

# SACLEGAL NEWSLETTER

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## Special points of interest:

- Don't forget to renew your membership online at [www.saclegal.org](http://www.saclegal.org). Membership must be renewed every year.
- Join as a sustaining attorney member and receive an online link to your firm.

## PROP 8 SAUSAGE FACTORY

By Jeffrey E. Proske  
About.com: San Francisco,  
March 2009

Excerpted with permission from About.com: San Francisco <http://sanfrancisco.about.com/od/gaylesbian/a/prop8hearing09.htm>

Who has the right to get married in California, and who does not? Is marriage a fundamental right that needs protection under the law? Who gets to decide?

The seven Justices of the California Supreme Court heard these and many other equally vexing questions during three breathless hours of oral argument in the Proposition 8 cases in San Francisco on March 5<sup>th</sup>, 2009.

The veneer of simplicity in the language of Prop 8 belies a battle of wills between cul-



Protest in Sacramento at State Capitol after November 4 election. Photograph by Trish Eichar.

tural forces that has been generations in the making. That battle was dramatically displayed in the streets surrounding the Supreme Court, where hundreds, if not thousands, of partisans on both sides had gathered to voice their views. They spilled out on the courthouse steps and into the plaza across the street under the watchful  
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## MEMBER SPOTLIGHT: R. TODD VLAANDEREN

Each newsletter we feature a different SacLEGAL member. This month our Member Spotlight focuses on SacLEGAL member R. Todd Vlaanderen.

Todd was born in Utah and raised in California, Colorado, and Idaho. He graduated from Boise State University in 1984 and returned to California in 1986. He entered McGeorge School of Law in

1993 as an evening student. After graduating from McGeorge in 1997, Todd opened his own law office practicing in the areas of family law, probate and estate planning. In 2001  
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## LAMBDA LAW STUDENTS CLINIC

The Sacramento Gay and Lesbian Center is home to the Lambda Referral Clinic. Twice a month, the clinic is staffed by volunteer law students from U.C. Davis School of Law and the University of the Pacific, McGeorge School of Law who offer legal referrals to drop-in clients in many areas of law.

Due to an increase in hate crimes in the greater Sacramento area, we now have a separate form for victims of hate crimes who need legal assistance.

We are looking to update our referral list with attorneys who are willing to take referrals in the following areas: Discrimination (Employment, School and Housing), Family Law, Criminal Referrals, Estates/Wills/Probate, Domestic Partnership, Landlord/Tenant, Domestic Violence/Harassment/Restraining Order, Police Issues/Government Complaints, Bankruptcy/Debt, Personal Injury, Transgender Issues, Disability, and Immigration.

Please contact Brooke Harris at [bsharris@ucdavis.edu](mailto:bsharris@ucdavis.edu) or Kate Mitchell at [k\\_mitchell4@pacific.edu](mailto:k_mitchell4@pacific.edu) for more information.

## SACRAMENTO COUNTY BAR ASSOCIATION MEMBERSHIPS

So that Sac LEGAL can maintain its affiliate voting status with the Sacramento County Bar Association, we encourage all members to join the Sacramento County Bar Association in addition to Sac LEGAL.

The Sacramento County Bar Association provides opportunities for professional development, including networking opportunities, service discounts, and continuing legal education.

Join or renew online today at <https://www.sacbar.org/intus/memberapp/firstpage.asp>.

## SAVE THE DATE: LAVENDER LAW 2009

The National LGBT Bar Association Conference (formerly known as the Lavender Law Conference) will take place from September 10th through September 12th at the New York Marriot at the Brooklyn Bridge. This is the 21st year of the annual conference and promises to be an exciting and worthwhile event.

This year's scheduled events include the career fair, counseling sessions and speaker Kathleen M. Sullivan, the Stanley Morrison Professor of Law and Former Dean of Stanford Law School. Online registration is now open at <http://www.lgbtbar.org/annual/>.

Workshop proposals can be submitted here: <https://web.memberclicks.com/mc/quickForm/viewForm.do?orgId=nlgla&formId=53191>.

More information will come in the following months.

*This year's scheduled events [at the National LGBT Bar Association Conference] include the career fair, counseling sessions and speaker Kathleen M. Sullivan*

## PROP 8 SAUSAGE FACTORY

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eyes of riot police and the press with signs colorfully stating polarized positions – "One Man + One Woman = Marriage" and "Hate is not a family value!" – with bullhorns amplifying the opposed mantras of each side.

The Court pressed the attorneys on the question of what constitutes a fundamental right in the first place. The California Constitution states that the people have the right to fish and navigate the public waterways. Are those rights as fundamental as the right to marry the person of one's choice? Is the right to marry as fundamental as the right to free speech? Why should the State of California be in the marriage business at all?

The Court's decision is expected in June of 2009, but it will not likely be the final word on the issue of the recognition of same-sex marriages in California. Signature gathering for a ballot measure rescinding Prop 8 was approved by the Secretary of State on March 20th, and the question of the recognition of same-sex marriages will be before the voters once again in November 2010, together with a measure which would take California out of "the marriage business" altogether by recognizing only domestic partnerships.

In the weeks since the oral argument of March 5<sup>th</sup>, the Iowa Supreme Court released its landmark decision striking down Iowa's ban on gay marriage, the Vermont and Maine legislatures passed legislation recognizing the right of same sex couples to marry, and the City Council of the District of Columbia has passed an ordinance recognizing same sex marriages which will be up for review by the United States Congress.

*Jeffrey E. Proske is an attorney and freelance writer living in Sacramento, California.*

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## SPRING SOCIAL WAS A SUCCESS!

Thank you to everyone who attended the spring social at Headhunters. Over 50 people attended from various organizations, including Justice Scotland from the 3rd District Court of Appeal. It was a great event and a chance for SacLEGAL members to socialize, network, and meet members of other Sacramento minority bar groups. It is so important that we keep our network strong. Stay tuned for information on upcoming social and networking events.



*“Is the right to marry to marry as fundamental as the right to free speech? Why should the State of California be in the marriage business at all?”*



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James Tiehm, Student, UC Davis

*“[The biggest issue facing the LGBT community today is] gaining acceptance in the general population without losing our wonderful sense of family and our own cultural identity”*

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## MEMBER SPOTLIGHT: R. TODD VLAANDEREN

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he went to work for the California Secretary of State, where he is currently a Senior Staff Counsel / Supervisor in the Business Programs Division

Program areas he is responsible for include business entities, commissioning and disciplining notaries public and the domestic partnership program. Todd is currently serving as the Second Vice President of the Sacramento County Bar Association, the President of the Sacramento Law Foundation and a member of the Board of Directors of the Conference of Delegates of California Bar Associations. Todd legally married his partner of seven years, Ed Bennett, on June 17, 2008. Todd and Ed are planning to add to their family through adoption.

Why did you decide to go to law school and become a lawyer?

I was (am) passionate about environmental issues and wanted to become an environmental lawyer.

What is your favorite song, movie, and/or book and why?

I don't know if I have a favorite one.

What is something that people would be surprised to know about you?

That I am a cancer survivor.

What is the best piece of advice you had ever received?

Happiness, satisfaction and contentment come from within oneself. Being satisfied isn't about getting what you want; it's about wanting what you have.

What were you doing ten years ago?

Ten years ago I was struggling through my first year as an attorney and trying to build a law practice.

What is the biggest issue facing the LGBT community today?

Gaining acceptance in the general population without losing our wonderful sense of family and our own cultural identity. The phrase “he/she is family” really means something.