Cleopatra and suffragettes – join us for the evening. With your help we raised more than **\$80,000!** Guests dashed away with trips to France, theatre getaways in Ashland, homemade dinners, house parties, and more! Save the date for next year's Auction – **Saturday, October 13, 2012.**



## COMING SOON!

After much hard work and dedicated research, the Legal Voice Senior Handbook will be available in digital and printed format after the first of the year. To join our mailing list to be notified of its release, email [info@LegalVoice.org](mailto:info@LegalVoice.org)

# WOMEN'S BILL OF RIGHTS UPDATE



*Women have the right to economic equality and independence.*

For years, Legal Voice has been working to improve workplace policies so they better account for the realities of the lives of working women and their families. And this fall, we celebrated another success at improving economic justice for working women: **Passage of a Paid Sick and Safe Days law!**

As a key member of the **Seattle Coalition for a Healthy Workforce**, Legal Voice worked to shape this landmark legislation that provides workers in Seattle, as well as those who live outside, but work in Seattle, access to paid sick and safe days.

Why did we fight so hard to get this ordinance on the books?

It's a fact that family members – especially kids and elderly relatives – get sick. That's life. And when they do, their parents, guardians or caregivers must take unpaid time away from work. Disproportionately, workers in low-wage and part-time jobs lack paid sick days, and women are far more likely than men to hold such jobs. Paid sick and safe days help workers and businesses alike to stay healthy, without sacrificing workers' ability to both do their jobs and care for themselves or their family members when they're ill.

The new law will also enable victims of domestic violence, stalking, and sexual assault who live or work in Seattle to take time off without jeopardizing their economic security. Economic independence is a key predictor in whether a victim of domestic violence will separate from his or her abuser, and nearly half of sexual assault survivors lose their jobs or are forced to quit. With paid safe days, victims of gender violence won't need to make the difficult choice between keeping their jobs or keeping their families safe.

As one of the **strongest paid sick days laws in the country**, Seattle's ordinance sets the bar for other progressive workplace laws that can help workers in this struggling economy. Legal Voice is proud to have helped lead the effort to establish a standard that will help working women!

*Women have the right to equal treatment and to be free from discrimination.*

We at Legal Voice believe all women should have access to the courts, regardless of their ability to pay fees. Unfortunately, however, this belief is often not borne out on the ground, in the courts. While courts have the discretion to waive filing fees and other fees and surcharges imposed on litigants, for many years, courts have applied this discretion inconsistently. As a result, litigants have been turned away at the courthouse door based solely on their lack of ability to pay. This problem occurs frequently in family law cases. For example, for women who need to use the court system to escape abusive relationships. **Failure to waive these fees denies low-income litigants access to our courts and is a violation of due process under the 14th Amendment.**

The situation has become particularly critical recently, as the downturn in the economy has forced courts to search every corner for ways to alleviate their own budget problems. In December 2010, Washington courts adopted a new rule, General Rule 34, that establishes the process by which courts may waive civil filing fees and surcharges. GR 34 applies to all mandatory fees and surcharges that are required to be paid before a litigant may access relief from the courts.

Despite the new GR 34, however, courts around Washington State are still unlawfully requiring poor litigants to pay fees and other court charges, such as surcharges for court-required family law seminars in dissolution cases. Some people make the difficult choice to forgo paying the rent or buying food for their families so they can at least start the legal process. Sometimes the court defers the fees and allows people to file their cases, but then refuses to close the case until the litigants pay all deferred fees.

**The solution to court budgetary woes simply cannot rest on the backs of the most vulnerable, low-income members of our communities.** Therefore, Legal Voice is working with other advocates to monitor local court practices statewide. And Legal Voice is prepared to fight to ensure that no one is denied her constitutional right to use the courts simply because she cannot afford to pay the court fees.

**SAVE THE DATES!**

*Cocktails for a Cause, Thursday, March 29, 2012 • Legal Voice Auction, Saturday, October 13, 2012*

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