

**History**

**of the**

**Minnesota**

**Gay and Lesbian**

**Legal Assistance**

**(MnGALLA)**

**by**

**Dan C. Hanson**



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## ACKNOWLEDGMENT

Minnesota Gay and Lesbian Legal Assistance Center (MnGALLA) was a 1980s organization engaged in all sorts of groundbreaking activities to increase legal assistance for GLBT people. While legal services to the GLBT community improved in the 1990s and thereafter, Richard Osborne, Esq., a contributor to this book, and I took a look back to see what role this Twin Cities' based group played in that regard.

Prominently mentioned in the book is the Minnesota AIDS Project, or MAP. Founded in 1983 to assist in the ongoing fight against HIV and AIDS, MAP has consistently provided a public service for the thousands of people who have been affected by HIV and AIDS.

All of the records, minutes, financial statements, press releases and other relevant documents may be found in the MnGALLA materials at the Tretter Collection in GLBT Studies of the Department of Special Collections and Rare Books at the University of Minnesota Libraries. This unique collection is located at 111 Elmer L. Andersen Library, 222-21st Avenue South, Minneapolis, MN 55455 (Telephone: 1-612-624-7526). The online address for the collection is: [www.TretterCollection.org](http://www.TretterCollection.org).

Other relevant materials pertaining to this period in Minnesota GLBT history may be found at the Minnesota Historical Society, 345 Kellogg Boulevard, St. Paul, MN 55102.

On a personal note, I thank Richard Osborne for his preliminary writing to make this history a reality, and in doing the basic research in laying out the path of MnGALLA from its birth to its termination.

And, I also would like to thank Suzanne Born, Tim Piepkorn, Steve King, Carolyn Maier, and Matthew Stark for their years of tireless service to MnGALLA. They were the hearts and souls of the organization, and without them, there would be no reason for this book.

Finally, I want to recognize my long term partner in life, Keith Grennier. We have been together many years, and he has always been supportive in all of the work on behalf of the GLBT community, and he has been beside me in many of those efforts. He makes my life meaningful.

Dan C. Hanson  
September, 2009



## REFLECTIONS ABOUT MNGALLA

This history of Minnesota Gay and Lesbian Legal Assistance Center transports us back to the early days of the gay and lesbian struggle for political, legal, and social recognition as equal members of society. The ground of the struggle has now largely shifted from a secular to a religious focus.

The seeds of MnGALLA were sown with the Legal Taskforce of the Minnesota Committee for Gay and Lesbian Rights (MCGLR) in 1978. I had been a member of the Board of Directors of MCGLR since its formation in 1974, I was galvanized to action by the 1977 repeal of the St. Paul Human Rights Ordinance that had extended protection to gays and lesbians. That event, in the context of all of the other examples of denial and repression of the rights of gays and lesbians, even extending to violence and murder, was a powerful impetus for us to form a group that could, in making legal services more readily available to gays and lesbians, transform the legal system into an ally in our struggle.

One subplot in the MnGALLA story is the cooperative working relationship between gay men and lesbians. In the late 1970s – before the AIDS crisis – the cultures of gay men and lesbians were very, very different. At that time, many lesbians were indifferent to the rights of men arrested in public bathhouses and adult bookstores, while many gay men were not very concerned about family issues such as adoption, estate planning, and domestic partnerships. Despite their different cultural perspectives the men and women who founded MnGALLA came together in recognition that their commonalities transcended their differences. The same recognition of commonality transcending difference was true of non-gay advocates for civil rights and liberties who joined with MnGALLA, such as Matt Stark of the Minnesota Civil Liberties Union.

MnGALLA was an organization that contributed to the advancement of the legal rights of gay men and lesbians connecting people in need with legal services providers who could help. I offer no apologies for the fact that our reach exceeded our grasp. Our dream of a legal services office with full-time staff was never realized, but what was accomplished was the fundamental goal: through excellent legal representation, the legal system was made to work for – not against – gay and lesbian citizens. This text conveys the story of these achievements as the ultimate legacy of MnGALLA.

Sue Short, Vice President and General Counsel, College of Visual Arts  
St. Paul, Minnesota      A Founding Member of MnGALLA

This history of the Minnesota Gay and Lesbian Legal Assistance (MnGALLA) brings to life an era many have forgotten, and also makes clear that it is a history not just of one organization but of a community's awakening to its need for legal recourse.

The immediacy of the AIDS crisis that prompted much of MnGALLA's early work has diminished greatly. Substantial advancements in treatment have extended an AIDS patient's likely lifespan far in excess of what was considered possible when MnGALLA lawyers found themselves facing clients with emergency estate-planning concerns at times of potentially diminished capacity: Patients today often have ample time to address such legal issues. MnGALLA lawyers helped bring these concerns to the attention of the Minnesota legal profession before most others realized the concerns even existed, and helped assure that the profession would be responsive as the epidemic took further root.

Similarly, the discussion of legal issues faced by the same-sex couples has advanced tremendously since MnGALLA became involved in the Thompson-Kowalski litigation of the 1980s. The sort of vulnerability that Karen Thompson and Sharon Kowalski experienced so painfully has certainly been a part of the conversation raising awareness of the need of such legal regimes to protect these families. At the time, MnGALLA, as amicus, and the Minnesota Civil Liberties Union (MCLU), directly, provided invaluable legal assistance and in so doing prodded the Minnesota legal system to acknowledge the humanity and the needs of same-sex couples and their families. This critical work is ongoing today in Minnesota.

The MCLU, now known as the American Civil Liberties Union of Minnesota, was a pioneer in the struggle for GLBT equality, and continues to be a powerful ally, having litigated in regard to same-sex marriage and equal protection for GLBT people. Its co-sponsorship with MnGALLA of the first two Minnesota conferences focusing on legal rights for GLBT people played a major role in alerting closeted GLBT lawyers as well as straight law firms of the legal needs of members of the GLBT community, and presaged the annual Regional Lavender Law conferences taking place today.

It may be, as the author suggests, that MnGALLA's founders had an unrealistically expansive vision for what the organization could accomplish in the short term, but over the long haul, that vision has in many respects come to pass.

Phil Duran  
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## **Chapter One**

### **The Legal Climate for Sexual Minorities in Minnesota in the Late 1970s**

Just as no temporal event occurs in a vacuum, devoid of prior and surrounding events, neither does any organization spring into existence without a social and cultural context that gives rise to a need for it—at least, in the minds of its founders. Such was certainly the case with the organization that would become known, in early 1981, as the Minnesota Gay and Lesbian Legal Assistance, or “MnGALLA.” Although it is far beyond the scope of this book to provide even a condensed history of the movement for sexual minority rights in modern America (or even Minnesota), it is necessary to provide at least a modicum of contemporary historical context for the time period during which MnGALLA came into existence. For many sound reasons, most historians assign the beginning of the “modern era” of American sexual minority liberation as the weekend of June 28, 1969, the three successive nights on which riots occurred at a New York City gay bar known as the Stonewall Inn—an event that is now universally abbreviated as just “Stonewall.” It was later recognized as a critical event in an existing and broad-based movement for general sexual liberation, which had been building in America for several years as a key component of the “Counterculture Movement”. The publicity surrounding that most-unexpected rebellion of persons, until then universally held (even by many of their own number) to be perverts and undesirables, galvanized and catalyzed an expanding wave of social and political action by and on behalf of sexual minorities, initially across America and ultimately world-wide. Most large American and many foreign cities celebrate gay pride during the last weekend in June to commemorate the Stonewall Inn riots.

This sexual minority revolution soon reached Minnesota. For what may have been the first time in American history, in 1970, University of Minnesota-Minneapolis/St. Paul students elected openly gay Jack Baker as their student body president—and re-elected him a year later. In 1970, Baker and his domestic partner, Michael (later Pat) McConnell, had the nation’s first lawsuit filed to require the issuance of marriage licenses to same-sex couples. This 1970 Baker-McConnell suit was undertaken by the Minnesota Civil Liberties Union (MCLU), whose long time president, Matthew (Matt) Stark (later a MnGALLA founding Board member), consistently championed sexual minority causes. Baker and McConnell were represented by Minneapolis attorney, Lynn S. Castner, without a fee, through the MCLU. In 1971, in an opinion largely devoid of legal analysis,

the Minnesota Supreme Court—sounding as though it couldn't believe that such a suit was even conceivable—had no trouble upholding the trial court's earlier dismissal of the claim. *Baker v. Nelson, 1971, 291 Minn. 310, 191 N.W.2d 185*

(In 2004, Baker and McConnell engaged in litigation challenging the Internal Revenue Service's refusal to recognize their marriage under color of the 1996 Federal Defense of Marriage Act. This litigation failed.)

Baker's legal challenges to Minnesota's opposite-sex marriage monopoly resulted in an attempt by the Minnesota Board of Law Examiners, in 1972, to deny him the opportunity to take the Minnesota bar examination. This attempt was abandoned after MCLU legal counsel R. Michael Wetherbee intervened on Baker's and the MCLU's behalf. Wetherbee, the first openly gay staff person in any of American Civil Liberties Union's (ACLU) affiliates, had been hired by Stark as MCLU's legal counsel, in 1970, to replace Lynn S. Castner, who had retired. This hiring of Wetherbee was seen as another indication of Stark's strong leadership in the ACLU in the battle for gay/lesbian rights. Recently, former ACLU President Norman Dorsen sent Stark a letter saying,

*"It was good to speak with you after so many years. It gave me an opportunity to recall, among other things, the initiative of the Minnesota Civil Liberties Union to establish the right of gay couples to marry as a civil liberties issue that the ACLU should support. As I recall when you first brought the matter to the ACLU board in 1970 or thereabouts there was little or no enthusiasm for the issue. You and your affiliate were ahead of your time and I am glad that soon thereafter the ACLU became a determined advocate of gay rights, in large part through the new Lesbian/Gay Rights Project....<sup>1</sup>*

Another piece of fallout from the Baker – McConnell same sex marriage lawsuit was the action of the University of Minnesota Board of Regents to rescind an existing offer to employ McConnell as a librarian. MCLU volunteer attorneys Lynn S. Castner, Steve Goldfarb, and John Goetz, with the assistance of ACLU legal counsel Melvin Wolf, unsuccessfully represented him in his efforts to have his employment with the University reinstated.

The Minneapolis City Council had passed its own "gay-rights

ordinance” on March 29, 1974, adding sexual orientation to the classes of persons protected by that city’s anti-discrimination ordinances, with lobbying assistance from the MCLU under the leadership of Matt Stark who had become the MCLU executive director in July, 1973. The nascent but burgeoning gay-lesbian-bisexual-transgendered (GLBT) community participated heavily in this lobbying campaign, led by Steve Endean of the Minnesota Committee for Gay and Lesbian Rights (MCGLR), the mother organization of MnGALLA.

On July 16, 1974, the St. Paul City Council passed a “gay rights ordinance”—adding “sexual orientation” to the classes of persons protected by that city’s existing law that prohibited discrimination in housing, employment, and public accommodations, again, through strong lobbying efforts of gay activist, Steve Endean. Initially, the ordinance prompted no significant negative reaction on the part of the general public.

Then, in 1977, singer Anita Bryant led a nationally publicized and ultimately successful referendum campaign to persuade the citizens of Miami-Dade County, Florida, to overturn that city’s similar gay rights ordinance. In light of the Miami experience, Baptist minister Richard Angwin ignited a popular furor in St. Paul over the St. Paul ordinance revision. Invoking the St. Paul’s city charter initiative provisions, Angwin enlisted Roman Catholic, fundamentalist Protestant, and orthodox Jewish opponents of gay rights to force a referendum on repealing the ordinance in the 1978 general election. Despite heroic efforts by the Twin Cities sexual minority communities (their first widespread concerted electoral campaign), the repeal referendum unfortunately and devastatingly passed by a margin of more than two to one! The St. Paul referendum anti-gay rights ordinance campaign was but one front in a backlash against the gay rights movement which was occurring across America.

Fortunately, because the Minneapolis city charter did not have any provision allowing for citizen initiative via a referendum, Minneapolis and its sexual minority communities were spared the repeal referendum fight which St. Paul endured.

On December 27, 1978, Dan White, a Republican member of the San Francisco, California, Board of Supervisors (city council) shot and killed openly gay Supervisor Harvey Milk, as well as gay-supportive Mayor George Moscone. White was charged with and tried on two counts of premeditated first-degree murder (for which he could have received the death penalty). But in June of 1979, White was found guilty by a San

Francisco jury of only unintentional manslaughter and was sentenced to only two concurrent seven-year prison terms. The Milk-Moscone murders came immediately on the heels of the “Briggs Initiative,” a November, 1978, California ballot referendum in the general election that would have prohibited the hiring or retention of homosexual teachers in any California public school. Fortunately, the Briggs Initiative failed by more than a million votes!

In 1980, several state courts in Oklahoma and Arkansas denied child custody, in divorce actions, to the homosexual parent(s) who were politically active and visible on behalf of sexual minority rights.

Back in Minnesota, the 1977 St. Paul gay rights repeal referendum was not the only legal problem facing sexual minorities. St. Paul voters were not the only object of homophobic backlash on the social and political stage. The first “mass” circulation sexual minority newspaper in Minnesota, with any longevity, *Positively Gay*, had been started by radical gay male activist Bruce Brockway in Minneapolis, in June of 1979, and after November of that year, sold to activist Tim Campbell, who changed its name to the *GLC Voice*, and remained the sole owner, publisher, and editor. According to *GLC Voice*, there were many documented instances of anti-gay action on the part of government officials, including:

— In the summer months of 1979 and 1980, nearly a dozen men were murdered or severely injured in the Twin Cities (Minneapolis and St. Paul) near gay bars or in parks or neighborhoods known to be heavily frequented by gay men. Not all of these murders resulted in arrests. Even in those cases in which arrests were made and the defendant elected to go to trial only one conviction was obtained. Gay activists complained bitterly during jury questioning that the prosecutors were “throwing” the cases by allowing obviously homophobic jurors to be selected.

— In late summer of 1979, the Minnesota Supreme Court dealt two new blows to the legal status and rights of sexual minorities. First, it ruled that the Minneapolis Civil Rights Ordinance’s protections against sexual orientation discrimination in public accommodations did not prohibit the Big Brothers organization from asking applicants whether they are homosexuals and, if so, to then disclose that fact to parents of the children who were “little brothers”. Secondly, the State’s highest court also upheld the validity of the 1978 St. Paul referendum repealing the city’s gay-rights ordinance.

— In 1980, the United States State Department had issued a policy memorandum denying entry visas to all persons “known” to be homosexual. Then, in June of 1981, the Minneapolis Immigration and Naturalization Service office at the Minneapolis-St. Paul International Airport deported a gay man who had just arrived from London. Six local gay activists were arrested in a subsequent protest at the airport and charged with a variety of criminal offenses. (See Chapter Two regarding MnGALLA’s role in this case.)

— In April of 1981, the Judiciary Committees in both the Minnesota House of Representatives and the Minnesota Senate killed bills that would have repealed Minnesota’s sodomy law (which applied to both heterosexual and homosexual sex acts) and other statutes governing the non-commercial, private sexual conduct of consenting heterosexuals. The Sodomy Bill had been authored in the House by Democratic Farmer Labor Party (DFL) Representative Karen Clark, a Minneapolis nurse who made history in 1978 by becoming the first person in Minnesota ever to be elected to public office, for the first time, as an acknowledged homosexual. The Sodomy Bill was carried in the Senate by Minneapolis DFLer Allan Spear who had revealed his homosexuality in 1974 only after having been elected without that fact being known by his constituents.

— In the late spring and early summer of 1981, the Minneapolis City Council overwhelmingly voted to deny a permit for a block party on Hennepin Avenue to the Gay Pride Committee. Such permits had in the past routinely been issued for other celebrations and events. Matthew Stark, fortunately, had the documentation to prove this fact. Then, the MCLU, under the leadership of Stark and with the excellent assistance of volunteer attorney Jonathan Adams, took the Minneapolis City Council to federal court, where United States District Court Judge Miles Lord, after a lengthy trial, ordered the City to issue the permit. Brad Golden and Tom Burke were the plaintiffs in the litigation and the title of the case was *Gay Pride v. City of Minneapolis, U.S. Dist. Court, Dist. of Minn., Fourth Division, 4-81-0208*. The Minneapolis City Council, overriding Mayor Donald M. Fraser’s initial veto, voted to appeal Judge Lord’s ruling to the United States Eighth Circuit Court of Appeals, which upheld Judge Lord’s order. On Friday, June 26, 1981, the first Gay Pride Block Party was held in front of the Gay Nineties bar complex on Hennepin Avenue between Fourth and Fifth Streets! And Stark was the keynote speaker at this celebratory event.<sup>2</sup>

On January 11, 2008, 27 years after the first GAY PRIDE BLOCK PARTY, the Twin Cities Pride Festival named Dr. Matthew Stark the 2008

Pride Festival Grand Marshall, saying, “It is pleased to announce that it has selected Dr. Matthew Stark to be the 2008 Grand Marshall for the Twin Cities Pride Festival. The Grand Marshall is someone who has made a significant, positive impact on the Twin Cities GLBT community. Dr. Stark is a tireless defender of civil rights and equal protection for all people who has a long history of support for the GLBT community in Minnesota and across the country....and for several years in the early history of Twin Cities Pride he was the first non-GLBT person to speak publicly at the Pride Festival on behalf of GLBT rights.”... “The Minnesota Civil Liberties Union was certainly a leader on GLBT rights at the ACLU. The folks there recognized that GLBT rights were an important civil liberties issue well before the national ACLU, or other affiliates did,” said Matt Coles, Director ACLU Lesbian Gay Rights Project....over the intervening years, the Twin Cities Pride Celebration has grown to be the largest GLBT Pride Celebration in the region and third largest in the United States, with an estimated combined attendance of nearly 450,000 people at six events.<sup>3</sup>

The backlashes against gays and lesbians came not only from government officials but also from private citizens. In August of 1980, patrons of the downtown Minneapolis LaSalle Sports and Health Club, a private workout facility with a substantial percentage of gay members, were subjected to expressly anti-homosexual religious tracts posted on bulletin boards in the facility’s common areas. The Club later promulgated a series of “Sodomite Regulations” that imposed unique restrictions on its members who were deemed (presumably on the basis of appearance alone) to be homosexual. The Club was one of a chain of local health facilities owned by Arthur Owens, a self-avowed evangelical Christian who unabashedly and straightforwardly expressed his view that even though his health clubs were public accommodations, his religious duty to advance what he considered to be God’s laws against “perverts” and “sodomites” was paramount to his duty to obey the Minneapolis civil rights ordinances. The Club lost a case in the Minnesota Court of Appeals in 1985, when the Court upheld a determination of the Minneapolis Civil Rights Commission that the Club’s practices constituted discrimination based on sexual orientation, and the Minnesota Supreme Court affirmed the Court of Appeals in 1986. *Potter v. LaSalle Court Sports and Health Club*. 384 N.W.2d 873 (Minn., 1986)

The Minnesota Supreme Court has to this date rarely issued a ruling supportive of sexual minorities in significant “impact” litigation. (Its most deplorable gay-negative opinion was in the 1987 case of *State vs. Gray*, 413 N.W.2d 107 (Minn. 1987), in which the Court refused to apply the right of

privacy conferred by the Minnesota State Constitution so as to invalidate the Minnesota sodomy statute in a case involving sexual activity engaged in by legally-consenting individuals in a private residence.)

By far the greatest source of anti-gay backlash came from law enforcement officers in the Twin Cities. Certainly the St. Paul police engaged in their share of anti-gay bigotry. St. Paul officers harassed patrons of one of the City's known gay bars, and, when in 1980, a St. Paul gay male couple were terrorized by neighbors who had vandalized their house, the St. Paul Police officers who responded arrested one of the couple—who was brandishing a non-firing “stage” pistol in self-defense!

Minneapolis quickly eclipsed St. Paul, the Capitol City, as the “capital” of officially-sanctioned police prejudice against sexual minorities, particularly gay men. 1979 saw the beginning of what not only sexual minority activists but many sympathetic heterosexual allies viewed as a police “reign of terror” against gay males.

On the evening of the Saturday, June 28, 1979, Twin City Gay Pride Festival, Minneapolis officials raided Big Daddy's bathhouse, a venerable establishment located near the corner of Hennepin Avenue and Seventh Street in downtown Minneapolis that was frequented by homosexual and bisexual males for casual sex. But this was no ordinary raid. It was personally led by the newly-appointed head of the Vice Squad, Sergeant John Locke. He was accompanied by Erv Dauphin—the Deputy Mayor of Minneapolis—and Dennis Schroeder, a local development financier and significant Democratic-Farmer-Labor (DFL) Party financial contributor. The 32 patrons who were present at the time were rousted and summarily forced to hurriedly dress and leave the premises—at 4:30 in the morning. Many of these men were closeted and elderly. One of them called the raid “the most terrifying experience of my life.”<sup>4</sup>

Why would Al Hofstede's deputy mayor, not to mention one of his financial backers, be participating in a police raid on a gay sex club when his boss had decided not to run for re-election? There were two prevailing theories held by many Minneapolis gay male activists. The first was relatively straightforward. Minneapolis politicians who were attempting to rehabilitate and redevelop downtown (especially the Warehouse District immediately west of Hennepin Avenue) were using the police as just one prong in an effort to rid the area of panhandlers, homeless people, and other “undesirables”—including, of course, gay men. This effort included an (ultimately unsuccessful) proposal by Council member Louis DeMars to

require the Locker Room Health Club to provide two parking places per cubicle—clearly an impossible requirement to meet given the dearth of parking lots and on-street parking sites in this downtown Minneapolis area.

The second, and more Byzantine theory, was that Hofstede and his conservative allies on the City Council were hoping to get the Minneapolis Police Federation (the union representing the Minneapolis police force) to adopt a “no-endorsement” position with respect to Donald M. Fraser, the liberal DFLer who was seeking party endorsement in the wake of Hofstede’s departure from the race.

Many in the sexual minority community roundly condemned the Police Department’s tactics of entrapping and arresting, on a large scale, adult men who were engaging in consensual sex in a setting that was just as private as a person’s bedroom. Activists urged liberal DFL Hennepin County Attorney Tom Johnson to take the matter to a grand jury to determine whether the police officers’—and Deputy Mayor Dauphin’s—conduct at Big Daddy’s violated criminal laws prohibiting misconduct by public officials. Unfortunately this action on the part of the “perverts” political allies merely prompted escalation on the part of the police. The pressure applied by gay activists to force submission of the Big Daddy’s case to a grand jury prompted a wave of arrests of patrons of sexually-oriented “adult” bookstores throughout the Fall of 1979. This was an attempt to put a political squeeze on Fraser during his election campaign, as well as on County Attorney Johnson who eventually declined to present evidence against or seek the indictment of DFL Deputy Mayor Dauphin, DFL-heavy contributor Schroeder, or Vice Squad supervisor Locke.<sup>5</sup> However, according to the March 7, 1980, edition of the *MCGLR Lesbian/Gay Newsbriefs*, Locke was suspended for six days by newly sworn-in Police Chief Anthony Bouza for having “acted improperly and being under the influence of alcohol” during the raid on Big Daddy’s.

Bookstore patrons were often charged with indecent conduct, the result of non-uniformed, male police officers observing (and, according to the arrestees, soliciting) the patrons to have sex in the bookstores’ fully enclosed X-rated movie cubicles. Often, police arrested men who either weren’t even in movie cubicles (or became suspicious and wouldn’t respond to the undercover officers’ blandishments) on “obstruction of justice” or “resisting arrest” charges. Several of these later arrestees were seriously beaten by the arresting officers.

Following Don Fraser's successful campaign for election as mayor of Minneapolis, a disappointed and enraged Vice Squad went into even higher gear. The adult bookstore arrests increased in frequency throughout November and December and were expanded to additional locations. Then, on December 1, 1979, there was a massive Vice Squad raid on the Locker Room Health Club bathhouse, one block west of Hennepin Avenue (and the Gay Nineties bar) and right on the eastern edge of the Warehouse District. The raid resulted in the ticketing of 116 men and the custodial arrest on felony charges of an additional nine men, including both patrons and employees. Another raid was planned for December 7, but was thwarted when the Locker Room's owner was tipped off in advance and closed down the facility early that day.

The attention of Minneapolis police then moved to the City's several gay bars. On New Year's Eve, the police struck every gay bar in Minneapolis. They roused, harassed, and threatened with arrest patrons who were reveling on the sidewalks outside of the bars, after closing, in several cases physically assaulting them. They actually shut down the 19 Bar near Loring Park, in a gay neighborhood of Minneapolis, for alleged liquor law violations and "disorderly" activity. At the Gay Nineties bar they arrested bartenders for serving liquor after the legal closing time. No police actions were taken at any heterosexually-identified bars, despite the fact that those establishments were engaging in the same practices—practices that historically had been winked at by Minneapolis police at *all* bars on New Year's Eve.

The coming of a new year did not mollify the police. In the early morning hours of February 10, 1980, the Minneapolis Vice Squad staged a second major raid on the Locker Room bathhouse, this time custodially arresting or issuing citations to 110 patrons and staff members. The Vice Squad also moved aggressively against male street prostitutes in the Loring Park area, often using entrapment tactics and frequently roughing up arrestees. (In an ironic "twist" to the bookstore arrests, in October, the police arrested a man who was extorting money from various bookstore patrons by falsely posing as a Vice Squad officer and offering to "let them go" if they paid him money.)

The daily adult bookstore arrests continued at an even greater pace, with 30 arrests throughout the City on February 18 alone! This "just happened" to be the night of a scheduled fundraiser for the Minnesota Gay Defense Fund! This was an organization started by gay activist Phil Willkie to raise money for those persons arrested in the bathhouse and bookstore

raids who chose to challenge their arrests by pleading not guilty. Willkie set up his fund for two reasons, both of which had direct relevance to the founding of MnGALLA. First, even those few arrestees who were socially and psychologically secure enough to be willing to publicly challenge their arrests often could not find a gay or “gay-sensitive” attorney to represent them. Openly gay St. Paul attorney Kenneth Keate was the only lawyer advertising in Minnesota sexual minority publications until November, 1979, when he was occasionally joined by heterosexually-identified attorney Jeffrey Anderson (who had been retained by Willkie’s Gay Defense Fund). Both men used small, business card-size display ads in the gay press.<sup>6</sup>

Minneapolis attorneys Mark S. Wasserman and Martha Hellender had placed business card-sized display ads in the *GLC Voice* in its April, 1979, and July, 1979, issues. But by the time of the first meeting of the Board of Directors of the “Lesbian/Gay Legal Clinic” on November 9, 1980, only Keate was still placing display ads in the *GLC Voice*! Jeff Anderson had reduced his advertising to a sporadically appearing 3-line classified ad as had Hellender, who infrequently placed a 4-line classified ad.

In late 1979, or early 1980, The Minnesota Committee for Gay and Lesbian Rights’ (MCGLR) Legal Task Force chaired by Sue Short and Dan Hanson (MnGALLA’s “parent” organization) distributed an informational flyer entitled, “What You Need to Know When the Police Arrive (Unexpectedly)”. (See Ch. 2 for more information.) At the bottom of the front page of that document was a listing of 12 lawyers who had agreed to represent gay men arrested in vice raids. According to the flyer, “Although the *majority* of them are not gay, they are sensitive to the concerns of gays.” Those listed were: Jeffrey Anderson (St. Paul); Dave Cohoes (Minneapolis); Kenneth E. Keate, (St. Paul); Gregory Gault (Minneapolis); John Hargans (Minneapolis); Jane Hogan (Minneapolis); John Hopeman (Minneapolis); John Kraatz (Minneapolis); Marc Kurzman (Minneapolis); Jim Manahan (Mankato); Brian Miller (Minneapolis); and Mark Wernick (Minneapolis). In June, 1980, the University of Minnesota Lesbian/Gay Community Student Organization published a 48-page soft cover booklet titled *Twin Cities Gay and Lesbian Resources Guide*. In its “Legal” section, the editors indicated that 16 legal resources had been contacted with 9 responses. In addition to attorney Jeff Anderson, the *Guide* listed the St. Paul law firm of Margoles and Gedman; Minneapolis attorney Randall D.B. Tigue; and Minneapolis attorneys M. Sue Wilson and Antoinette Pomerene. These last two mentioned were the only attorneys whose practice description specifically indicated a “prefer[ence] to represent women and

gay men.” The *Guide* also listed Central Minnesota Legal Services (Legal Aid Society); the Minnesota Civil Liberties Union; MCGLR’s Gay and Lesbian Rights Legal Task Force; and Phil Willkie’s Minnesota Gay Defense Fund.

When the MnGALLA Board first officially met in January of 1981, there were no attorney advertisements of any kind in the *GLC Voice* which was at that time the only regularly appearing sexual minority publication in Minnesota. Second, those few lawyers who were known within the sexual minority communities to be homo- or bi-sexual were, to a significant extent, unwilling to publicly identify as such, for fear of jeopardizing their employment in establishment law firms. They certainly were not willing to risk the notoriety and professional disgrace that would have accompanied their representation of bookstore and bathhouse activists. For the same reason, it was nearly impossible to find a non-gay attorney willing to take on these or any other legal matters that concerned the rights of sexual minorities. Such cases paid little money and were considered to be professional suicide. (Appendix page 74)

It was this dearth of visible gay and gay-supportive lawyers that led sexual minority activists to call for the establishment of a service which would attempt to meet their communities’ legal needs.

## Chapter Two Origins (1979-1982)

Although, as the last chapter reports, there were not many openly gay/lesbian lawyers in Minnesota in the late 1970s, there was a well-established sexual minority social and political community. The most prominent GLBT community political organization that was not formally associated with the DFL Party was the Minnesota Committee for Gay and Lesbian Rights (MCGLR). Recognizing that the lack of gay- and lesbian-identified lawyers was a major impediment to advancing the sexual minority communities' agendas, since so many of the issues confronting the communities were either directly or indirectly within the legal system's arenas, the MCGLR established a Legal Task Force in 1978, under the leadership of Sue Short and Dan Hanson. Later, at a well-attended open meeting convened by the Task Force and held in the Grand Jury Assembly Room in the Hennepin County Government Center on a Saturday sometime in early 1980, the participants decided to create a gay/lesbian legal services program that was so highly ambitious in scope, that it was doomed to not fully complete its mission. No serious investigations were conducted to determine possible specific sources of funds or personnel. Rather, concerned and dedicated gays and lesbians engaged in pursuing dreams and desires which had little, if any, chance of fulfillment. A Task Force document subsequently summarized the proposed program's purposes as being:

— “The direct provision of basic legal services to persons in the Twin Cities Metropolitan area in cases raising gay/lesbian rights issues, and cases in which the client's interests could best be represented by a ‘gay-sensitive’ attorney.” The Task Force contemplated an unrealistic array of services in which both criminal and civil cases—including “family law matters, simple wills, landlord-tenant matters, welfare benefit determination, unemployment compensation, immigration, contract and consumer matters, and discrimination matters” would be handled, by both the referral network and the legal service itself with no indication of the number of such cases which would be handled by the agency which was desired to be formed. The Task Force was emphatic that the focus of this component of the program be on the basic legal needs of low income persons—recognizing that the widely held stereotype that all gays and lesbians are financially well to do is and was unwarranted.

— “The establishment and development of a system of referring community members to local attorneys in private practice, who would represent those persons according to their ability to pay (sliding-scale basis).” Ultimately, this referral network was contemplated to extend throughout the Midwest and to be coordinated with both similar networks in

other areas of the country and with the already-existing national sexual minority legal organizations!

— The initiation or prosecution of “major impact litigation...to the extent that personnel and funding considerations permit.”

— Legal education and sensitization. “The second priority of the program will be to promote a better understanding of gay/lesbian issues and lifestyles as they affect gays and lesbians in the legal system”, to “sensitize...area legal professionals who deal with gays and lesbians” and “to encourage employees of the various government agencies which deal with gays and lesbians to adopt a positive attitude toward” them. The Task Force also sought to educate and sensitize law students regarding sexual minority issues and needs.”<sup>1</sup>

The overly ambitious scope of this proposal, which had been under study by the MCGLR for nearly two years, was made even more evident by the Task Force’s development of the program’s budget.

Assuming modest start-up costs of more than \$14,000 (which would be the equivalent of \$35,700 in 2007 dollars), the Task Force projected that the annual costs of the direct legal service component of the program would range from roughly \$108,000 to \$148,000 (or between \$275,000 and \$378,000 in 2007 dollars). This huge budget assumed that the program would be staffed with two attorneys, two paralegals, a legal secretary, at least one student intern, and one or more volunteers in a variety of capacities! This prototype budget contemplated that funds would be readily available from many sources: government grants; private foundations (both law-related and others); contributions from individuals and “liberal” churches; and fees (from clients able to pay all or part of their legal costs, staff member speaking honoraria, and from staff providing services such as expert witnesses and mediation/arbitration).

Clearly, such an endeavor could not be expected to get underway at this level overnight. At this point, there was not yet in place a functioning governing authority or organization able to accept donations and grants, nor were foundations, organizations, and individuals ready to invest money in these programs as they would after the impact of AIDS had manifested itself in the gay community. At the same Government Center community meeting that endorsed the concept of establishing a gay/lesbian legal services program, several individuals volunteered to become the “pioneers” who would undertake to get the program up and running. Among them was Minnesota Civil Liberties Union (MCLU) Executive Director Matthew Stark, who recognized that his and the MCLU’s involvement in this effort could be critical to its success. Stark was well-known and respected in the sexual minority activist communities and in the Democratic Farmer Labor

(DFL) political party. According to Stark, when he raised his hand to volunteer to be part of the organizing effort, he was enthusiastically applauded by the other attendees. MnGALLA's first President, Dan Hanson, would later note that, "The role of the Minnesota Civil Liberties Union in the activities of MnGALLA was most important. Matthew Stark took an active interest in MnGALLA from its inception. As Executive Director of the MCLU, Matthew was able to leverage the support of the organization to assist MnGALLA in organization, fundraising, publicity, and in providing attorneys for referral."<sup>2</sup>

St. Paul attorney Dan Hanson, a member of the MCGLR board, and co-chair of the predecessor MCGLR Legal Services subcommittee, agreed to serve as the chair of the selection committee of the Gay Lesbian Legal Services program which would solicit and select a board of directors for the program. Throughout the summer and fall of 1980, Dan and the committee did just that. In a memo dated October 14, 1980, on MCGLR letterhead, Hanson welcomed nine persons to the "initial Board of Directors".<sup>3</sup>

On November 9, 1980, the following intrepid volunteers had brunch as the first meeting of what was variously called the Gay/Lesbian Legal Services Program, Lesbian/Gay Legal Clinic, Minnesota Gay and Lesbian Legal Aid, or just plain "Legal Clinic": Chris(topher) Duff; Stephen Glick; Carolyn Maier; Laura Petracek; and attorneys Dan Hanson (the meeting's host), Ron Hook, Sue Short, and Amy Silberberg. The backgrounds reveal a diverse group. Duff worked with Golden Valley based Courage Center, Maier was a teacher in the Minneapolis Public School system, Hanson held a position with Allstate Insurance Company as a personal injury claims representative, Hook worked for the State of Minnesota as an attorney for Health Care for the Department of Human Services, Silberberg was a lawyer in private practice, and later hired by Matt Stark as legal counsel for the Minnesota Civil Liberties Union, and Glick lived in Duluth, where he taught. (The minutes of that meeting refer to other members, "who were unable to attend". The only such other person named in Hanson's October 14, 1980, "welcome" memo was Matt Stark, who was one of the nine initial directors. The minutes of this meeting reflect that Mike Rouse was also present, as a member of the Incorporation and Tax Exempt Status Committee. It is unclear whether he was considered a Board member or was a non-member who had volunteered to assist this Committee. In either case, Rouse was never referred to again in any minutes.) These hardy initial Board members were joined a month later by Rick Osborne, who was an Assistant Hennepin County Attorney.

As with any other organization in modern America—especially one that is concerned with legal affairs—the Board's first concern was with

becoming legally constituted and recognized. The second priority was raising money for what the minutes candidly referred to as the enterprise's "rather ambitious projects." Committees were set up to address each of these issues. By the next Board meeting, a month later, a draft of Articles of Incorporation had been prepared, and by-laws were initially discussed—and then put on hold pending finalization of the incorporation process. The Board agreed, tentatively, to name the organization "Minnesota Gay and Lesbian Legal Aid, (Inc.); or GALLA", and to seek tax-exempt status as a non-profit organization. The organization now had a mailing address: Post Office Box 30224, Saint Paul 55101. Although the Board still had no formal officer structure, exceptionally committed to the "cause", Dan Hanson was the acting chair and "unofficial scribe."

This meeting also addressed the admittedly "crucial" issue of fundraising. Although no specific plans were made at this meeting, the fundraising committee had identified both short-term and long-term revenue-raising efforts, including a "large effort with a noted personality;" some sort of benefit to be held in conjunction with a movie or theater production; and wine and cheese or coffee parties in private homes. It was also felt desirable to hold, as soon as possible, a brunch for the leaders of other sexual minority community organizations to explain the project and enlist their support. That meeting was held on February 1, 1981, at the home of Chris Duff. There is no record of how many—or who—attended.

Earlier, January 11, 1981, saw the preliminary approval of the Articles of Incorporation. The organization's "legal" name was to be the "Minnesota Society for Personal Liberties," and its operating name would be Minnesota Gay and Lesbian Legal Assistance. Although formal Board approval of the Articles would not take place until the February meeting and they would not be filed with the Minnesota Secretary of State until March 22, MnGALLA was thus, for all practical purposes, finally established. Given the reasons for the organization's formation, chronicled at length in the last chapter, the Boards' reasons for choosing a formal corporate name that did not contain the words, "lesbian" or "gay" are highly ironic. The Minutes indicate that, "The basis of this decision concerns the difficulties of funding from both private and public sectors for a corporation with either "gay" or "lesbian" in the name, together with clientele consideration." In other words, the group sought the protection of the very "closet" (to "pass" as straight on the surface while still being gay underneath) whose destruction was the ultimate goal of both it and the rest of the sexual minority liberation movement.

However, the IRS still closely scrutinized the MnGALLA application for 501(c)(3) status. A majority of the Board members felt that it wasn't

worth their time and effort to fight with the IRS since their goal was to help their gay brothers and lesbian sisters get legal assistance in regard to their own personal problems, not to delay the formation of MnGALLA for what might be years fighting with one of the most conservative and rigid branches of the government, the Internal Revenue Service. Strategy is always important in working for long term social change.

The first Board of Directors consisted of all of the persons named above—minus Mike Rouse and Laura Petracek. (The latter resigned because she moved to New York. No information is known about the reasons for Rouse’s departure.) At this January 11, 1981, meeting, the Board also formally elected its first set of officers. Dan Hanson was the first President (and would serve in that capacity until 1984); Sue Short was elected Vice-president; and Chris Duff was tapped to be the Secretary-Treasurer. (Appendix pages 75-76)

There were prolonged discussions about by-laws, which were drafted by a committee consisting of Rick Osborne and Matt Stark. Their first draft was reviewed and discussed at length at the March, 1981, Board meeting. A final draft was put together by Osborne and Stark in June and discussed again by the Board in July. The final by-laws were adopted by the Board on August 8, 1981.<sup>4</sup>

The first crisis of the new organization was its own legal battle with institutionalized homophobia. Consistent with the Reagan Administration’s policy directing it to harass gay-related organizations with serial technical objections, hoping that the applications would be withdrawn, the U.S. Internal Revenue Service initially denied MnGALLA 501(c)(3) tax-exempt status in January of 1982. If that initial turn-down had been allowed to stand, MnGALLA would have died from fiscal starvation, inflicted in three separate ways. It would be unable to solicit tax-deductible donations; it would be ineligible to receive grants from foundations (which are forbidden from giving money to non-501(c)(3) groups); and it would itself be subjected to income taxes on all monies that it did receive. The Board vowed to gather the additional information demanded by the IRS and resubmit the 501(c)(3) application. That was done in April, through the efforts of Kenneth Keate and Dan Hanson. On May 7, the IRS again denied MnGALLA’s application, citing new objections that MnGALLA’s planned activities were not sufficiently

MINNESOTA SOCIETY FOR PERSONAL LIBERTIES  
451 Marshall Avenue  
Apt. #4  
St. Paul, Minnesota 55102

TO: News Media  
FROM: Matthew Stark, Board Member  
SUBJECT: News Conference:

Sunday, March 22, 1981  
10 a.m.  
444 Penn Avenue, South, Minneapolis  
377-2211

Dan Hanson and Karen Clark will announce and discuss the formation of the Minnesota Society For Personal Liberties and the Minnesota Gay and Lesbian Legal Assistance clinic.

The Minnesota Gay and Lesbian Legal Assistance clinic has been formed in order to promote the legal rights of gay and lesbian persons.

Dan Hanson has been elected president. Karen Clark, member of the Minnesota State Legislature, is a member of the Board of Directors.

The Minnesota Gay and Lesbian Legal Assistance clinic is the first clinic in the state of Minnesota to devote its energies and services to promote the legal rights of gay and lesbian persons everywhere in the state of Minnesota.

The increased interests of gays and lesbians as well as other persons in securing for gays and lesbians their full constitutional and legal rights has motivated a large, broadly based Board of Directors to be established in forming the Minnesota Society For Personal Liberties.

Plans are being made to raise large sums of money from private foundations, businesses, and citizens to carry out extensive legal assistance for gays and lesbians everywhere in the state of Minnesota.

charitable or educational. At its May 15, meeting, the Board passed a series of resolutions designed to reassure the IRS. The most important one was that MnGALLA would provide free legal services to persons whose income was no more than 125% of the federally-established poverty level.

The Board then approved a resolution to immediately appeal the IRS denial. And then, the government decided to surrender! By letter dated June 29, 1982, the IRS granted 501(c)(3) status to MnGALLA and on September 21, 1982, the State of Minnesota Department of Revenue sent a similar letter to MnGALLA! <sup>5</sup>

Substantive business got off to a slow start in 1981. As might be expected, the preliminary organizing activities described above and initial attempts at raising money consumed most of the Board's time during its first year. There were, however, several actions taken to confer some tangible benefits upon the community. Gay Community Services (GCS) was, as its name suggested, an organization of professionals which had been set up to provide mental health and non-legal social services to Twin Cities sexual minorities. Its director, Doug Elwood, approached MnGALLA to request assistance in setting up sensitivity training for the Hennepin County Attorney's Office (HCAO) prosecutors in cases involving gay victims of assault or homicide. Specifically, sensitivity training was needed regarding the crucial areas of decisions about charging suspects and conducting the pretrial jury selection process in order to select non-homophobic jurors, to relate more empathetically to the victims of such crimes, and to more effectively help the victims go through the court process. At its May 28, 1981, meeting, the MnGALLA Board readily agreed to participate in this obviously relevant joint venture with GCS. The Board initially had high hopes for this project, especially since Board member Rick Osborne was a newly-appointed Assistant Hennepin County Attorney. A committee composed of Osborne, Hanson, Ron Hook, and Sue Short undertook the project. But for unknown reasons, the project foundered. An undated handwritten memo from Dan Hanson indicated that there were no prospects for grant money to fund the training project and there were large hurdles to be overcome in changing the values and understanding of the Hennepin County Attorney Office's prosecuting attorneys. (The training project would have involved at least a week's worth of work for two people.)<sup>6</sup> The minutes of the Board's September 12, 1981, meeting stated that the project had been "delayed" due to the fact that the HCAO "was in the middle of some staff changes." The last mention of this project in any of the extant archives was in the minutes of the Board's April 17, 1982, meeting, in which "Osborne reported that the HCAO Jury Selection Project (unfortunately) had been dropped." No explanation was reported.

There were also nascent efforts to provide some form of direct “client” services on an ad hoc basis:

— In early January of 1981, Minneapolis Public Schools Superintendent Richard Green instituted a policy requiring written consent from parents before any District student could attend an “Alternative Lifestyles” class in which guest speakers were invited to discuss sexual minority issues. This was the only class in the Minneapolis school system for which prior parental permission was required! A year later, after fruitless negotiations with the District, and at the request of MnGALLA, the MCLU, through volunteer attorney Lynn S. Castner, filed a lawsuit challenging the parental consent requirement on federal First Amendment grounds with Matt Stark as the lead plaintiff. At its January 9, 1982, meeting, the MnGALLA Board agreed to write and file an amicus curiae brief in support of the MCLU’s position. MnGALLA board member Ron Hook volunteered to write this brief which was submitted to the trial court on January 24, 1984, in the case entitled *Stark, et al. v. Special district No. 1*. “This case was consolidated on January 25, 1982, with a similar case brought by the Minneapolis Federation of Teachers. The plaintiffs sought relief in the form of a Writ of Mandamus to require the school board to rescind the policy that prohibited the use of gay and lesbian speakers.” “On May 1, 1986, the school board and the Minneapolis Federation of Teachers reached an agreement which would rescind the January 13, 1981, memo that initiated the policy: *Prohibiting the use of gay or lesbian speakers in public elementary schools*. The school also agreed to issue another memo which would follow previously existing school regulations concerning speakers. “On June 17, 1986, the MCLU moved to sever its case from that of the Minneapolis Federation of Teachers *in order to amend its original complaint to include a new memo against the older speaker policy and obtain greater freedom for classroom teachers selection of outside speakers from prior review by school principals.*” “On August 14, 1986, the Court denied *this effort of the MCLU.*”<sup>7</sup> In any event, the MCLU, MnGALLA, and the Minneapolis Federation of Teachers forced Superintendent Green and the Minneapolis School Board to adopt a policy which would guarantee, in the future, that it would not discriminate against gays and lesbians being used as classroom speakers.<sup>8</sup>

— Despite having a bank balance of less than \$700, the Board decided at its August 8, 1981, meeting to offer to contribute up to \$40, each, to Claude Peck and Robert Halfhill, two gay men who had been arrested in connection with their participation at a June rally at the Minneapolis-St. Paul airport held to protest the U.S. Immigration and Naturalization Service’s deportation of a gay visitor from the United Kingdom. The February 3, 1982, Board meeting minutes reflected the fact that the airport defendants had declined MnGALLA’s offer of financial assistance.

Evidently, Peck and Halfhill declined MnGALLA's offer of financial assistance since they settled the case with the Bloomington city attorney's office and did not therefore need money to pay for legal counsel.

— Also on August 8, the Board postponed a request to assist a gay man who alleged that he had been the victim of employment discrimination by the United States Postal Service, pending an initial examination of his case by Board member Amy Silberberg. No subsequent mention of this case can be found in the MnGALLA Board minutes or other archives.

— At its September 12, 1981, meeting, the Board directed President Dan Hanson to contact four men who had recently been arrested at the Locker Room bathhouse to inform them of MnGALLA's existence and possible assistance services. Hanson's attempts to reach them were not successful.

At that same meeting, the Board also directed Hanson and member Carolyn Maier to continue discussions with Phil Willkie which had been initiated by Hanson in May of 1981, regarding a possible merger of the Minnesota Gay Defense Fund, founded by Willkie, with MnGALLA. The February 26, 1983, Board minutes would later report, "A joint letter from Hanson/Willkie will announce deactivation of Willkie's group and urging support of MnGALLA to Willkie contributors and the media." This action by Willkie would not have happened if Willkie had not felt that MnGALLA was a very worthwhile organization geared to help gays and lesbians in need of legal assistance. (Unfortunately, this action by Willkie ultimately did little to advance MnGALLA's fundraising.)

— Despite having almost no money, during the second half of 1981 the Board regularly engaged in discussions of procedures, criteria, and guidelines for deciding in which cases MnGALLA would provide client representation or other assistance. At the October 17, 1981, Board meeting, Osborne volunteered to prepare a draft proposal for such guidelines. In the absence of those guidelines (and adequate funding), President Hanson informally referred prospective clients to local attorneys or other appropriate resources.

— At its February 16, 1982, Annual Meeting, the Board passed a resolution to provide "limited free legal consultation for those arrested for activities in the adult bookstores." Amy Silberberg and Ron Hook volunteered their services for those consultations. By the March 20, regular meeting, the Board was ready to adopt an actual schedule of admittedly limited financial assistance for those community members who were represented by an attorney, "if the case was within the guidelines and goals

of MnGALLA”, as follows: if the person’s annual income was less than \$10,000, no more than \$100 could be granted; between \$75 and \$99 could be given to persons earning between \$10,000 and \$20,000; \$50 to \$74 could be awarded to those earning between \$20,000 and \$30,000; persons earning between \$30,000 and \$40,000 were eligible to receive \$25 to \$49; an income of between \$40,000 and \$50,000 made one eligible to receive between \$10 and \$24; and \$10 was the maximum possible grant for persons earning more than \$50,000 per year.

— Also at the March 20, 1982, Board meeting, the Board authorized President Hanson to contact the attorney for a man arrested for loitering in a Minneapolis park restroom.

— At that same meeting, the Board offered MnGALLA “assistance in a direct way or on an amicus basis” to an unnamed man who had been arrested in a bookstore.

— And at that meeting the Board further voted to “develop an amicus position” concerning both the “expectation of the constitutionally protected right of privacy in a movie booth at an adult bookstore” and the “constitutionally protected rights of persons not to be harassed on or around adult bookstores concerning their sexual or affectional preference”.

— Finally at the March 20, meeting, Hanson volunteered to find attorneys to write both amicus position statements.

The Board also engaged in several indirect efforts to fight more subtle manifestations of discrimination against sexual minorities, primarily in the form of prejudiced terminology or discriminatory editorial policies and practices in local news media. Three examples are preserved in the organization’s files. Throughout most of the 1980s, the Minneapolis-based *City Pages* was, along with the *Twin Cities Reader*, one of two self-styled “alternative” newspapers published in the Twin Cities. In its April 1, 1982, edition, *City Pages* featured a story by its news editor, Richard Dahl, that was critical of the ongoing battle against sexual minorities that was being waged by Rev. Jerry Falwell and his organization, The Moral Majority. Dahl’s essay ended with a line that was hypothetically attributed to Falwell, which included the highly offensive word faggots as a reference to gay men. Although the essay was written in support of the sexual minority communities, on April 17, 1982, the MnGALLA Board authorized President Dan Hanson to contact the paper to address this issue. A similar complaint was made against the Minneapolis *Tribune* newspaper when one of its regular columnists, Doug Grow, wrote a piece in which he quoted a member of the Chicago Black Hawks professional hockey team using the

same word, faggot, in a clearly derogatory manner. The *Twin Cities Reader* also came under MnGALLA's scrutiny. At the April 17, 1982, Board meeting, MnGALLA voted to file a sex and/or affectional preference discrimination complaint with the Minneapolis Civil Rights Commission over the *Reader's* policy of refusing to accept classified personal ads in its Eligibles section from readers seeking to meet other persons of the same sex; this was accomplished via a letter from Dan Hanson to Civil Rights Department Director George Caldwell.<sup>9</sup>

MnGALLA's complaints in these cases did bear fruit. In a lengthy and thoughtful reply letter to Hanson, Dahl apologized that what he believed to be a satirical and ironic use of the word in question had been misunderstood by many gay and lesbian readers. The May 20, 1982, Board meeting minutes reflect the fact that the *Tribune's* editorial board had responded with an acknowledgement that the use of the word faggot was inappropriate, and promised to make that known to columnist Grow. The May 20, Board meeting minutes contain the Board's decision "not to press the *Reader* paper on their discriminatory ad policy, because they have changed their policy after pressure from another individual." The *Reader* very soon thereafter began allowing same-sex personal classified ads—but adopted a policy of listing all personals under the segregated sub-headings "Men Seeking Women", "Women Seeking Men", "Men Seeking Men", and "Women Seeking Women." That practice continues to this day—following *City Pages'* merger with the *Reader* in 1998.

MnGALLA's efforts to win over the hearts and minds of the media were not limited to reactive complaints. It also undertook an active campaign to use media and community organization outlets to publicize both its existence and its mission. In 1981, Board members made appearances on the programs of television station WTCN and AM radio stations WDGY, WCCO, and KSTP. This was followed up in 1982 with an appearance by State Representative Karen Clark, and MnGALLA Board members Amy Silberberg and Ron Hook on Twin Cities Public Television's well-respected public affairs program "People and Causes" on June 26, June 30, and July 1, (coinciding with Gay Pride Week); an appearance by Dan Hanson on WTCN television's "Probe" program; participation by Hanson and Silberberg on WWTC-AM's "Sunday Forum" program; and another appearance on WDGY-AM in November. Hanson also participated with Board members Marlys Wilson and Rick Osborne in a panel presentation at the December 1, 1982, meeting of the University of Minnesota Lesbian/Gay Community.

And in furtherance of its commitment to the often invisible and marginalized lesbian community, on June 19, 1982, the MnGALLA Board established a Women's Action and Outreach Committee composed of Marlys Wilson and Amy Goetz. The two made numerous presentations and appearances before six groups concerned with the women's community in 1982, including: the University of Minnesota Health Clinic; the Task Force on Violence in Lesbian Relationships; the Domestic Abuse Project; Chrysalis Center for Women; the Minnesota Coalition of Battered Women; and DANCE Co-ops.

The Women's Action and Outreach Committee, on June 19, gave MnGALLA the responsibility of "personally contacting several women with specific cases." This latter duty apparently gave rise to an unfortunate complaint against Goetz by Kathy Sedo, the attorney for one of those women. Correspondence in July of 1982, between then former Board member Sue Short, Board Chair Dan Hanson and Goetz reflect a misunderstanding of the nature of a conversation that Goetz had had with one of Sedo's clients, an unnamed woman who was alleging anti-lesbian discrimination on the part of her employer. The client told Sedo that Goetz had solicited the client to have MnGALLA provide her with legal representation. Goetz claimed that she merely informed the client of MnGALLA's referral and amicus functions and offered to help the woman find an attorney if she so desired. The incident served to remind the Board (and especially its non-attorney members) of the importance of strictly observing ethical injunctions imposed on lawyers not to solicit clients and of not stepping on the toes of established lawyers! On the other hand, the September 11, 1982, Board meeting minutes included a report from MnGALLA's Women's Action and Outreach Committee member Marlys Wilson indicating that the Committee had referred six women clients to volunteer attorney and Board member Amy Silberberg.

Although its federal tax-exempt status imposed severe restrictions on MnGALLA's ability to engage in overt political campaigning, to the extent that it was able, the Board was active in supporting other sexual minority organizations in their efforts to change laws and policies that oppressed the community. The most visible examples of this indirect support in MnGALLA's early years included:

— March 1, 1981, “full and complete” endorsement of the Minnesota Human Rights Coalition’s campaign to persuade the Minnesota Legislature to include “sexual and affectional preference” as an additional protected class in the Minnesota Human Rights Act. This position was strengthened and extended at the January 9, 1982, Board meeting, when the Board “endorsed legislation at all levels of government to bring gay and lesbian persons within the protection of all anti-discrimination laws,” and authorized President Hanson to publicly communicate that resolution.

— On December 12, 1981, the Board passed a resolution opposing any governmental regulation of consenting adult sexual conduct, and supporting the Human Rights Coalition in efforts to obtain legislative repeal of Minnesota’s consensual sex laws pertaining to sodomy, and the oppressive Minneapolis indecent conduct and disorderly house ordinances. (Board member Rick Osborne became a part of an ad hoc group of lawyers and activists who worked with openly gay Minneapolis City Council member Brian Coyle to modify or repeal the Minneapolis ordinances. Nothing came of these efforts.)

— The Board also authorized President Hanson or his designee to directly communicate MnGALLA’s position to the State Legislature during its 1982 session.

— Earlier in 1981, Matt Stark secured the legal assistance of Ron Hook to write a booklet on *The Constitutional Right of Privacy: Sodomy Laws* for distribution throughout Minnesota and to various civil liberties and gay/lesbian organizations throughout the country.<sup>10</sup> Stark obtained funding for the printing and distribution of this booklet from the Playboy Foundation. The foreword to this booklet, published by the Minnesota Civil Liberties Union Foundation, states:

*“Legislation concerning sodomy laws will be discussed and debated and voted on in the 1982 session of the Minnesota Legislature as well as in many other legislatures throughout the country. In order to successfully overturn current laws, concerned civil libertarians need to have available material which they can use in presentations to legislative bodies. Ronald Hook has prepared in this booklet the basic fundamental arguments concerning the Constitutional right to privacy with respect to legislation concerning private, consensual adult sodomy especially with respect to homosexual persons. Interested persons may use all or portions of this booklet as they deem appropriate....”*

*“The time for the extension of constitutional rights to gay and lesbian persons in regard to their private sexual conduct has arrived....It is hoped that this booklet will be useful in the extension of constitutional rights to the activities of homosexual persons.”*

Matthew Stark, Executive Director  
Minnesota Civil Liberties Union Foundation  
October 1, 1981

Clearly the existence of MnGALLA and Stark and Hook’s participation on the Board of that organization led to this publication which expressed the interests and concerns of the Minnesota gay/lesbian community.<sup>11</sup>

— At its November 14, 1981, meeting, the Board had expressed interest in assisting in efforts to overturn the Minneapolis indecent conduct ordinances that were the cornerstone of the ongoing adult bookstore and bathhouse police harassment campaign if it received a formal request from the Human Rights Coalition or other individuals or organizations to do so.

— On January 9, 1982, the Board authorized Hanson to express MnGALLA’s opposition to the Minneapolis vice ordinances. The Board followed this up on February 3, when it approved the appointment of a representative to assist other interested community members with the drafting of revisions in the Minneapolis vice laws. Rick Osborne volunteered to be that representative at the April 17, Board meeting.

— On September 17, 1982, the Board authorized its members to participate as speakers “in public educational forums having to do with gays and lesbians.” The first such invitation that it accepted was to address the University of Minnesota Lesbian and Gay Community on the issue of draft registration for gay men.

## **Chapter Three**

### **Legal Assistance for GLBT Persons**

By far the most significant effort of the Board during MnGALLA's infancy was to undertake serious attempts at defining what sort(s) of tangible legal services the organization was to provide to the sexual minority communities. The second half of 1982 saw the surfacing of tension between various Board members over what they wanted to see happen and what the organization's finances allowed. Because all of the Board members wanted to do something concrete to serve the communities (both to actually alleviate legal suffering and to provide the visibility that would, it was hoped, snowball into increased financial resources), it was decided to establish a system whereby sexual minority community members who had legal problems were referred to a panel of volunteer attorneys.

This program had two positive aspects. It was extremely inexpensive and was small in scale at the beginning. Immediately following its monthly meeting on May 15, 1982, the Board assembled and sent a mailing to "all the lawyers we know now" soliciting their interest in and willingness to serve as members of the referral network and to compile a list of attorneys who were sensitive to sexual minority issues and concerns and making that list available to community members who were requesting legal services. It was reported in the minutes on September 11, 1982, that 30 to 40 lawyers had replied to the letter seeking referral attorneys. (MnGALLA's Second Annual Report (1982) contains the statement that "A number of attorneys from across the state have indicated a willingness to accept referrals from MnGALLA and to represent the clients on the merits of their cases and not to judge them on the basis of their sexual orientation.")<sup>1</sup>

The September 11, 1982, meeting was also of historic importance for another reason. It was the occasion for the Board authorizing a budget of \$150 for telephone service and an answering machine. That meant, in addition to its Post Office Box mailing address, MnGALLA could now engage in two-way communications with those whom it sought to serve. This was important to those Board members who were showing signs of restiveness that the referral service was insufficient to constitute the sort of tangible "legal services" which most people traditionally associate with that term: an office with lawyers who actually represent clients.

The establishment of a telephone presence was seen by those members as an initial "first step" toward the accomplishment of that objective. To

continue the momentum toward that goal, the Board met again on September 17, and unanimously passed a \$16,000 budget for 1983, that called for the hiring of a half-time attorney and a quarter-time secretary/receptionist, and the purchase of minimal office supplies and equipment.

This was followed at the Board meeting on November 6, 1982, by the establishment of a committee (which was chaired by Rick Osborne and included Amy Silberberg and Matthew Stark) to “develop for Board consideration a job description” for that half-time attorney. At that same Board meeting, the evidence of frustration was manifested in the fact that one of the last items in the minutes consisted of the acknowledgement that “BECAUSE OF POOR ATTENDANCE AT BOARD MEETINGS,” the Board adopted “A POLICY OF ATTENDANCE AS A REQUIREMENT FOR MAINTAINING BOARD MEMBERSHIP.” (The upper-case lettering was in the minutes.) The minutes of that meeting also reflect obvious wrangling over how to fill Board vacancies and by whom. After first deciding to delegate to the Nominating Committee the duty to establish membership criteria for future Board candidates for presentation to the Board at its December meeting, someone (not named in the minutes) then nominated Minneapolis attorneys Gary Rankila and Suzanne Born for immediate election to fill two Board vacancies. The nominations prompted a motion by someone else (also unnamed in the minutes) that no new members be elected to the Board until after the Board had reviewed and adopted membership criteria. This motion failed. After more discussion, the original motion to elect Rankila and Born was tabled.

The final Board meeting of 1982, held on December 11, reported that the necessary application form to buy insurance to indemnify Board members for legal malpractice had been completed and would shortly be submitted. 1982 thus ended with high hopes on the part of the Board that the new year would see the inauguration of programs offered by MnGALLA which would provide significant tangible legal assistance to sexual minority Minnesotans—the organization would do more to live up to the last two letters in its name! This, however, would occur only after a difficult period throughout 1983 and early 1984. The Board had always hoped to open an office, initially to house its lawyer referral service, and eventually (it was hoped) to operate an actual legal clinic for sexual minority community members. As a first step in this direction, and following several months of ultimately unsuccessful negotiations with Lesbian and Gay Community Services, on July 1, 1984, MnGALLA opened its first, only, and short-lived office space at First Link Communications—a

gay-owned and operated communications business serving a variety of sexual minority organizations located at 2200 4<sup>th</sup> Avenue South in Minneapolis. Part of the agreement with First Link, was the inauguration of a 24-hour a day answering service. The answering service was publicized by fliers, business cards, advertising in the classified section of the local gay and lesbian press, and by word-of-mouth. Board members volunteered to sign up monthly to take turns calling in to the answering service to receive messages from callers inquiring about legal needs.

In July of 1983, the Board had decided to require the attorneys participating in the referral network to either offer one free client service per calendar year or volunteer to “staff the office every other month” for an amount of time that was unspecified in the minutes. Hanson recalls at least two or three in-coming calls for help each week and subsequent referrals during the nine-month period the service was available. At least 50 GLBT persons were assisted through the answering service!

Due to the fact that the funds necessary to run the hoped-for legal advice clinic were never raised, on March 23, 1985, the Board voted to close the office at First Link, which was costing MnGALLA \$100 per month in rent. But the 24-hour answering service continued for four more years! Hanson had another telephone line installed at his home and handled the referral requests directly from 1985 to 1987 at a cost of about half of the First Link service charge. Subsequently, the October 15, 1988, Board minutes indicated, a motion was passed “to cancel the telephone line to Hanson’s residence and use Board member Matthew Stark’s telephone at his office and home for the initial referrals from the First Link to the attorney network...”

For the last four years of its existence, the personal telephone referral service operated out of the homes of two Board members: Dan Hanson and Matthew Stark. Dan Hanson undertook the duty for the first two years, then Stark handled the incoming calls for the next two years at his home phone. Hanson estimated that he received two to three calls per week. This was one of Hanson’s contributions to the group, because he maintained an attorney’s license in South Dakota, not Minnesota, and therefore could not provide direct legal assistance in Minnesota. According to Hanson’s May 11, 2004, written recollections,

*“The callers were men and women, in varying degrees of need and under stressed circumstances. We received calls from prisoners, some from other states. This telephone service [was] advertised*

**MINNESOTA GAY AND LESBIAN**  
**LEGAL ASSISTANCE**

**Referrals to gay/lesbian sensitive attorneys  
in areas including:**

**Real Estate  
Divorce  
Child Custody  
Criminal  
Employment Discrimination  
Tax Matters  
Wills  
Bankruptcy  
Housing...**

...and other areas that specifically  
impact on gay/lesbian persons.

MnGALLA  
P.O. Box 30224  
St. Paul, MN 55101  
291-7077  
A tax exempt non-profit organization

*weekly in the classified section of the local GLBT newspaper, in fliers, cards, and widely distributed leaflets. Matthew and Dan continued their work with the referral service because we believed in the need for good legal representation for members of the gay and lesbian community. First Link, Dan, and Matthew referred hundreds of people in some sort of legal need to a list of attorneys, mostly in Minneapolis and St. Paul, but also from Duluth, Mankato, and other communities in Minnesota. MnGALLA preserved the confidence of the people requesting referrals, and did not follow up to determine the outcome of any particular cases. In handling these calls from my home, I believe I spent anywhere from 10 minutes to a half hour per call listening to people who were facing real and formidable legal issues. While I tried not to give any advise, it was necessary to get an understanding of the nature of these problems so that I could refer each person to the appropriate attorney. A large percentage of the callers were appreciative of our volunteer efforts to meet their needs. We also received a number of requests for assistance by letters through our post office box. I would try to contact those people by telephone to line up an appropriate attorney.”<sup>2</sup>*

Hanson was later followed by Matthew Stark, who by that time had retired from day-to-day service with the MCLU. Stark estimated that in the two years that he was taking calls, he spoke with upwards of 300 people (about 75% gay men, the remainder being lesbians). Many of those callers were emotionally distraught. Stark even received a couple of calls from persons who used their one permitted phone call from jail to call the MnGALLA referral line. About a third of the calls came at night or on weekends. Stark said that being available for legal referral frequently put him in emotionally draining interactions where he used his training as a counselor, since he was not an attorney. Stark tried not only to refer these callers to legal assistance but also to aid them with their emotional problems. Hanson later told Stark that he also had callers with problems and that he also was concerned and touched by the callers. MnGALLA, through the efforts of Hanson and Stark, certainly met one of the basic goals of MnGALLA! (Appendix pages 77-78)

In light of this service to hundreds of persons with legal problems and nowhere else to turn, it is clear that MnGALLA's referrals were of tremendous benefit to the sexual minority communities.

The final MnGALLA Board meeting minutes, from May 18, 1989, reported that, “The telephone answering service was discussed. Piepkorn has pulled his public service ad from the *GLC Voice*, however, Stark still reports approximately two to three telephone calls per week, but with his more limited schedule at the MCLU (Stark had retired in July of 1987 as executive director of MCLU and by 1989 had been re-elected president of MCLU. In this new volunteer position, Stark spent considerably less time at the MCLU office) it is becoming more difficult to deal with the telephone inquiries to the MCLU office on a direct basis.”



Fortunately and appropriately by May of 1989, when the telephone answering referral service was ended, many gay and lesbian lawyers had come out of the closet and many gay and lesbian-sensitive straight lawyers publicly began to make their services available to the GLBT community. MnGALLA had succeeded in one of its important objectives: securing lawyers to meet the legal needs of GLBTers! As Jerry Fladmark, a gay community activist said years later:

*“In the 1980s, MnGALLA was critical in the struggle to maintain and improve civil rights for gay and lesbian Minnesotans. The telephone referral service, network of lawyers and information pamphlets made a distinctly positive impact on the every day lives of Minnesotans. Indeed, MnGALLA was responsible for a better society for all of us.”<sup>3</sup>*

## **Chapter Four**

### **Legal Assistance and State-Wide Legal Conferences (1983-1988)**

The MnGALLA Board began 1983 concerned with raising money and refining the operation of its lawyer referral network. The January 15, 1983, Board meeting minutes reported that income since the previous meeting was only \$215 dollars, while expenses were \$257; the organization's Western State Bank balance the month before was only \$602.<sup>1</sup> This paucity of income was a problem that plagued MnGALLA throughout its entire existence. A fundraiser was planned for the following month at a private residence. Also, new Board member Suzanne Born "volunteered to look into submitting a proposal" for funding from the surcharge collected by the State of Minnesota on all civil court filings. At this meeting, the Board also passed an amendment to the by-laws providing that any member who missed three consecutive Board meetings would automatically be removed from Board membership.<sup>2</sup>

This amendment would later play a significant role in the departure of several Board members as morale ebbed among some Board members amid increasing tensions over MnGALLA's mission and viability. First, Marlys Wilson was removed under this provision as noted in the Board minutes of March 24, 1984. She was later joined by Jerry Fladmark (Board minutes, May 28, 1986) and Suzanne Born (letter dated March 4, 1987). It should be noted at this point that some Board members who actively participated in MnGALLA's programs never wavered in their feelings that MnGALLA was, in fact, playing an important positive role in the GLBT community and that many of its current activities would lead, in the not-too-distant future, to helping to change the legal climate in Minnesota for GLBT persons.

As MnGALLA, the MCLU, and other like-minded organizations and private attorneys, with legal clout, began to represent gays arrested in bookstores and bathhouses, the general public became less supportive of the Minneapolis Police Department and its errant ways, and the Minneapolis mayor and police chief began reining in the police department. Therefore, fortunately, by this time the police harassment of bookstore and bathhouse patrons largely came to an end. The sexual minority community's interest in such cases waned as AIDS moved to the forefront of the community's agenda on a broad variety of fronts!

Responding to this clear change of tone and temperament, the Board decided to co-sponsor, with the Minnesota Committee for Gay and Lesbian Rights a comprehensive survey of the sexual minority community members' perceived specific legal needs. The survey went to the printer in November of 1983, but no records can be found about whether the survey was circulated or what the results were.

MnGALLA also actively participated in lobbying efforts on behalf of several causes of concern to sexual minorities. On January 15, 1983, the Board passed a motion officially endorsing legislation that would add affectional orientation/preference as a new class to be protected by the Minnesota Human Rights Act. The February 26, 1983, Board minutes reported that MnGALLA resolved to support the campaign to require the City of St. Paul's legislative lobbyist to support the passage of that legislation. At that same meeting, the Board also endorsed Minnesota's first "hate crimes" law: a bill being pushed by south Minneapolis State Representative DFLer Lee Greenfield which would have increased the penalty for persons who engaged in property vandalism if they were motivated by animus against a variety of protected classes—including sexual orientation. The Board also authorized President Hanson to respond to two anti-gay articles that had appeared in the St. Paul *Pioneer Press* and *Dispatch* newspapers.<sup>3</sup>

Board member Rick Osborne, whose significant leadership in the GLBT legal community helped to earn him a seat on the Minneapolis Civil Rights Commission, was actively promoting the idea of using that City's civil rights ordinances to validate and protect gay and lesbian couples using the then-novel concept of "domestic partnership" registration as pioneered in San Francisco in 1982. At its November 5, 1983, meeting, the Board endorsed the concept of extending civil rights protection to domestic partners who were in a relationship that was the equivalent of a heterosexual marriage.

(It might be added here, that in addition to Osborne's membership on the MnGALLA board and the Minneapolis Civil Rights Commission, another MnGALLA board member, Matt Stark, had a reputation which helped MnGALLA because he had been a member of the Minnesota Governor's Human Rights Commission since the early 1950s, and had helped to establish several Minnesota cities' human rights committees. This added to the prestige and thus the influence of MnGALLA.)

At the end of 1983, the Board was exploring further outreach efforts. The first was creation of an active partnership with “caucuses” of sexual minority students at each of the state’s three law schools: the University of Minnesota Law School, William Mitchell College of Law, and the then-fledgling Hamline University Law School. However, not much came of this tentative relationship. At the September, 1984, meeting, the Board voted to “make a concerted outreach effort” to gay and lesbian religious organizations. There also is no record of any substantive action following the Board vote.

An exciting outreach effort was the Board’s decision to take advantage of the fact that Matthew Stark, the MCLU’s executive director, was also a MnGALLA board member by partnering with the MCLU to hold a day-long comprehensive legal conference/seminar on sexual minority rights, featuring workshops on a broad variety of legal issues confronting gays and lesbians. The first of two such legal conferences was held at the Leamington Hotel in Minneapolis on April 28, 1984, as a result of many hours of planning by a committee consisting of Suzanne Born, Dan Hanson, former Board member Amy Silberberg, Matthew Stark, and openly gay MCLU Assistant Executive Director Robert Byrd. Born, as a practicing attorney in Minneapolis, was widely respected in the GLBT communities and this was important in regard to the quality of the conference programs and the attendance of GLBT lawyers.

Byrd, who had been hired at the MCLU by Matt Stark, played a significant role along with Stark in the administration of the planning and conducting of this April 28, 1984, conference on gay/lesbian rights. This was the most prominent, widely publicized, and largest state-wide, gay/lesbian legal affairs conference held in Minnesota to that date. Stark, former chair of the Minnesota Advisory Committee to the U.S. Civil Rights Commission saw the conference as the perfect joining of the MCLU and MnGALLA’s goals of working for equal protection under the law (14<sup>th</sup> Amendment to the United States Constitution) and legal assistance for all persons (6<sup>th</sup> Amendment.)

During this April, 1984, conference, one hour-long workshop sessions were held on the following topics: Minneapolis civil rights complaint procedures; estate planning and tax consequences for single persons; sexual privacy, entrapment, and sodomy laws; gay and lesbian parenting, adoption, and child custody issues; domestic partnership and marital status discrimination; military service and consequences for sexual minorities; and AIDS related issues regarding housing, employment, and medical treatment.



THE  
MINNESOTA  
CIVIL  
LIBERTIES  
UNION

## NEWS RELEASE

MCLU OFFICE: 628 CENTRAL AVE., MPLS., MN 55414 **317-0140**  
FOR FURTHER INFORMATION, OR FOR TELEPHONE REMOTES, OR FOR TELEPHONE ACTUALITIES, PLEASE CALL **████████**

A MAJOR CONFERENCE ON LEGAL ISSUES OF INTEREST TO LESBIANS AND GAY MEN WILL BE HELD ON SATURDAY, APRIL 28, 1984, AT THE LEAMINGTON HOTEL IN MINNEAPOLIS.

FOR RELEASE ON WEDNESDAY, APRIL 11, 1984.

MINNEAPOLIS, MINNESOTA – The topics and orientation of the conference are planned for the benefit of members of the community and other supportive friends of gays and lesbians, however attorneys and other professional groups may find the topics beneficial and informative. The Minnesota Civil Liberties Union Foundation and Minnesota Gay and Lesbian Legal Assistance are co-sponsoring the conference as a public service for the community and in recognition that a well informed lesbian and gay population will be more able to work against discrimination, oppression and ignorance.

A highly talented group of Minnesotans will address issues ranging from sexual privacy, sodomy laws, child custody and adoption, tax consequences, military service discrimination, civil rights procedures, domestic partnership matters to discrimination faced by AIDS patients, the latest test litigation cases in the courts and legislative efforts across the country.

MnGALLA and MCLUF have also arranged for attorneys to be available for people interested in private consultation for any particular legal problems. The attorneys are volunteering their services.

The Conference on Gay/Lesbian Rights is free to all of those who attend. The MCLUF and MnGALLA feel strongly that a well informed community creates a stronger and healthier community. Registration begins at 9:00 A.M. and seminars and consultations will last through 4:00 P.M. Pre-registration for the legal consultation is required.

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PLEASE POST OR DISTRIBUTE

MINNESOTA GAY AND LESBIAN LEGAL ASSISTANCE  
MINNESOTA CIVIL LIBERTIES UNION FOUNDATION

## Conference on Gay/Lesbian Rights

Saturday, April 28, 1984

9:00 a.m. to 4:30 p.m.

Leamington Hotel

1014 3rd Avenue South

Minneapolis, Minnesota

The conference will consist of one-hour blocks during which seminars will be conducted on two concurrent topics by some of the most knowledgeable and articulate speakers in the state of Minnesota. The following is a schedule of topics to be covered:

I. 10:00 to 11:00 a.m.

- A) Civil rights procedure and the Minneapolis Civil Rights Commission: Rick Osborne, Esq.; Ron Hook, Esq.
- B) Tax consequences for the single person and estate planning: Jean Williams, CPA; Carla Messman, Ph.D. Tim Piepkorn, Esq.

II. 11:00 a.m. to 12:00 p.m.

- A) Sexual privacy, entrapment and sodomy laws: Amy Silberberg, Esq.; Randy Tigue, Esq.; Jeff Anderson, Esq.
- B) Adoption, custodial issues and lesbian and gay parenthood: Sue Short, Esq.; Barb Zander, Esq.

12:00 to 2:00 p.m.

LUNCH BREAK

III. 2:00 to 3:00 p.m.

- A) Domestic partnership and marital status discrimination: Ann Richtman, Esq.; Toni Pomerene, Esq.
- B) Military service status and consequences: Allen Gibas, Esq.

IV. 3:00 to 4:00 p.m.

- A) A.I.D.S. in relation to housing, medical treatment and employment issues: Hanan Rosenstein, M.D.; John Whyte, M.D.; David Mayo, Ph.D.; Ken Keate, Esq.

**MINGALLA**

**MCLUF**



- B) Recent judicial and legislative developments concerning lesbians and gay men: Linda Ojala, Esq.; Representative Karen Clark; Senator Allan Spear; Steve Block, Esq.

To reserve a spot in one or more of the above workshops, please check the appropriate space on the following registration form. If for reasons of anonymity you prefer not to give your name, address, or telephone number, simply check item 4 on the registration form to let us know that you are coming.

During the four-hour period indicated above, those individuals wishing to consult with private attorneys on legal questions or legal problems may do so for a maximum of thirty minutes. Consultations will be free of charge and strictly confidential. Please indicate when you wish to see an attorney by checking two lines on the registration form since we may not be able to accommodate your first request. In the event that you will not want to give your entire name, please indicate your first name and last initial for purposes of directing you to an attorney.

In order to direct you to rooms where workshops are being held, and to areas where legal consultations are being conducted, we ask that you please go to the registration desk located outside the conference area when you first arrive at this event.

\*\*\*\*\*

## CHAMPAGNE RECEPTION

Later in the evening of Saturday, April 28, from 8:00-10:00 p.m., the Minnesota Civil Liberties Union Foundation will pay tribute to and hear from the Honorable Judge Crane Winton at a champagne reception. Tickets for this event are \$30.00. If you wish to attend the champagne reception, please check item 7 on the registration form and we will get back to you with all necessary details.

\*\*\*\*\*



MINNESOTA CIVIL LIBERTIES UNION FOUNDATION  
628 Central Avenue  
Minneapolis, Minnesota 55414  
(telephone) (612) 378-0140 or 291-7077

1. Name \_\_\_\_\_
2. Address \_\_\_\_\_
3. Phone \_\_\_\_\_
4. Counting yourself, how many people will accompany you? \_\_\_\_\_
5. Please indicate by Roman numeral & A or B which workshop(s) you would like to attend \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.
6. Please indicate when you would like to consult with an attorney:  
10:00-11:00 a.m. \_\_\_\_\_, 11:00 a.m.-12:00 p.m. \_\_\_\_\_, 2:00-3:00 p.m. \_\_\_\_\_,  
3:00-4:00 p.m. \_\_\_\_\_.
7. Yes, I would like to attend the champagne reception honoring Judge Crane Winton \_\_\_\_\_, enclosed is my check for \$30.00 .

**MN GALLA**  
**Post Office Box 30224**  
**St. Paul, Minnesota 55101**

May 15, 1984

Mr. Matthew Stark  
Minnesota Civil Liberties Union  
628 Central Ave. N.E.  
Minneapolis, Mn. 55414

Re: Conference on Gay  
and Lesbian Rights

Dear Matthew:

On behalf of the Minnesota Gay and Lesbian Legal Assistance Board of Directors, I would like to thank the MCLUF for their participation, financial support and commitment to the recent Conference on Gay/Lesbian Rights held on April 28, 1984 at the Leamington Hotel in Minneapolis.

The Conference was a great success, due largely to the work of you, Bob Byrd, and other good, committed people of the MCLUF.

The MCLU has a strong and positive stance on behalf of the gay community in Minnesota, and this Conference effectively enhanced that public position. MnGALLA appreciates your support and help.

We should do something similar again! A conference such as ours is an excellent vehicle to promote both the MCLUF and MnGALLA.

Thank you and best personal regards,



Dan Hanson

In addition to the workshop presentations, several local attorneys offered conference participants 1/2-hour confidential consultations on legal problems, free of charge. (Records show that the following attorneys donated their services to this part of the conference: Andy Dawkins; Rick Osborne (MnGALLA Board member); Tim Piepkorn (later MnGALLA Board president); Sue Short (former MnGALLA Board member); former MCLU legal counsel, Randall Tighe; and Barb Zander. Extant records indicate that at least 11 GLBT persons actually showed up to receive these services.) Well publicized in Twin Cities gay newspapers (including ads containing actual registration forms), this first-of-its-kind-in-Minnesota event attracted approximately 150-200 attendees, including many gay and straight lawyers, some from large law firms, law students, leaders of GLBT organizations, and interested members of the GLBT community. Most of them were from the Twin Cities area, but there were also persons present from Duluth, Mankato, St. Peter, and even from Iowa City, Iowa. Capping the conference was a \$30 per person champagne reception fundraiser honoring former Hennepin District Court Judge Robert Crane Winton.

A variety of prominent figures and public officials were invited by Stark to participate in the conference. Among the more interesting items in the MnGALLA archives are letters from two well-known public personages who declined to participate: United States Senator Dave Durenberger (Republican) and University of Minnesota Law School Visiting Professor Catherine MacKinnon, who along with Andrea Dworkin, had achieved, in the Fall of 1983, not just local but national notoriety for their leadership of an unsuccessful campaign to persuade the Minneapolis City Council to enact an ordinance that declared pornography to be a form of sex discrimination and therefore to close adult bookstores. This was perceived by many gays as a threat to their interests in frequenting the adult bookstores and the adult movie cubicles. (After weeks of heated public hearings and debate, led by Stark and the MCLU, in opposition to this significant censorship threat to free speech and press, the City Council unfortunately passed the proposed ordinance on a 7-6 vote. It was immediately vetoed by Mayor Donald M. Fraser, who had both First Amendment and pragmatic concerns about its enforceability. The City Council then made some cosmetic changes and repassed basically the same ordinance. Fraser also vetoed the second ordinance, but there was no attempt to overturn this veto.)

Judge Winton had been removed from the District Court bench by the Minnesota Supreme Court in 1984, as a result of a television station's

investigative report which disclosed that Judge Winton had engaged in sex with several male prostitutes. *Complaint Concerning Winton, Minn. 1984, 350 N.W.2d 337* The Supreme Court had ordered his removal from the Bench even though the three judge hearing panel which had heard testimony in the case had recommended only a public reprimand—the same punishment that had been imposed in prior cases involving heterosexual judges who had hired prostitutes. MnGALLA Board member Rick Osborne had written, without a fee, a friend of the court brief for the MCLU on Judge Winton’s behalf, unsuccessfully challenging the constitutionality of the Minnesota sodomy law.

Stark had recruited Osborne as a volunteer lawyer for the MCLU because they had met on the MnGALLA Board of Directors. Again, the close working relationship between MCLU and MnGALLA proved to be mutually beneficial. Also, Amy Silberberg, an original MnGALLA Board member, was hired as MCLU Legal Counsel by Matt Stark, then the MCLU executive director, and the MCLU Board, in large measure because of her demonstrated leadership with MnGALLA. Later, Dan Hanson, the first president of MnGALLA was elected to membership on the MCLU Board of Directors. Many members of the GLBT community saw MnGALLA as a significant organization influencing the many activities of the MCLU in fighting for the constitutional rights of sexual minority persons! This continued the earlier historic role of the MCLU with Matt Stark, then the MCLU president, as a national leader in the fight for GLBT constitutional rights. (See the November 1, 2004, congratulatory letter to Stark from former ACLU President, Norman Dorsen, Chapter 1, p. 2)

This 1984 lesbian and gay rights legal conference proved so successful, both from attendance and public relations standpoints, that MnGALLA and the MCLU decided to reprise it in 1986. This time, it was held in the Hennepin County Government Center to hold down overhead costs. The 1986 legal conference featured workshops on various legal aspects of AIDS, wills, and estate planning, employment discrimination, sexual privacy issues, lesbian and gay legal issues on the national level, family law issues relating to gays and lesbians, and AIDS from the perspective of the individual. As in 1984, volunteer attorneys also offered free 1/2-hour legal advice consultations. This conference featured Thomas Stoddard, the Executive Director of Lambda Legal Defense and Education, as the keynote speaker. The title of his talk was “Lesbian and Gay Issues on the National Level.” Stoddard was also the guest of honor at a \$35 per person champagne reception fundraiser the evening of the conference. At the

second event, he spoke on “The Rights of Gay People: How Far? How Fast?” (Appendix pages 79-80)

These two MnGALLA/MCLU conferences and their related champagne receptions/fundraisers, in addition to the hundreds of GLBT persons in attendance, impacted many hundreds more in the GLBT and straight communities because of the related advertising and word of mouth reports. Public education about MnGALLA and its purpose to help provide legal assistance to members of the GLBT communities was an important accomplishment of these conferences and fundraising receptions and helped make it easier for gay and lesbian lawyers to come out of the closet and for private mainstream law firms to realize the legal needs of gays and lesbians and to begin to meet these legal needs as money making endeavors with gay/lesbian- sensitive attorneys!

In March of 1985, MnGALLA undertook a project that would eventually prove to be highly schismatic and lead to the departure of Board President Suzanne Born. At its March 23, Board meeting attended by Carolyn Maier, Mark Westman, Tim Piepkorn, Matthew Stark, Suzanne Born, and Dan Hanson, the Board, after a contentious debate, initially authorized the use of MnGALLA and its 501(c)(3) tax-exempt status to act as a host for funds that were being raised to pay the legal expenses of Karen Thompson, in a case that was receiving high visibility in not only the sexual minority communities, but among the wider public as well.

Thompson’s domestic partner, Sharon Kowalski, had suffered severe permanent injuries in an automobile accident some months earlier, including brain damage and resulting cognitive communicative impairment. Neither Thompson nor Kowalski had previously “come out” to their families as being lesbians or about the true nature of their relationship. Unfortunately, Kowalski’s parents asserted the right to make all decisions concerning Kowalski’s health care, rehabilitation, and—most significantly—her place of residence. Profoundly homophobic, Kowalski’s parents denied Thompson, a St. Cloud State University physical education professor, any access to their daughter! Thompson had engaged the services of a self-identified lesbian attorney, M. Sue Wilson, in an attempt to gain guardianship, conservatorship, and custody rights in regard to Kowalski. At the time that MnGALLA was asked to step in to assist with funding for Thompson’s legal expenses, Thompson and the Kowalskis were going back and forth between the trial court and the Minnesota Court of Appeals. Thompson had been consistently losing the fight.

After initially approving the request to act as a funding host, the Board reversed itself and, by a 3-2 vote (with one abstention), rescinded its earlier approval. The Board members were of differing minds about the extent that MnGALLA could participate in the case, in view of the 501(c)(3) status of the organization. The Board agreed to seek the legal opinion of lawyers who had working experience with tax-exempt organizations. (It is, of course, the height of ironies, that this organization which was founded in order to provide legal assistance to sexual minorities agreed to seek legal advice regarding whether, and to what extent, it could participate in Thompson's private legal battle in this manner!) At a continuation of this meeting on the following Tuesday, March 26, 1985, attended by the same members who were present on March 23, the minutes report that the tax "experts" who had been consulted offered conflicting opinions on the issue. "However, the opinions indicated that if the subject matter [of the expenditures] was an important interest with which MnGALLA was concerned, the organization could provide applicable attorney and related fees. Another opinion would be that MnGALLA should exercise control over the litigation." Recognizing that this was an important case for the gay and lesbian communities, that Thompson's lawyers badly needed funds to pursue the litigation, and that MnGALLA stood to gain substantial public relations benefits, the Board authorized MnGALLA to "receive funds to enable Karen Thompson to pursue ongoing litigation, upon approval of bills by resolution of the MnGALLA Board." The vote was 4 "yes" and 2 abstentions; because no roll call votes were ever taken at Board meetings, there is no way of knowing how each member voted. In an interview on December 31, 2003, Carolyn Maier (who was MnGALLA's Treasurer during this period) recalled that she handled "hundreds" of checks in this effort, from May, 1985, when the first checks were processed, through June 30, 1987—following the Board's decision at its November 22, 1986, meeting to cease MnGALLA's role in raising funds for Thompson's lawyers.

The last mention of the actual amount of money that MnGALLA directed to the Thompson legal effort is found in the January 2, 1988, Board meeting minutes, which reported that, "The total sum of \$32,229.86 was paid on behalf of the Karen Thompson case, of which nearly all went to her legal fees" (emphasis in original). The Board's November 22, decision prompted an angry protest letter, dated February 9, 1987, from now-ex Board member Suzanne Born. In a reply to Born dated March 4, 1987—jointly signed by President Timothy Piepkorn, Treasurer Carolyn Maier, and Secretary Dan Hanson—the Board indicated that the decision of the MCLU to also discontinue its participation in the case had "certainly

impacted” MnGALLA’s decision. (MnGALLA’s information that the MCLU had discontinued participation in the Kowalski/Thompson case was not correct, and the MCLU’s role in the matter is outlined below.)

The following information concerning the Kowalski/Thompson case comes in part from *The Sharon Kowalski Case, Lesbian and Gay Rights on Trial*, by Casey Charles, University Press of Kansas, 2003. The Sharon Kowalski guardianship case started in early 1984 in Sherburne County District Court, mainly under Judge Bruce R. Douglas, as the result of a tragic auto accident that occurred on November 13, 1983. Judge Douglas named Donald Kowalski (Sharon’s father) as guardian, but allowed Karen Thompson equal rights to visitation and medical information on April 25, 1984. Douglas retained jurisdiction of the case until it was removed to St. Louis County in 1987.

The issue of placement of Sharon came up repeatedly, and Beth Ristvedt, Karen Thompson’s first attorney in the case, represented her early in 1984 through September of 1985, when Karen hired “more aggressive attorneys”, M. Sue Wilson and her partner, Toni Pomerene. These attorneys were retained after a July 25, 1985, hearing where Judge Douglas gave Sharon’s father guardianship and “the power to determine who may visit Sharon Kowalski....” This restriction effectively precluded Karen Thompson from having any contact with Sharon, given the hostility of Sharon’s parents.

MCLU legal counsel Janlori Goldman and MCLU attorney Amy Bromberg, upon direction from Matt Stark, Executive Director of the Minnesota Civil Liberties Union, visited Sharon while she was a resident of a Duluth nursing home. Goldman advised Stark that Kowalski indicated to them that she wanted to be represented by the MCLU and he then secured the assistance of the Faegre and Benson law firm and Brian O’Neill, one of its outstanding attorneys, as the MCLU volunteer attorney directly representing Sharon Kowalski. (Earlier, the MCLU Board of Directors had voted in favor of the MCLU supporting Kowalski and Thompson in this case.)

The MCLU submitted a friend of the court brief written by Brian O’Neill for the July 25, 1985, District Court hearing. However, on September 13, 1985, the Court of Appeals upheld the District Court’s ruling limiting Karen’s visitation rights.

Nearly four years later, Judge Robert Campbell of the St. Louis County District Court had jurisdiction of the case because Sharon was then in a nursing facility in that County. Donald Kowalski chose to resign as Sharon's guardian in 1989, for personal reasons, and Judge Campbell on April 23, 1991, appointed Karen Tomberlin to be guardian of Sharon. She was not related to the Kowalski's but was opposed by Thompson and her attorneys. By this time, Fred Friedman, a state public defender from Duluth, had been appointed to represent Sharon Kowalski by Judge Campbell.

In the appeal to the Minnesota Court of Appeals from Campbell's 1991 order, Fred Friedman continued to represent Sharon Kowalski. However the Court of Appeals accepted Brian O'Neill as also representing Sharon Kowalski, and he submitted the MCLU's brief on behalf of their client, Sharon Kowalski. Suzanne Born, in conjunction with another attorney from the Lambda Legal Defense filed a friend of the Court brief.

This Court of Appeals hearing was held on November 6, 1991. (This was the same day when the voters of St. Paul rejected an initiative to strike down that City's second gay rights ordinance.) Brian O'Neill, Sue Wilson, and Suzanne Born all made arguments before the Court. Judge Jack Davies wrote the Court of Appeals opinion issued on December 17, 1991, in which the three judge panel ruled unanimously, appointing Karen Thompson as guardian of Sharon Kowalski, as recommended by Brian O'Neill, Fred Friedman, Suzanne Born and M. Sue Wilson—eight years after the tragic accident of 1983! One of Judge Davies' significant findings included the statement that Sharon and Karen constituted "a family of affinity which ought to be accorded respect". In re *Guardianship of Kowalski*, 478 NW2d 790 (Minn.App. 1991)

On January 17, 1992, Tomberlin's attorney filed an appeal to the Minnesota Supreme Court, but on February 14, 1992, the Supreme Court refused to hear the case, thus ending the tortured legal proceedings for Sharon Kowalski and Karen Thompson.

Throughout the case, the MCLU was an active friend of the court participant with Brian O'Neill and others from the Faegre and Benson firm actually representing Sharon Kowalski, at Sharon's request that she had made to Janlori Goldman. The MCLU was heavily involved in this case, undoubtedly, because of Matt Stark's personal involvement with MnGALLA. He was influenced by the people he met at MnGALLA and the arguments and positions he heard there.

The MnGALLA Board was also active on other fronts in its efforts to provide some low-cost or no-expense forms of tangible legal services to the community. The May 18, 1985, Board meeting minutes report that MnGALLA agreed to prepare and submit a friend of the court brief to a lawsuit that had been filed challenging the Minnesota sodomy law.

A “Dear Friend” fundraising letter from President Suzanne Born, dated December, 1985, stated that:

*“In October, MnGALLA Board members Suzanne Born and Tim Piepkorn along with attorneys Ken Keate and Ann Richtman presented a panel discussion on wills, powers of attorney and guardianship appointments to a meeting [of] the Northland Business Association. (The first organized group of gay and lesbian business people and professionals known to operate in Minnesota.) Born and Piepkorn also taught a two-session will drafting seminar at the Minneapolis Public Library. Sixteen people attended the sessions and most successfully completed the drafting and execution of their wills and associated legal documents. MnGALLA will offer the class again in the spring.”<sup>4</sup>*

These estate planning workshops apparently became an annual event. The April 16, 1988, Board minutes indicate that “MnGALLA will conduct another wills seminar in June of this year.” The October 15, 1988, Board minutes indicate that 5 persons attended that seminar.

On the public policy front, and in addition to its friend of the court brief in a challenge to the Minnesota sodomy law, the Board endorsed several legislative changes. At its April 4, 1987, meeting, the Board voted to:

— Support “all efforts to remove the sodomy and fornication laws from the statutes of Minnesota; and

— To “take an active part in opposing the current legislation sponsored by the Minnesota Health Department concerning so-called ‘non-compliant behavior’. The legislative initiative would have imposed both severe criminal penalties for persons who knew that they were HIV positive if they engaged in sexual activity and also would have allowed for their civil “quarantine”.

(In light of its earlier active support of efforts to repeal the Minneapolis vice laws, the Board took no position on a bill being sponsored by

homosexual state Senator Allan Spear that would have changed repeat convictions of public indecent exposure and indecent conduct from misdemeanors to gross misdemeanors or felonies!)

These lobbying efforts continued up until the very end of MnGALLA's active existence: The last extant Board meeting minutes, from May 18, 1989, indicate that "MnGALLA was involved in the 1989 legislative session concerning several specific bills regarding AIDS, non-compliant behavior, testing, reporting, and insurance. The effort included some lobbying activities." Toward the end of its existence, MnGALLA Board meetings concerning lobbying efforts were attended primarily by Piepkorn and Stark and also drew in participation from AIDS activist groups such as the "AIDS Coalition to Unleash Power" (ACT-UP), under the leadership of Robert Halfhill.

## Chapter Five

### MnGALLA's Response to the AIDS Crisis

By 1983, it was apparent that AIDS would greatly affect the gay community. It was also evident that there was no existing organization other than MnGALLA that could represent the legal needs of AIDS patients. Board member and later president of MnGALLA, Minneapolis attorney Tim Piepkorn graphically described the bleak legal climate for AIDS sufferers of that era:

*"It was 1982 and I was notified that there was a [patient] at Hennepin County Medical Center who was dying of the "Gay cancer". (The disease had not yet been named.) Before his death, he wanted to sign a will. I went to the hospital and before I could see him I was told to wear a protective entire body suit. I remember asking the nurse whose protection the suit was for (I assumed it was for the patient's protection). I was shocked when I was told that it was for my protection. I met with him on two separate occasions. After he signed his will on the second occasion, I instinctively took off a glove and shook his hand. He cried, and told me it was the first human contact he had in weeks. Initially there was very little information concerning this disease. We did not know what caused the disease, how it was transferred, or how long a person had the disease before it manifested itself. We did know, however, that once the disease manifested itself, it was a death sentence. The life expectancy of a person with this disease initially was only 6 months. This lack of knowledge had the effect of fueling the hysteria surrounding this disease."*

*"All too soon, this client was followed by many other clients who were dying and wanted wills. I met with these clients at their homes and in hospitals. I remember one poignant time when I met with two gay lovers at a hospital. They were both dying of AIDS and wanted wills and Power of Attorneys. Neither was ambulatory, and they were in separate rooms. When I would see one, the first question would be how the other partner was doing. I went from one room at the end of the corridor, to the other room at the other end of the corridor. After they signed their documents, I told them to use their Power of Attorneys so that they could share a room. Their faces lit up."*

*“I learned a great deal from these men. I learned that there are many ways of facing and dealing with death. I was inspired by those men who were able to accept their dying, and yet continue to live their lives with a sense of appreciation for the day. I saw other men whose anger at having a shortened life consumed them.”*

*“I represented several prominent men with AIDS. I quickly learned that much of the media exist only to promote hysteria. Initially, I had hoped that my representation of these men would help educate other people about AIDS and the myriad legal and social issues involving AIDS. Unfortunately, only bits and pieces of what I told the media was reported or printed. These bits and pieces almost always triggered strong emotions, and very little attempt was made by the media to educate. I was truly shocked and dismayed. The media have such enormous influence and power, yet so little motivation to truly educate.”<sup>1</sup>*

A significant aspect of MnGALLA’s efforts to provide tangible legal services in the coming years would be in the area of serving the tremendous needs of persons with AIDS. At the July 26, 1986, meeting, the Board voted to “initiate an immediate campaign to meet the needs of AIDS victims, for example, to gather a pool of attorneys to meet with AIDS patients, and virtually free, to assist with their legal needs. President Piepkorn will sponsor a series of ‘5:00 P.M. type’ meetings to determine the manner in which to proceed with this proposed service.” This effort would subsequently evolve, beginning in 1987, into a regular weekly legal aid clinic held at the offices of the Minnesota AIDS Project (MAP) to provide free legal consultations to person with AIDS, as well as MnGALLA’s publication of several significant brochures highlighting discrete legal issues of interest to persons with AIDS. The May 18, 1989, Board minutes stated that the MnGALLA/MAP brochures “were finally printed, with 5,000 brochures for the first printing.” There were three separate brochures each addressing a discrete legal issue: *AIDS & Discrimination*; *AIDS & the Law*; and *AIDS & Wills*.<sup>2</sup> The minutes recognize the effectiveness of President Tim Piepkorn for being “instrumental in the success of the effort and the effort looks good.”

Both the MAP clinics and the writing of various MnGALLA brochures were spearheaded by the distinguished efforts of Tim Piepkorn who demonstrated his deep commitment to aiding members of the GLBT community. He joined the Human Rights Committee of MAP with the intended goal to help create a law clinic. Subsequently, due in large part to his outstanding volunteer efforts, a law clinic was created by MAP and MnGALLA, in keeping with MnGALLA's initial goal of providing legal services to the members of the GLBT community. MnGALLA board member attorneys, as volunteers, staffed the weekly clinic for several years, along with the help of other volunteer gay and lesbian attorneys, who were recruited by MnGALLA. These attorneys included: Piepkorn; former MnGALLA President Suzanne Born; Ken Keate; and Brian Huling. Clients met with an attorney at no cost! If further legal assistance was needed, clients were referred to other attorneys. These attorneys agreed to represent clients *pro bono* or at a reduced fee if the clients were not able to afford legal representation. Piepkorn observed, "It is important to note that this was during an era [in which] there was hysteria concerning AIDS, and few attorneys marketed themselves to the gay and lesbian community." However, as Piepkorn indicated, "Hundreds of AIDS clients were served by MnGALLA recruited attorneys. While the legal issues were varied and ran the gamut of every conceivable legal problem, it also became evident that there were a few legal problems that kept reoccurring. In order to assist people with these issues, I prepared pamphlets for these issues. These pamphlets were published by MAP and were available in the lobby of MAP."

Regarding the legal clinic, Board meeting minutes from August 29, 1987, December 12, 1987, and January 2, 1988, describe political turf battles between MnGALLA, the MAP Board, local organizations of persons with AIDS, and various committees of the Minnesota State Bar Association over the form and nature of these clinics, who would be eligible to benefit from them, and who would fund them. According to the April 16, 1988, Board meeting minutes, by that time there were "currently 12 attorneys participating in the MnGALLA legal clinic at the Minnesota AIDS Project. The clinic is held every other week on Tuesdays and to date has been successful." The October 15, 1988, Board minutes disclosed that in the four months since its inception, 108 people had been served at the MnGALLA/MAP clinic, with a 74% "show up" rate.

In regard to the pamphlets, Piepkorn was expressly credited in the October 15, 1988, Board meeting minutes "for their inception and inspiration." Earlier, on August 29, 1987, MnGALLA passed a motion to

co-host, with the Minnesota Bar Association, a Continuing Legal Education seminar on AIDS and the process of educating attorneys on the subject. In an interview with the author, Stark credited Piepkorn's brilliant leadership of MnGALLA's legal outreach to persons with AIDS (and their partners and caregivers) as being a major influence on gay sensitive lawyers to increase their availability to GLBT persons in general, due to the subsequent realization by both gay and non-gay lawyers that there was a significant "market" for legal services by GLBT persons.

Stark also believed that MnGALLA's legal work with MAP, along with the publicity garnered by the Thompson/Kowalski case led to the widespread recognition by sexual minority community members of the need for legally enforceable estate planning arrangements. As Piepkorn would later recall, "Couples in the gay community lacked awareness of what needed to be done to legally protect their relationship. I prepared a detailed outline of what needed to be done legally, along with various prototypes of documents. I asked Suzanne Born to help me give presentations to the gay community on the necessity of having these documents. MnGALLA promoted and marketed these seminars. Many of these seminars were given at the Minneapolis Public Library."

MnGALLA's efforts in the struggle against AIDS were not limited to the provision of direct services to persons with AIDS; they also extended to the behind-the-scenes lobbying efforts that tend to be most effective in preempting and deflecting harmful public policies. As an example, for two years, Board member Tim Piepkorn regularly attended the public meetings of the Governor's Commission on AIDS. He noted that,

*"This was during the early years of the AIDS epidemic in Minnesota. The Commission often dealt with many of the legal issues involved with AIDS and people with AIDS. I was there as MnGALLA's representative to monitor and speak out on these legal issues. It is now easy to forget the initial hysteria surrounding AIDS. However, let us not forget that this hysteria was profound, and we were greatly concerned that this hysteria would negatively impact our civil liberties. (I would not again experience this high level of hysteria in our country until the tragedy of 9/11.) There was talk about mandatory testing, quarantine, no confidentiality of these results. It was a very frightening time. Fortunately, there were enough responsible people in the medical, legal, and political communities who spoke*

*out, and there was very little erosion of civil liberties. In retrospect, I can see how very fortunate we were. It certainly could have gone the other way.”<sup>3</sup>*

With justifiable pride, Piepkorn concluded that MnGALLA’s role in providing all of these various assistance efforts in the legal fight against AIDS “...was a huge accomplishment on the part of MnGALLA.”<sup>4</sup>

Eric Engstrom, the first Executive Director of the Minnesota AIDS Project (MAP), noted Tim Piepkorn’s role early on in MAP’s history. Matt Stark, then the retired executive director emeritus of the MCLU, had a telephone conversation with Eric Engstrom on November 13, 2005, and in response to a question involving the role of Piepkorn, Engstrom said:

*“Piepkorn was a major force in the recruitment of volunteer lawyers to help AIDS victims referred to MnGALLA by MAP. Tim was a quiet person of action who counseled many, many AIDS victims and their partners and provided them with emotional support and legal assistance. He was diligent in preparing several pamphlets which were published by MAP and which were broadly distributed to AIDS victims and their partners as well as throughout the gay/lesbian community of Minnesota: “AIDS: Wills”; “AIDS: The Law”; and “AIDS: Discrimination.” He was extremely dedicated and a quiet initiator of action with the MAP staff. Tim played a major role with MAP in assisting people with AIDS in Minnesota.”*

## **Chapter Six**

### **The Struggle for Money**

Every Board member with whom I spoke, regarding MnGALLA's relatively short life, agreed that MnGALLA's failure to raise sufficient money to finance a fully staffed legal aid office was due to its founders' overly-ambitious visions. Today, no successful non-profit organization can survive for any length of time without directors who either: 1) are themselves wealthy, and are thus expected to generously contribute to the organization; or 2) are well connected with other individuals, businesses, and/or charitable foundations who generously contribute to the organization; or 3) have expertise in identifying and obtaining funding grants from private or public sources. With the exception of MCLU Executive Director Stark, who had extensive fundraising expertise and experience, the MnGALLA Board never had any such persons as members. In an interview with the author, Stark claimed that until his retirement from the MCLU, late in MnGALLA's existence, he was unable to fully bring his fundraising talents to bear on MnGALLA's behalf because doing so would have posed an actual or possible conflict of interest with his work for the MCLU Foundation, the 501 (c)(3) arm of the MCLU.

The second factor in MnGALLA's failure to obtain adequate funding was the AIDS crisis, which was just beginning to get national attention in 1980. As the numbers of gay men who had died or were dying from the disease mounted at an accelerating rate throughout the 1980s, the efforts to contain both the medical and civil liberties fallout drained substantial portions of the gay community's discretionary resources.

The final contributor to MnGALLA's fundraising failure was competition with national sexual minority community legal assistance organizations for legal support funding. Gay Legal Advocates and Defenders (GLAD) and Lambda Legal Defense and Education Fund were both national organizations dedicated to providing impact litigation to individual gay and lesbian clients. That is, they would represent clients (nearly always plaintiffs in civil cases) who were representatives of broad classes of litigation categories (e.g., sodomy law defendants, child custody denials, firings of teachers, etc.) in the hope of obtaining favorable appellate court rulings that would then be applicable to all similarly situated sexual minority persons. Because these national organizations aggressively solicited funds from the same—and, at that time, relatively limited—base of well-heeled sexual minority contributors whom MnGALLA would plan to

also seek out and because these national legal assistance organizations had (at least perceived) greater “cachet” in the sexual minority communities, MnGALLA was continually facing the situation of being “a day late and a dollar short” when it did solicit local gay and lesbian philanthropes. Ironically, it was only near the end of MnGALLA’s existence when it solicited both money and volunteer time to help with the legal needs of AIDS clients, the organization finally received enthusiastic community support for its leadership efforts in Minnesota.

That is not to say that MnGALLA never had any fundraising successes; it is just that what monies the organization was able to raise only kept it alive at a subsistence level that allowed it to sustain with great effort and without any paid staff the limited but significant activities described in previous chapters. The main ways in which MnGALLA raised money throughout its history were small, person-to-person “house parties,” direct mail solicitations; and through the considerable influence and with the active assistance of MCLU Executive Director Matthew Stark, the organization also “piggy-backed” on the joint MCLU-MnGALLA gay and lesbian legal conferences in 1984 and 1986 to host what were intended to be major fundraisers held at the end of the events themselves.

One of the first priorities of the Board of Directors after MnGALLA’s formation was to start raising money. The minutes of the second full Board meeting, December 7, 1980, disclose discussion of several possible fundraising vehicles, including, “a large effort with a noted personality, such as Pat Bond...an ‘evening out’ at the Out and About Theater or a film screening of a movie with special significance to the gay and lesbian community...wine and cheese or coffee parties in private homes...[and] a brunch for gay and lesbian community and organizational leaders to explain our project and enlist their support.” Dan Hanson’s hand-written Board minutes of April 2, 1981, disclose that the Board sought to pursue the following sources of revenues: the Minnesota Council on Foundations; coffee parties among particular segments of the community (lawyers, gay men, and lesbians), some form of fundraising event “before the end of June”; and obtaining the mailing lists of other sexual minority community groups and individuals (including the MCGLR, State Senator Allan Spear, State Representative Karen Clark, and Target City activist Robert Halfhill.)

Founded in January of 1981, the Twin Cities Men’s Chorus, after only one year, had become a celebrated institution in the sexual minority community. (The Chorus changed its name to the Twin Cities Gay Men’s Chorus in 1990.) MnGALLA Board member Rick Osborne, one of the

original members of the Chorus, agreed to approach the Chorus to see if it would help MnGALLA by presenting a benefit concert. The Board minutes of December 12, 1981, indicate that the Chorus provisionally agreed to do so in March, 1982. But, the Chorus later withdrew its offer. The February 2, 1982, Board minutes state that rather than doing a benefit concert for MnGALLA in March, the Chorus had instead agreed to allow MnGALLA to hold a fundraiser immediately following the Chorus' July "pops" concert. However, even this event fell through. The April 17, 1982, Board minutes reveal that "Osborne reported that the Twin Cities Men's Chorus had withdrawn its offer to allow [MnGALLA] to have a fundraiser after the Prom Center concert. They have no policy providing for this kind of activity, but will write one. They offered to let us have a free ad in their spring concert program."

The November 22, 1986, Board meeting minutes reveal a discussion of two "film/fundraiser possibilities" involving using the films "Choosing Children" and "Pink Triangles" as the draw for a fundraiser. Once again, no further mention of this project was ever made. A variety of creative and inventive ideas for raising money discussed in Board meetings in 1981 and 1982 failed for lack of diligence in execution, a shortage of volunteers, and a shortage of Board members willing to do fundraising although Board members did carry out many other MnGALLA programs such as telephone answering and referral, authoring educational pamphlets, free legal assistance, and two state wide legal conferences.

As mentioned earlier, MnGALLA placed heavy emphasis on raising money through small, private "house party" fundraisers. The first of these was held at Board member Amy Silberberg's home in St. Paul on July 11, 1981. It was an evident success, because the June 20, 1981, Board meeting minutes report a bank balance at that time of \$161.52, whereas by the August 8, Board meeting, that figure was up to \$660.22.<sup>1</sup>

The next such fundraiser was held at the home of President Dan Hanson and his partner, Keith Grennier, on March 6, 1982. They reported that that fundraiser was a social, public educational, and financial success for MnGALLA. A "Champagne Reception" was held on October 10, 1982 at the condominium of MnGALLA friend Gary Siemers in Minneapolis.

Another such fundraiser, requesting \$35 per attendee, was held on March 20, 1983, in the home of MnGALLA supporter Steve Fulmer. It was originally intended to feature openly homosexual Hennepin County District Court Judge Crane Winton. He was at that time the subject of disciplinary

proceedings stemming from an investigative reporting story by Twin Cities television station WCCO the year before. However, on the advice of his attorneys, Judge Winton declined to appear at this event. Undaunted by Judge Winton's withdrawal, the Board tapped gay San Francisco Board of Supervisors member Harry Britt (who succeeded assassinated gay Supervisor Harvey Milk) for an October 8, 1983, fundraising reception. Organized and coordinated by diligent MnGALLA Board member Rick Osborne, this event netted \$1150 for the organization according to Board meeting minutes of November 15, 1983. This was the single most successful reception-type fundraiser that the organization ever held!

Through the efforts of Matt Stark, Judge Winton, after his removal from the Bench, did appear as the key-note speaker at a joint MCLU/MnGALLA fundraiser on April 28, 1984, following the two organizations' jointly produced legal conference. There are no records extant to indicate how much, if any, money was raised at this event. The MCLU and MnGALLA each kept the amounts they each separately raised after expenses.

A similar event on October 21, 1984, featured Emma Hixson, the openly lesbian Director of the Minneapolis Department of Civil Rights—the first person ever to hold that post who was not a racial minority. A November 10, 1984, letter to all MnGALLA Board members from President Suzanne Born indicated that that event “was not a success because no one really sold tickets. Some Board members did not even attend.”

This particular fundraising attempt produced decidedly negative results. On September 25, 1984, President Suzanne Born sent a letter addressed to “Dear Friends of MnGALLA” requesting attendance at the fundraiser featuring Hixson and soliciting the purchase of tickets for it. There was just one problem with Born's letter. In it, she made reference to the statistical wage disparity between males and females and indicated that while males would be asked to pay \$50 to attend the event, tickets for women would be available for only \$28! This prompted several of MnGALLA's male contributors (including Gary Grefenberg, the former chairman of MnGALLA's parent organization, the MCGLR) to write letters of outrage, complaining about the irony of engaging in sex discrimination at an event featuring the head of the city's anti-discrimination agency, and demanding that their names be removed from MnGALLA's mailing list.<sup>2</sup>

A previous chapter treated MnGALLA's involvement in helping to raise money for the legal fund of Karen Thompson, who was battling to

MINNESOTA GAY & LESBIAN LEGAL ASSISTANCE  
(MN GALLA)

Proudly announces a  
Champagne Reception for:

The Honorable HARRY BRITT  
of the  
San Francisco Board of Supervisors

Saturday, October 8, 1983 5:30 to 8:00  
Party Room, Towers Condominiums  
15 South 1st Street, Minneapolis

Minnesota Civil Liberties Union Foundation  
APRIL 28, 1984 CHAMPAGNE RECEPTION HONORING  
THE HONORABLE JUDGE CRANE WINTON

SPEAKER: Honorable Judge Crane Winton

TOPIC: THE PROFESSIONAL & SOCIAL CLOSET

DATE: Saturday, April 28, 1984

TIME: 8:00 to 10:00 P. M.

PLACE: HOME OF: Dan Hanson & Keith Grenier  
451 Marshall Ave., #4  
St Paul, MN

DONATION: \$30 per person, \$60 for two

gain guardianship and custody of her partner, Sharon Kowalski, from Kowalski's parents. Not only did MnGALLA act as a funding conduit, it also decided to affirmatively raise some money for Thompson itself. At its May 18, 1985, meeting, the Board voted to hold a joint fundraiser for MnGALLA and the Thompson/Kowalski Fund in late June. The details of this fundraiser sparked sharp disagreement among Board members again over the issue of ticket prices. President Born felt that because females earned, on average, far less than males, and because lesbians were the primary "target audience" of this fundraiser relating to a lesbian legal controversy, the ticket prices should be kept low. Other Board members felt that because a fundraiser's intent is, by definition, to raise large amounts of money, the ticket prices should reflect the reality of that objective. The Board, on a 2-1 vote, decided to ask a \$10 per person "minimum" contribution for the joint fundraiser. On August 7, 1985, it was decided that the fundraiser would be held at the Minneapolis home of President Born and her partner, Carol Cummins, on August 21. The October 26, 1985, Board meeting minutes reported that the event raised a total of \$860, of which MnGALLA retained one-half.

The last of these house parties may have been held in January of 1987, hosted by now former president, Dan Hanson, and his partner, Keith Grennier, in their St. Paul condominium.

In addition to its revenues from house parties, MnGALLA also generated income from a number of other sources, including serendipitous contributions from individuals and other sexual minority community organizations. One of MnGALLA's very first donations was from its parent, the Minnesota Committee for Gay and Lesbian Rights (MCGLR). At its February 1, 1981, meeting, the MnGALLA Board discussed the fact that, with MnGALLA's formal establishment, the MCGLR felt that its legal defense committee was no longer necessary and therefore the MCGLR had agreed to transfer the remaining money in that committee's account (approximately \$125) to MnGALLA. It did so in May of 1981. The MnGALLA Board also eventually obtained from Phil Willkie the contributor list of the Minnesota Gay Defense Fund (i.e., the bookstore/bathhouse defense fund) that Willkie founded and managed.

In one particularly spontaneous outpouring of generosity, in February of 1986, Dignity, the organization of gay and lesbian Roman Catholics, donated its "tithe for the fourth quarter of 1985" to MnGALLA—the sum of \$130. MnGALLA also explored asking its referral attorneys for

contributions. No records exist to indicate what, if any, response this received.

Always vigorous and dedicated, MnGALLA Board member Tim Piepkorn also put significant energy into presenting several seminars to the general sexual minority community on how to prepare wills and other estate planning documents, charging participants \$20 apiece to do so (Board minutes, October 26, 1985), and raising \$280 for MnGALLA that year (Board minutes, November 15, 1985). A similar event was planned for June of 1988 (Board minutes, April 16, 1988).<sup>3</sup>

A joint \$35 per person fundraiser (co-sponsored by the Minnesota Civil Liberties Union Foundation, again with the active support of Matt Stark) was held at the home of State Representative Dee Long of Minneapolis on October 18, 1986. It featured, as a keynote speaker, Tom Stoddard, the Director of Lambda Legal Defense and Education Fund. The November 22, 1986, Board minutes reported that MnGALLA netted \$327.50 from that event.

Although no one who ever served on the Board was well connected to that part of the legal community that gives financial support to charitable causes, the Board did try as hard as it could to obtain funding from legal institutions—without success. The first such attempt to at least investigate such funding sources came at the September 12, 1981, Board meeting, at which Board member Sue Short “reported on the various ideas of the indigent legal services committee of the [Minnesota] State Bar Association, of which she is a member. All of the ideas have potential as a source of funds for MnGALLA.”

At President Suzanne Born’s insistence, in 1983, MnGALLA applied for funding from the Minnesota Supreme Court’s Legal Services Advisory Committee, which was, at that time, the body charged with disbursing the funds obtained from the surcharge that is paid by all persons filing lawsuits in the state of Minnesota. By letter dated August 22, the Court’s Budget and Personnel Director, Judith L. Rehak, rejected MnGALLA’s proposal on the grounds that “legal resources are available to the gay community through existing legal programs and because a need has not been documents [sic] in terms of eligible clients.” MnGALLA tried again the following year—with the same result.

The Board also discussed the desirability of approaching various private foundations. No money was ever secured from these resources.<sup>4</sup>

The other major effort of the Board to raise money was through direct mail appeals. The first of these, authorized by the Board at its November 6, 1982, meeting in the form of “a letter sent to the entire mailing list requesting end-of-the-year tax-deductible donations,” was sent out by President Dan Hanson in December, 1982, indicating that MnGALLA “plan[s] to hire a half-time legal counselor-director in early 1983.” Apparently the response to that letter was underwhelming, because at its January 15, 1983, meeting, the Board passed another motion directing that a new letter be sent to all “prospective contributors, requesting support in 1983.” The mailing of such a letter appears to have become a standing annual practice; the October 26, 1985, and November 15, 1985, Board minutes both make reference to “the end of the year donation letter.”

The next significant direct mailing was to Northland Business Association members on the occasion of San Francisco Board of Supervisors member Harry Britt’s visit to the Twin Cities in conjunction with the MCLU-MnGALLA legal conference on April 28, 1984.

What may have been the last direct mail appeal for funds was sent in May, 1988, “To the Friends of MnGALLA”, and is candidly forthright:

*“While MnGALLA is not a high budget operation, we must have money to achieve our goals and remain vital in the Minnesota community. Frankly, at this writing, our bank statement reveals that we can sustain operations for two more months, at the most. Generous friends have enabled us to keep operating without fundraisers and general requests for funds, but at this time, we are forced to turn to you for your continued support.”*

## **Chapter Seven**

### **The End (1989, 2003)**

As the preceding chapters demonstrate, MnGALLA was always lacking money and grappling with high turnover rate among Board members. However, some Board members were very positive and felt the organization was doing good works, especially, Dan Hanson, Tim Piepkorn, and Matthew Stark. Extant records indicate that the organization never had more than \$1500 in its bank account at any given time. The Board devoted considerable time at its September, 1984, meeting to a discussion of long-term goals. The following list of possible (and generally non-specific) one-year goals was generated by an open-ended brainstorming process: (1) Free legal consultations, one to two evenings per week. (2) Broader utilization of services. (3) Expand the attorney referral list, possibly extending it to outstate attorneys. (4) Expand the organization's financial base. (5) More publicity. (6) Maintain educational services. (7) Test (impact) litigation and amicus briefs. (8) Provide legal services for other 501(c)(3) gay/lesbian organizations. (9) Provide a social forum for sexual minority attorneys.

Following more focused discussion of that list, the following were determined to be reasonable one-year goals: (1) Development of an expanded mailing list for future fundraising. (2) Prepare grant proposals and secure funding. (3) Expand the attorney referral list (which contained approximately 20 lawyers at that time). (4) Expand the client base. (5) Provide a social forum for attorneys.

Given that MnGALLA had now been in operation for over three years, this modest list of goals (and its emphasis on basic fundraising measures) was a sign of problems in an organization that was set up with a vision of providing direct legal services and impact litigation through a functioning legal aid office/clinic. The list of two-year goals consisted of three items: (1) The production of a "legal rights handbook". (2) The hiring of a "part-time staff person/office administrator". (3) And "serving a wider geographical area".

Disagreement among Board members over the appropriate direction for MnGALLA surfaced at the April 20, 1985 Annual Meeting. The minutes of that meeting state that, "It was presented that the long range planning goal should be: Hiring of a staff person to handle the details of MnGALLA, particularly mail, referrals, clinic. The staff person would be funded from grant money only. Dissent: Emphasis should be placed on formation of

[an] operating legal clinic. Observation: Long range goals should be made for more than one year.”

Tension among Board members over fundamental goals was both reflected in and contributed to a high rate of turnover among Board members. In 1981, its first year of existence, there were three resignations but only one new member added. While there was a net increase of three Board members in 1982, most of these were short-term. In 1983, four members were added to the Board, but four resigned. In 1984, there was a net loss of two members, as four people left the Board but only two new members came on.

In a frank letter to the entire board dated November 10, 1984, President Suzanne Born warned that, “Energy of the Board appears to be at an all time low. Some of you have missed the last two meetings. None of us, including myself, have followed through on the tasks we agreed to do....Many of you have indicated that you intend to resign or not stand for re-election in the spring. Changes must be made now if this organization is to survive....We are on the brink of either growth and expansion in 1985 or dissolution of the organization. The choice rests solely with each of you. To succeed, MnGALLA must have a dedicated, working Board. There is no disgrace in saying I’ve had enough, I’m burned out, it’s time to do other things. It is, however, in my opinion, unconscionable to stay on the Board without making a commitment to volunteer and follow through with work that needs to be done.”<sup>1</sup>

Whether it was an example of a self-fulfilling prophecy or merely an accurate recitation of pre-existing reality, Born’s grim predictions were substantially proven true in 1985. That year, seven Board members resigned, but only two were added to replace them. In the next year, 1986, one new member was added, but four departed. The last new member to join the Board was Steve King, in 1987—and he was the domestic partner of then-President Tim Piepkorn. By the Fall of 1987, there were only five persons left on the Board, a number that would never increase: Dan Hanson, Steve King, Carolyn Maier, Tim Piepkorn, and Matt Stark. Hanson, Maier and Stark were Board members from the beginning to the end!

The last meeting of the Board for which minutes exist was May 18, 1989. Its last official act was to pass a motion to “convene a meeting of local gay and lesbian leaders to consider participating in a ‘National Day of Mourning’, which will commemorate the Hardwick decision, which upheld

the constitutionality of state sodomy laws, from the U.S. Supreme Court...[to] be held at the MCLU offices on West Broadway in Minneapolis at 7:30 p.m., Wednesday, May 31, 1989. A National Day of Mourning was scheduled to be held in early June.”<sup>2</sup> There are no records indicating whether local observances were ever held. (Appendix pages 81-83)

Founding Board President Dan Hanson gave much credit to final Board President Tim Piepkorn, Carolyn Maier, Steve King, and to Matt Stark for recognizing the reality that MnGALLA had no useful function left to play since the community now had available many, many out gay and lesbian lawyers in addition to a much more sympathetic straight legal community to offer legal assistance to members of the GLBT community. Hanson said “after a certain point, Tim just didn’t call any more [Board] meetings. And that was it.” Without any fanfare, but with the approval of Piepkorn, Maier, King, and Stark on June 28, 1989, Hanson withdrew the \$179 remaining in MnGALLA checking account and closed the account.<sup>3</sup> MnGALLA no longer functioned!

There were several reasons for MnGALLA’s termination as an active GLBT organization after ten years of operation. By universal acknowledgment of nearly all the Board members whom this author interviewed, the lack of money was the predominant one. This dearth of funding can in turn be explained (as indicated in the last chapter) by lack of fundraising expertise on the part of most Board members and by intense competition within the sexual minority communities for scarce resources prompted by the AIDS epidemic. But there were other factors as well. As previous chapters have recounted, there were tensions between Board members, based upon both personality clashes and genuine disagreement over direction, vision, and priorities.

In particular, there was an ongoing frustration on the part of many of the lesbian members of the Board over their perception that most of MnGALLA’s programmatic efforts were benefiting gay men (for example, the contributions to the defense of arrestees in the bookstore and bathhouse cases; the assistance given to male members of the LaSalle Sports and Health Club; and the lobbying efforts against state and local “indecency” ordinances and prosecutions). Several of the male Board members, in turn, blamed the lesbians on the Board for the loss of contributors which resulted from the gender differential-price fiasco of the 1984 Emma Hixson fundraiser. They were further resentful at their perception that the lesbian members had guilted the Board into approving what the men saw as an ill-advised funneling of funds for the Karen Thompson Legal Fund. This

gender-based acrimony was reflected in the fact that for the last two years of its existence, four of the five remaining Board members were male.

To the extent that gender-based tensions did exist on the Board, they merely reflected parallel tensions within and between gay men and lesbians in the wider sexual minority community. However, although AIDS with its sudden and dramatic pre-eminence played havoc with fundraising, its prominent presence in sexual minority life ultimately (and ironically) led to the elimination of the most important reason for MnGALLA's founding in the first place: the dearth of openly gay and lesbian lawyers.

Because the battle against AIDS was (and is) also a political problem, and because most major political issues in America are played out in large measure in legal arenas, one of the unforeseen results of the AIDS crisis was a dramatic increase in the supply of visible sexual minority attorneys. This came about in two ways. First, many previously closeted lawyers came out of the closet, some out of a new-found sense of pride and a desire to help their brothers in this major struggle, others out of the more venal desire to expand their practices and cash in on the new and initially endless stream of legal challenges posed by AIDS.

Secondly, the initial complacency and/or outright antipathy to AIDS and its sufferers on the part of non-gay political and public health officials and leaders also galvanized an entire new generation of young sexual minority persons living with AIDS, and the idea of being "out and proud" in all vocations and professions—especially the law. By MnGALLA's last Board meeting, in May of 1989, there were open, organized, and officially recognized organizations of sexual minority students at each of Minnesota's law schools.<sup>4</sup> And between MnGALLA's founding in 1980 and its deactivation in 1989, the number of attorneys (both sexual minority and heterosexual) advertising in the Twin Cities gay press exploded.<sup>5</sup> By the mid-1990s, many of the larger law firms in the Twin Cities had sexual minority employee organizations which were recognized and accepted within the firms. Quite simply, the private bar seemed to be supplying enough sexual minority and sexual minority-sensitive attorneys to meet the communities' need for legal services. MnGALLA's demise was in large measure because of sexual minority community activists' and its own social and political successes. Ultimately, the burgeoning presence of lawyers willing to advertise and provide sensitive service to sexual minority persons fortuitously left MnGALLA without a viable role to play. As Board member Dan Hanson noted, "MnGALLA ceased functioning at the point when one could open a page of several newspapers in the Twin Cities and

see that there were attorneys offering a wide range of legal services to the GLBT community.”<sup>6</sup> It was this sustained growth in the number and visibility of sexual minority lawyers that finally resulted in MnGALLA’s formal termination.

The Gay and Lesbian Community Action Council (GLCAC) was founded in 1987 as the successor to Lesbian and Gay Community Services which had ceased to operate in 1985. Part of GLCAC’s new and larger mission, similar to the successful activities of MnGALLA, was to provide a source for persons in the sexual minority communities who were having problems of a legal nature (broadly defined) to receive referrals to attorneys, information about non-attorney resources, and informal advocacy with police and public officials.

In 1996, an outgrowth of GLCAC’s broad legal services function was the formation of the Minnesota Lavender Bar Association (MLBA) as a GLCAC affiliate. “Dedicated to fostering solidarity both within the organization and the legal community,” the MLBA is “an organization of legal professionals and students committed to promoting social justice through education and advocacy, focusing on legal and public policy issues affecting lesbian, gay, bisexual and transgender people.”<sup>7</sup> In 1998, GLCAC changed its name to OutFront Minnesota in keeping with the continual expansion of its service focus. And MLBA separated from OutFront Minnesota and became an independent entity in 1999.

In August of 2002, Phil Duran, OutFront Minnesota’s Legal and Policy Analyst (and also an officer of the MLBA), approached Dan Hanson with a request/proposal to transfer MnGALLA’s 501(c)(3) tax exemption to the MLBA. Such an action required the approval of the MnGALLA Board—which at that point had been dormant for more than a dozen years. It would require the immediate past MnGALLA Board members to transfer all operation and control of the Minnesota Society for Personal Liberties (the official corporate name of MnGALLA) to a new entity—the Minnesota Lavender Bar Association Foundation—and then resign. Throughout the early Fall of 2002, Hanson and Duran amicably negotiated various technical and legal requirements for the transfer. On September 17, 2002, Hanson sent a letter to those Board members who had been serving when MnGALLA went inactive, explaining the proposal and soliciting the members’ signatures on a form consenting to the transfer. By the end of October, Hanson had received the signed consents from four out of the five emeritus Board members: Dan Hanson, Carolyn Maier, Tim Piepkorn and Matthew Stark. Hanson erroneously also sent a copy of the letter and

consent form to former President Suzanne Born and Born graciously signed and returned the consent form on September 21, 2002. (Appendix page 84)

At the MLBA's annual meeting on October 26, 2002, Hanson presented the MLBA Board with the signed consent forms and the original copy of the June 28, 1982, Internal Revenue Service letter granting tax-exempt status to the Minnesota Society for Personal Liberties. The spirit of MnGALLA was officially transposed into MLBA, a highly regarded and active GLBT organization!

Over the next few months, the MLBA wrangled with the State of Minnesota to restore MnGALLA's good standing with the Minnesota Department of Revenue, made necessary by the fact that MnGALLA had not filed a tax return for so many years (because it neither spent nor raised any money during these years and was, in fact, dormant.) On February 3, 2003, Duran sent Hanson an e-mail indicating that the State was now satisfied with MnGALLA's status. With that final obstacle to the transfer surmounted, on February 6, 2003, Hanson mailed his personal check in the amount of \$179, the remaining MnGALLA funds, to MBLA representative Amy Johnson, conveying his "best wishes for great success as a tax-exempt entity helping the GLBT community in Minnesota." (Appendix page 85) By a letter dated June 4, 2003, the Internal Revenue Service notified the MLBA that it had accepted the transfer of the 501(c)(3) tax exemption.

MnGALLA had now been officially and legally terminated. What was its ultimate legacy? Dan Hanson, who was on the MnGALLA Board from its inception to its termination, recalled that,

*"[MnGALLA] certainly did not achieve all of the objectives that were first envisioned. However, we did accomplish many things, and the main point, at least to me, was the fact that we were a group of professional people organizing to offer professional services in an area that the mainstream legal profession had ignored and even shunned. By this organizing, we established a track record that there was a need for legal services of all kinds in the GLBT community and that there were attorneys willing, able, and committed to providing those services, and there were no horrible consequences for attorneys serving the GLBT population.*

*“Of course, in the 1980s, many other events were occurring that affected how the gay and lesbian population viewed itself and how others viewed us. For example, AIDS reared its ugly head, forcing many people to confront life and death issues, and pressing the issue of ‘coming out’ to loved ones, co-workers, family and friends. There were immediate needs in all areas of society, in housing, workplace issues, medical and social needs, and educational matters. Not lost in all of this were legal needs of GLBT people – whether in terms of wills, powers of attorney, real estate concerns, job security issues, domestic partner needs, police misconduct issues, and myriad other unmet issues that were coming to the forefront of the community.*

*“What role did MnGALLA play in all of this? It created a small, but important, network of supportive professional people who wanted to help. It generated publicity about a group of professional people who could and would help GLBT people, no matter where they were or what their needs were. It educated on two important levels: First, it proved to the legal community at large that there was a sizeable and talented population of legally trained people who were either gay or lesbian or were supportive. Secondly, it proved to the GLBT community that we were everywhere, and that we had skills, talents and training above and beyond what the community had previously accepted as the norm.”<sup>8</sup>*

Former Board member and last President Tim Piepkorn said,  
*“MnGALLA provided role modeling for attorneys who were gay....I attended a Minnesota Bar Association convention in Rochester in the late 1970s where the attendees were asked how they felt about amending the State Human Rights statute to include sexual orientation as a protected class. It was soundly defeated. Years later, MnGALLA gave legitimacy to attorneys who were gay, and who wanted to market themselves to the gay community.”<sup>9</sup>*

Ultimately, recalled Hanson,

*“There were some personality differences among the people who were active in the group, but the important thing*

*was that MnGALLA found men and women, straight and gay, working together for a common purpose – to help gay men, lesbians, bisexuals, and transgendered persons find good, sound legal representation. Something held the core group together for nearly 10 years. My inclination is that those of us who were there for most of MnGALLA’s existence realized that we were doing something of real value and something that had not been accomplished, at least in Minnesota, before. MnGALLA....served a purpose, and everyone who played a part in the group can honestly say that they helped to make a constructive difference.”<sup>10</sup> (Appendix pages 86-87)*

# ENDNOTES

## Chapter 1

1. Norman Dorsen, 11/1/2004, letter to Matt Stark, in the MnGALLA files, located in the **Tretter Collection in GLBT Studies of the Department of Special Collections and Rare Books at the University of Minnesota Libraries, 111 Elmer L. Andersen Library, 222 21<sup>st</sup> Avenue South, Minneapolis, MN 55455.**
2. Smith, Jason, “The Gay Pride Block Party Case” currently being updated and will be found electronically in the Tretter Collection.
3. Pride Release, PO Box 2104, Loop Station. Mpls. MN. 55402, Christopher Taykalo, Public Relations Director, GLBT Pride/Twin Cities.
4. *Positively Gay*, September, 1979, Vol. 1, No. 5, p. 1, in the MnGALLA files, located in the Tretter Collection.
5. *GLC Voice*, November, 1979, Vol. 1, No. 7, p. 3, in the MnGALLA files, located in the Tretter Collection.

## Chapter 2

1. “Gay/Lesbian Legal Services Program”, Minnesota Committee for Gay/Lesbian Rights, undated, 8-1/2 x 17”, in the MnGALLA files, located in the Tretter Collection.
2. Hanson, Dan, written Recollections of MnGALLA, May 11, 2004, in the MnGALLA files, located in the Tretter Collection.
3. Hanson, Dan, Chair, Selection Committee, Minnesota Committee for Gay/Lesbian Rights, October 14, 1980, letter to the members of the Board of Directors of the Gay/Lesbian legal clinic, in the MnGALLA files, located in the Tretter Collection.
4. Hanson, Dan, undated, hand-written memo, in the MnGALLA files, located in the Tretter Collection.
5. Internal Revenue Service letter, dated June 29, 1982 and the Minnesota Department of Revenue letter, dated September 21, 1982, in the MnGALLA files, located in the Tretter Collection.
6. Hanson, Dan, undated, hand-written memo, in the MnGALLA files, located in the Tretter Collection.
7. Hook, Ron, and Castner, Lynn, amicus brief for MnGALLA and direct litigation for the MCLU are in the files of the MCLU in the

Minnesota Historical Society and in the MnGALLA files, located in the Tretter Collection.

8. Case No. 1281, “Stark, et al. v. Special District No. 1” P. 6 *Gay and Lesbian Rights*, Stark, Matthew, President; Roath, William, Executive Director, Minnesota Civil Liberties Union, Minneapolis, June 1992, 12 pp., in the files of the MCLU in the Minnesota Historical Society and in the MnGALLA files, located in the Tretter Collection.

9. Hanson, Dan, letter to the Civil Rights Department Director George Caldwell in the MnGALLA files, located in the Tretter Collection.

10. Hook, Ron, *The Constitutional Right of Privacy; Sodomy Laws*, Minnesota Civil Liberties Union Foundation, Minneapolis, 1981, 14 pp., in the files of the MCLU in the Minnesota Historical Society and in the MnGALLA files, located in the Tretter Collection.

11. For a copy of this report, see the files of the MCLU in the Minnesota Historical Society and in the MnGALLA files, located in the Tretter Collection.

### Chapter 3

1. The second annual report (1982) and all other reports, minutes, and official documents are on file in the MnGALLA files, located in the Tretter Collection.

2. Hanson, Dan, written Recollections of MnGALLA, May 11, 2004, in the MnGALLA files, located in the Tretter Collection.

3. Fladmark, Jerry, e-mail to Hanson, 1/20/2005, in the MnGALLA files, located in the Tretter Collection.

### Chapter 4

1. Board minutes are in the MnGALLA files, located in the Tretter Collection.

2. Bylaws and amendments are in the MnGALLA files, located in the Tretter Collection.

3. Copies of both letters to *the St. Paul Pioneer Press and Dispatch* are in the MnGALLA files, located in the Tretter Collection.

4. A copy of Born’s letter is the MnGALLA files, located in the Tretter Collection.

## **Chapter 5**

1. Piepkorn, Tim, memo, is in the MnGALLA files, located in the Tretter Collection.
2. Piepkorn, Tim, memo, is in the MnGALLA files, located in the Tretter Collection, as are copies of these brochures.
3. Piepkorn, Tim, memo, is in the MnGALLA files, located in the Tretter Collection.
4. Piepkorn, Tim, memo, is in the MnGALLA files, located in the Tretter Collection.

## **Chapter 6**

1. A vexing problem for the historian attempting to discern MnGALLA's fundraising effectiveness is that, with the exception of an unaudited financial statement for the years 1982 and 1983 (showing end-of-fiscal year bank balances of \$215 and \$657 respectively at Western State Bank, St. Paul, MN), no financial records of the organization remain, and only occasionally do the Board minutes report the results of particular fundraisers. Furthermore, the Treasurer's reports and bank balances were made only sporadically at the monthly Board meetings. In the MnGALLA files, located in the Tretter Collection.
2. A copy of Born's letter is the MnGALLA files, located in the Tretter Collection.
3. Board minutes are in the MnGALLA files, located in the Tretter Collection.
4. Board minutes are in the MnGALLA files, located in the Tretter Collection.

## **Chapter 7**

1. A copy of Born's letter is the MnGALLA files, located in the Tretter Collection.
2. Board minutes are in the MnGALLA files, located in the Tretter Collection.
3. The cash from the withdrawal remained in an envelope that Hanson retained for the next 13 years until it was turned over to the Minnesota Lavender Bar Association upon the occasion of the transfer of MnGALLA's 501(c)(3) certification to that organization.

4. As of the writing of this book, the level of support for sexual minority law students has grown to the point that those students have, in turn, reached out to sexual minority undergraduates to facilitate their entry into law school in ever larger numbers. One recent example of this is the following Internet site: “Out and In: Information for Lesbian, Gay, Bisexual, and Transgendered Law School Applicants. Out and In is designed to answer questions that many members of the GLBT have about applying to law school. It will hopefully assist in making legal education seem more open and receptive to members of the GLBT community. The information is school specific data from 183 law schools on a variety of questions of interest to GLBT law school applicants. School specific information is available at <http://www.LSAC.org/glbtc>.”
5. The March 3, 1982, *Equal Times* newspaper “Twin Cities Gay and Lesbian Resource Guide” contains the following names under its “Legal” heading: Jeffrey Anderson; Jack Baker, Lesley A. Blicher; Kenneth Keate; Legal Assistance for Women (Chrysalis Center); Margoles and Margoles; Mid-Minnesota Legal Assistance; Minnesota Civil Liberties Union; and M. Sue Wilson. A non-comprehensive and random perusal of the *GLC Voice* and *Equal Times* between 1981 and 1989 produced the following additional names of attorneys who advertised at some point in that time period (either display ads or classified ads): Terry L. Blosch; Eve Rose Borenstein; Allan J. Caplan; Gary Goldsmith; Kenneth Keate; Tim Piepkorn; Liz Pierce; Gary Rankila; Dawn R. Reilly; Ann Richtman, R.T. Stratton; Katie Trozky; and F. Clayton Tyler
6. Hanson, Dan, written Recollections of MnGALLA, May 11, 2004, in the MnGALLA files, located in the Tretter Collection.
7. Minnesota Lavender Bar Association informational brochure, in the MnGALLA files, located in the Tretter Collection.
8. Hanson, Dan, written Recollections of MnGALLA, May 11, 2004, in the MnGALLA files, located in the Tretter Collection.
9. Piepkorn, Tim, written Recollections of MnGALLA, September, 2004, in the MnGALLA files, located in the Tretter Collection.
10. Hanson, Dan, written Recollections of MnGALLA, May 11, 2004, in the MnGALLA files, located in the Tretter Collection.

## **DAN HANSON'S BIOGRAPHY**

Dan Hanson received a B.A. degree in History and English in 1970 and a J.D. degree in Law in 1973 from the University of South Dakota in Vermillion.

After graduating, he practiced law for several years in Belle Fourche, SD, and subsequently moved to St. Paul, MN where he was engaged as a personal injury claims adjuster for Allstate Insurance. Currently, Dan is employed at Thomson West, a legal information and publishing company, where he has served as a Codes Editor and currently is a Senior Project Manager in an area entitled Metrics and Service Level Analysis.

Dan has been involved with the Quatrefoil Library in St. Paul, which is one of the largest all volunteer GLBT lending libraries in North America for over twenty years. He also has served in other volunteer capacities, including the Board of Directors of the Minnesota Civil Liberties Union, various committees with Community Shares Minnesota, which is a workplace giving campaign for progressive non-profit organizations that are seeking social change and justice, and of course, MnGALLA.

Dan and his partner, Keith Grennier, have been together since 1976, the year Dan moved to the Twin Cities.

# Appendix

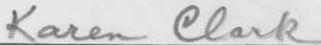
January 2, 1981

Dear Persons,

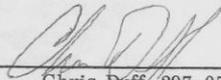
A group of women and men have been working the last two years to initiate a lesbian/gay legal services program. The focus will be to provide legal services in both civil and criminal cases which raise lesbian/gay rights issues, or in cases in which the client could benefit, either personally or legally, by "gay sensitive" representation. We are currently in the process of incorporating and applying for a tax-exempt status.

The next stage of development of the organization is community awareness and fund raising. To initiate this stage, the Board of Directors are hosting a planning brunch for representatives of all the lesbian/gay organizations and agencies in the state. Karen Clark, a board member, will be leading the program with an introduction of our proposed services and discussion of possible ways to develop support (both financial and moral) from lesbians and gays throughout the state. In other words, we are providing a brunch to solicit the support and assistance of your agency or organization.

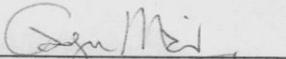
The brunch will be held at 1:00 on Sunday, February 1 at 235 Arundel #6 in St. Paul. In order to have the correct amount of food and beverage, we ask that you return the enclosed postcard by January 25, 1981. We would like to have a representative or two from each agency/organization in the state, so even if you cannot attend please return the card with the name of a contact person. If you are from out state and wish to come to the cities on Saturday, please let us know so we can make the appropriate housing arrangements. If you have any questions, please feel free to call any of the numbers below during the evening.



Karen Clark



Chris Duff 297-0533



Carolyn Maier 378-9270



Dan Hanson 291-0197

**Minnesota Gay and Lesbian Legal Assistance Services**  
**OFFICERS, 1980 - 1989<sup>1</sup>**

**President**

Dan Hanson	1980-1983
Suzanne Born	1983-1986
Tim Piepkorn	1986-1989

**Vice-president**

Sue Short	1981-1982
Amy Silberberg	1982-1984
Rick Osborne	1984-1985
Tim Piepkorn	1985-1986
Steve King	1988-1989 <sup>2</sup>
Matthew Stark	1988-1989 <sup>2</sup>

**Treasurer**

Chris Duff	1980-1983
Ron Hook	1983-1984
Carolyn Maier	1984-1989

**Secretary**

Chris Duff	1981-1983
Ron Hook	1983-1984
Dan Hanson	1984-1989

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<sup>1</sup> The beginning of an officer's service is the year that the person was elected to office as indicated in available Board meeting or Annual Meeting minutes. The end of an officer's service is either the year that s/he resigned the office or the year that his or her successor was elected, as indicated in available Board meeting minutes, Annual Meeting minutes, or correspondence. (Please see the succeeding footnote regarding the termination of Suzanne Born's tenure as Board President.)

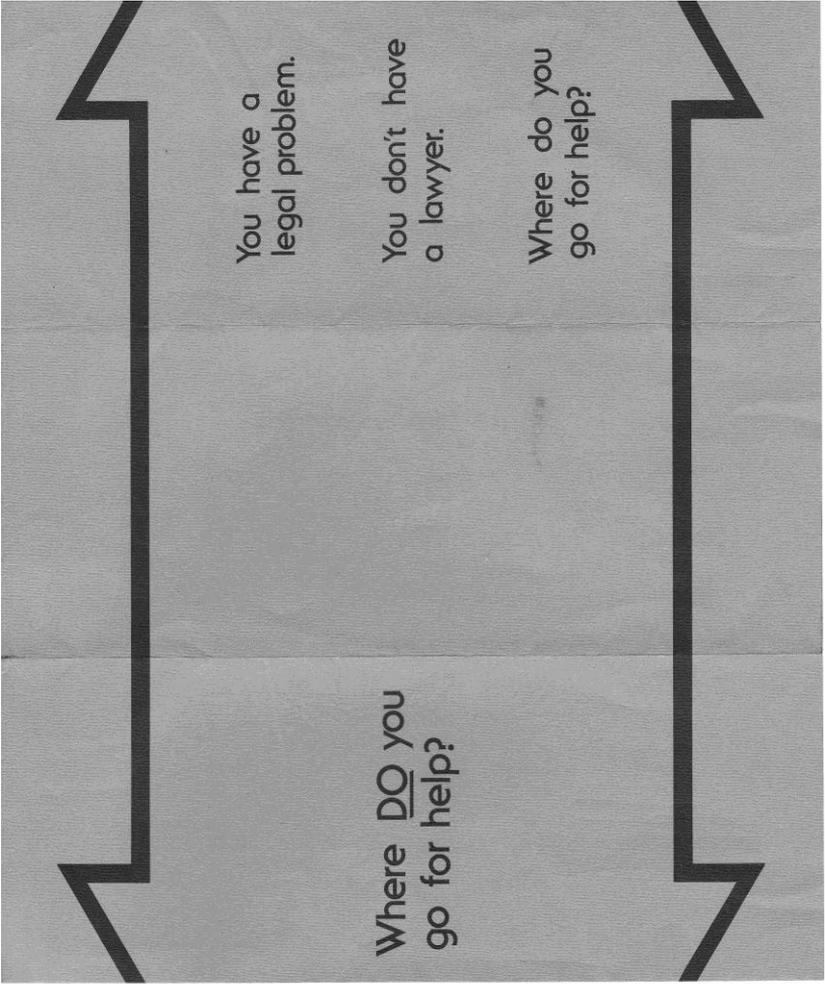
<sup>2</sup> Expressly elected as "Co"-Vice-presidents on October 15, 1988. Available Board meeting and Annual Meeting minutes do not contain any references to the election of a Vice-president between April 20, 1985 and the election of "Co"-Vice-presidents King and Stark. Then-Vice-president Tim Piepkorn was elected "Co"-President (with Suzanne Born) on April 26, 1986. Born ceased active participation on the Board after that meeting. A letter to her dated March 4, 1987, signed jointly by "Timothy Piepkorn, President", "Carolyn Maier, Treasurer", and "Dan Hanson, Secretary", informed Born that, "The Board feels strongly that you effectively resigned from the Board, as you have not attended a Board meeting since April 26, 1986....You are aware the by-laws state that three consecutive unexcused absences constitutes automatic resignation."

**Minnesota Gay and Lesbian Legal Assistance Services  
BOARD OF DIRECTORS, 1980 - 1989\***

Suzanne Born, Esq.	1983-1986
Karen Clark	1980-1985
Julia Classen	1984-1985
Anita Doyle	1985-1985
Chris Duff	1980-1985
Jerry Fladmark	1985-1986
Steve Glick	1980-1981
Amy Goetz	1981-1983
Dan Hanson, Esq.	1980-1989
Emma Hixson, Esq. (ex officio)	1985-1986
Ron Hook, Esq.	1980-1984
Steve King	1987-1989
Carolyn Maier	1980-1989
Hollis Monnett	1982-1983
Richard Osborne, Esq.	1980-1985
Laura Petracek	1980-1981
Tim Piepkorn, Esq.	1984-1989
Gary Rankila, Esq.	1983-1983
Mike Rouse	1980-1980
Sue Short, Esq.	1980-1981
Amy Silberberg, Esq.	1980-1983
Rosemary Strunk	1986-1986
Matthew Stark	1980-1989
Richard Summerlee	1982-1984
Mark Westman	1983-1985
Marlys Ann Wilson	1982-1984
Carol Winslow	1985-1985
David Ziegenhagen	1983-1984

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\* The start of a member's Board service is either the year that the person was elected to the Board (where available Board meeting or Annual Meeting minutes disclose that fact) or the date that the person's attendance was first noted in Board meeting minutes. The end of a member's service is either: 1) the date that available correspondence or Board minutes indicate that s/he resigned; or 2) the date that available Board minutes indicate that s/he was removed from office; or 3) the date that his or her attendance was last noted in available Board meeting minutes or official Board of Directors directories.



You have a legal problem.

You don't have a lawyer.

Where do you go for help?

Where DO you go for help?

#### PURPOSE

The Gay/Lesbian Legal Services Program will provide a broad range of legal services to the gay/lesbian community. Through a combination of direct service by program staff and referral and volunteer services by members of the local bar, general civil and criminal representation will be provided either at no cost to clients, or, for those able to pay a partial fee for services, on a sliding scale basis. The focus will be to provide legal services to low-income persons in cases which the client could benefit, either personally or legally, by "gay-sensitive" representation.

A communication and referral network will be established to facilitate referrals to "gay-sensitive" attorneys on a local and midwest-regional basis, and to share information and research in gay-related issues in pending and recent cases.

The Minnesota Gay and Lesbian Legal Assistance (MN GALLA) office can help. You can help in the effort to establish this program by volunteering your services or by contributing.

For More Information Contact

# MN GALLA

Post Office Box 30224  
St. Paul, Minnesota 55101

#### JOB DISCRIMINATION

You work for a Minneapolis company as a salesperson. Your boss sees you on the 10 pm news at a Gay Pride Day parade. You're fired the next Monday.

#### CHILD CUSTODY

You are a Lesbian mother. Your former husband decides he should have custody of your children because he thinks your lifestyle is bad for them.

#### CRIMINAL PROSECUTION

You are arrested in a bathroom raid.

PLEASE POST OR DISTRIBUTE

PLEASE POST OR DISTRIBUTE

MINNESOTA GAY AND LESBIAN LEGAL ASSISTANCE  
MINNESOTA CIVIL LIBERTIES UNION FOUNDATION

### Conference on Gay/Lesbian Rights

Saturday, October 18, 1986

9:00 A.M. to 4:00 P.M.

HENNEPIN COUNTY GOVERNMENT CENTER

(Lower Level)

300 South 6th Street

Minneapolis

**MNGALLA**

**MCLUF**

- I. 9:00 A.M. - 9:30 A.M.  
REGISTRATION
- II. 9:30 A.M. - 10:30 A.M.
  - A) AIDS AS A GENERAL TOPIC: contact tracing, handicapped laws usage, insurance availability, employment discrimination, etc.: Eric Engstrom, Executive Director, MN AIDS Project; Gary Ranklia, Esq.
  - B) WILLS AND ESTATE PLANNING: Tim Peipkorn, Esq.; Sue Wilson, Esq.
- III. 10:30 A.M. - 12:00 NOON
  - A) EMPLOYMENT DISCRIMINATION: Emma Hixson, Executive Director, Department of Human Rights
  - B) SEXUAL PRIVACY: Bill Keppel, Esq.; Randy Tigue, Esq.; Diane Wiley, Esq.
- IV. 12:00 NOON - 1:30 P.M.  
LUNCHEON RECESS
- V. 1:30 P.M. - 2:30 P.M.
  - A) LESBIAN AND GAY ISSUES ON THE NATIONAL LEVEL: Thomas Stoddard, Executive Director, LAMBDA
- VI. 2:30 P.M. - 3:30 P.M.
  - A) FAMILY LIFE AS IT RELATES TO GAYS AND LESBIANS; adoption, visitation rights, fertilization, custody, divorce, etc.: Dr. Judith Warschura; Jaqueline Fendler, MSW; Suzanne Born, Esq.
  - B) AIDS FROM THE INDIVIDUAL'S POINT OF VIEW: Howard Bell, Hospice Program, Abbott-Northwestern Hospital; Leo Treadway, Associate, Reformation Lutheran Church
- VII. 3:30 P.M. - 4:00 P.M.  
CLOSING: Matthew Stark, Executive Director, MCLUF; Tim Peipkorn, President, MNGALLA

(OVER)

FREE FREE

FREE FREE FREE FREE FREE FREE FREE FREE FREE FREE FREE FREE FREE

During the conference those individuals wishing to consult with private attorneys on legal questions or legal problems may do so for a maximum of thirty minutes. Consultations will be free of charge and strictly confidential. Please indicate on the coupon below when you wish to see an attorney by checking two lines on the registration form since we may not be able to accommodate your first request and mail the coupon to MNGALLA/MCLUF. In the event that you will not want to give your entire name, please indicate your first name and last initial for purposes of directing you to an attorney. In order to direct you to rooms where workshops are being held, and to areas where legal consultations are being conducted, we ask that you please go to the registration desk located outside the conference area when you first arrive at this event.

\*\*\*\*\*

## CHAMPAGNE RECEPTION

Later in the evening of Saturday, October 18, from 8:00 - 10:00 P.M., the Minnesota Civil Liberties Union Foundation(MCLUF) and Minnesota Gay and Lesbian Legal Assistance(MNGALLA) will pay tribute to and hear from Thomas Stoddard, Executive Director, LAMBDA, at a champagne reception. Tickets for this event are \$35.00. If you wish to attend the champagne reception, please check item 5 on the registration form and we will get back to you with all necessary details.

MINNESOTA GAY AND LESBIAN LEGAL ASSISTANCE  
MINNESOTA CIVIL LIBERTIES UNION FOUNDATION  
1021 West Broadway  
Minneapolis, Minnesota 55411  
Telephone: 612/522-0219

1. Name \_\_\_\_\_
2. Address \_\_\_\_\_
3. Phone \_\_\_\_\_
4. Please indicate when you would like to consult with an attorney:  
10:00-11:00 A.M. \_\_\_\_\_, 11:00-12:00 NOON \_\_\_\_\_, 2:00-3:00P.M. \_\_\_\_\_,  
3:00-4:00 P.M. \_\_\_\_\_.
5. Yes, I would like to attend the champagne reception honoring Thomas Stoddard, Executive Director, LAMBDA \_\_\_\_\_, enclosed is my check for \$35.00.

## MNGALLA

*Legal Information & Referral Service  
to Gay & Lesbian Sensitive Attorneys*

P.O. Box 75224 • St. Paul, Minnesota 55175 •

TO: Leaders of gay and lesbian organizations

FROM: MnGALLA: Tim Piepkorn, Carolyn Maier, Dan Hanson,  
Matthew Stark, Steve King

DATE: May 22, 1989

The attached two flyers should be self-explanatory. We believe that Minnesota gay and lesbian organizations along with supportive organizations such as the Minnesota Civil Liberties Union Foundation should carry out activities on June 30th as part of the National Day of Mourning in support of everyone's right to privacy and in opposition to the U.S. Supreme Court decision in Bowers v. Hardwick.

We would like one representative from each organization to meet with us on Wednesday evening, May 31 at 7:00 p.m. at the MCLU building at 1021 West Broadway, Minneapolis (between Dupont and Emerson Avenues North). (The Quatrefoil Library was formerly housed in this building.)

At this meeting we hope that leadership persons will present themselves to insure that Minnesota gay and lesbian organizations as well as supportive organizations carry out activities in support of the National Day of Mourning.

Please come with your ideas and your willingness to play a leadership role in seeing that June 30th in Minnesota is a significant day of mourning activities.

If you have any questions, please feel free to call Matt Stark at his office (522-3702) or at his home (377-2211).

Please attend this very important meeting on Wednesday evening, May 31 at 7:00 p.m. at the MCLU office at 1021 West Broadway in Minneapolis.



For The Right To Privacy  
Bowers v. Hardwick  
June 30, 1986

## NATIONAL DAY OF MOURNING FOR THE RIGHT TO PRIVACY JUNE 30, 1989

*CRY OUT!*, Pittsburgh's lesbian/gay action group, and the National Gay & Lesbian Task Force Privacy Project are collaborating on a project to mobilize the U.S. gay and lesbian community to commemorate the third anniversary of the U.S. Supreme Court's decision in *Bowers v. Hardwick*.

*CRY OUT!* has suggested a "National Day of Mourning for the Right to Privacy." Proposed activities include:

- press conferences in front of the capitol buildings of "unfree" states
- demonstrations and visibility actions
- letterwriting to state legislators and governors in "unfree" states
- the wearing of black armbands in "free" and "unfree" states
- a demonstration at the U.S. Supreme Court in Washington, DC
- educational forums in "free" and "unfree" states
- discussions with potential sodomy repeal bill sponsors in "unfree" states
- submitting op-ed pieces to local newspapers supporting sodomy law repeal

NGLTF Privacy Project and *CRY OUT!* are distributing the enclosed packet of organizing materials to gay and lesbian organizations nationwide. The packet is being mailed to activists in both "free" and "unfree" states, with suggested appropriate activities for both categories of states. This packet also contains extensive background materials.

NGLTF Privacy Project will serve as a clearinghouse and resource center for activists undertaking *Hardwick*-related activities, providing technical assistance, advice, and referrals to local/state allied organizations. In addition, the *Privacy Project* will document and maintain an archive of third anniversary activities around the country, issuing a final report on the project outcome.

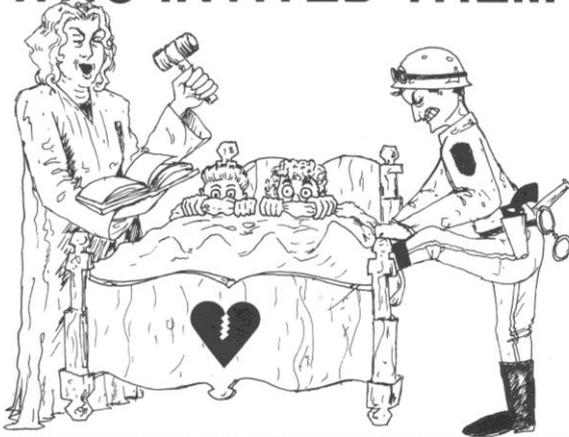
*CRY OUT!* and NGLTF Privacy Project anticipate that the third anniversary commemoration project will accomplish several objectives:

- make the issue of sodomy laws more visible in both "free" and "unfree" states
- provide activists in "unfree" states with an assembled set of suggested activities which will make the issue visible in their home communities
- build alliances with allied groups in "unfree" states
- encourage activists in "unfree" states to initiate discussions with state legislators about sodomy law repeal
- create a sense of solidarity between activists in "free" and "unfree" states
- and propel our political movement closer to realizing our collective goal of sexual freedom and choice for all people

**"Don't just mourn, organize!"**

For more information and assistance please contact Sue Hyde, NGLTF Privacy Project Director, 1517 U St. NW, Washington, DC 20009 (202) 332-6483

# WHO INVITED THEM?



## GOT ANY UNWANTED GUESTS IN YOUR BEDROOM?

After the U.S. Supreme Court upheld the Georgia sodomy law and ruled that lesbian and gay people have no constitutional right to privacy, sex police and leering judges didn't start knocking on our doors. But, the Court's ruling damaged the lesbian and gay community by making it more difficult for us to achieve social and sexual freedom.

### Did you know:

- 25 states and the District of Columbia classify us as "criminals?"
- sodomy laws are used to deny lesbians and gays custody and visitation rights to their children?
- the military routinely prosecutes gay and lesbian servicemembers for the "crime" of private, adult consensual sex?
- sodomy laws and the *Hardwick* decision are cited over and over in legal and administrative decisions

which infringe on basic civil rights of lesbians and gays?

- in Nevada, police recorded the license plate numbers and harassed persons attending a lesbian/gay event, saying "homosexuality is illegal.?"
- state officials in North Carolina, Arkansas, and Missouri have refused to educate gay men about the risk of HIV transmission because to do so encourages "criminal behavior?"

*No matter where we live, the U.S. Supreme Court dealt the gay and lesbian community a serious blow on June 30, 1986.*

### Now it is our turn.

Raise your voice for lesbian and gay freedom on June 30, 1989. Join other concerned citizens in the *National Day of Mourning for the Right to Privacy*. The Third anniversary of the *Hardwick* decision will be observed in your community!

**But don't just mourn, organize!**  
For more information, contact:



For The Right To Privacy  
Bowers v. Hardwick  
June 30, 1986

The National Day of Mourning for the Right to Privacy is a joint project of *CRY OUT!* (Pittsburgh) and the National Gay and Lesbian Task Force Privacy Project.

**Minnesota Society for Personal Liberties  
dba MnGALLA (Minnesota Gay and Lesbian Legal  
Assistance)**

The undersigned, as a member of the Board of Directors of the Minnesota Society for Personal Liberties, d.b.a. Minnesota Gay and Lesbian Legal Assistance, during the time the organization was last operational, consents to resign from the Board of Directors and to relinquish any and all duties and responsibilities concerning the corporation, to be effective upon replacement on the Board, as described below.

The undersigned further consents and agrees to transfer the operation and control of the Minnesota Society for Personal Liberties to a new Board of Directors, d.b.a. the Minnesota Lavender Bar Foundation, on or about October 26, 2002.

This transfer is intended to include any and all privileges and rights accorded under 26 U.S.C § 501(c)(3).

Signed:

\_\_\_\_\_  
Print name and address:

\_\_\_\_\_

Date:

\_\_\_\_\_

362 Summit Ave. 1-E  
St. Paul, MN 55102-2124  
February 6, 2003

Amy Johnson  
2801 Hennepin Ave. So.; Suite 200  
Minneapolis, MN 55408

Re: MnGALLA funds

Dear Amy:

Per Phil Duran's request, I am enclosing my personal check in the sum of \$179.00, which represents the fund balance that was withdrawn from MnGALLA's account on June 28, 1989, when MnGALLA became inactive.

I have held this money, in cash, since that time, and am happy to forward the money to you for the use by the Minnesota Lavender Bar Foundation, to celebrate your newly acquired tax-exempt status.

Best wishes for great success as a tax-exempt entity helping the GLBT community in Minnesota.

Please contact me if you have any questions or need further information.

Sincerely,

Dan Hanson  
651.291.0197  
[daniel.hanson@westgroup.com](mailto:daniel.hanson@westgroup.com)

cc: Phil Duran  
Suzanne Born

## MNGALLA

*Legal Information & Referral Service  
to Gay & Lesbian Sensitive Attorneys*

P.O. Box 75224 • St. Paul, Minnesota 55175 • (612) 870-9193

A BRIEF HISTORY OF THE EVENTS AND ACTIVITIES OF THE MINNESOTA SOCIETY FOR PERSONAL LIBERTIES d/b/a MINNESOTA GAY AND LESBIAN LEGAL ASSISTANCE

- \*First Board meeting on November 9, 1980. Incorporated on February 1, 1981
- \*Offered to pay a portion of legal fees in important criminal arrest test-litigation cases. 1981
- \*Filed an amicus brief in Minneapolis School District case regarding "alternate life styles." 1981
- \*Prepared sensitivity training seminar for the Hennepin County Attorney's Office on the issue of jury selection in related cases. 1982
- \*Drafted changes in language of the Minneapolis city ordinance concerning personal conduct under the "vice" law. 1982
- \*MNGALLA received approval to become a 501(c)(3) organization from the Internal Revenue Service. 1982
- \*Telephone referral service to sensitive and supportive attorneys implemented. 1982
- \*Minnesota State Legislature lobbied on proposed changes in the sodomy and human rights statutes. 1982
- \*Provided lobbying activity and direct legal assistance to persons arrested in bookstores in Minneapolis. 1982 and 1983
- \*Entered formal complaints against the Minneapolis Tribune and City Pages for their use of derogatory language. 1982
- \*Established a reach out committee on the Board for lesbian issues and concerns. 1982
- \*Held first joint free legal seminar with the Minnesota Civil Liberties Union Foundation. San Francisco Councilperson Harry Britt spoke at the evening reception. 1983
- \*Completed a community needs assessment survey. 1983
- \*First MNGALLA office opened. 1984
- \*Minnesota sodomy law challenged, and MNGALLA prepared an amicus brief. 1985

## MNGALLA

*Legal Information & Referral Service  
to Gay & Lesbian Sensitive Attorneys*

P.O. Box 75224 • St. Paul, Minnesota 55175 • (612) 870-9193

A BRIEF HISTORY OF MNGALLA, continued. Page Two

- \*Three wills seminars held, with excellent response. 1985
- \*MNGALLA sponsored fundraising efforts in the Thompson/Kowalski case, raising significant amounts of money. 1985-1987
- \*Lobbied the Minneapolis City Council on the proposed Domestic Partners Ordinance. 1984
- \*Hosted a get-acquainted event for supportive law students from the three Twin Cities law schools. 1986
- \*Received monetary recognition from Dignity/Twin Cities for providing services to the lesbian and gay community. 1986
- \*Held second joint legal seminar with the Minnesota Civil Liberties Union Foundation, as an educational service to the community. Thomas Stoddard, now of Lambda Legal Defense, spoke at the evening reception. 1986
- \*Preparations arranged for an archive file at the Minnesota State Historical Society concerning MNGALLA. 1987
- \*MNGALLA participated extensively in lobbying efforts with the Minnesota State Legislature concerning proposed "non-compliant behavior" legislation. 1987
- \*MNGALLA prepared an extensive booklet, "Legal Answers about AIDS", with general distribution expected. 1987
- \*MNGALLA planned a law clinic at the Minnesota AIDS Project office. 1987
- \*MNGALLA planned extensive participation in a continuing legal education seminar on the implications of AIDS. 1987
- \*The telephone referral service has been ongoing and fully operational since 1982, on a twenty four hour per day basis.

Prepared: September, 1987



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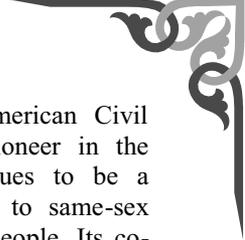
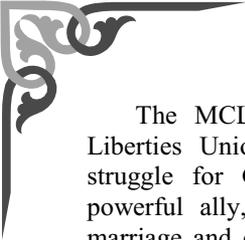
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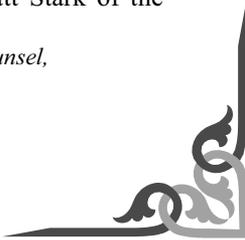


The MCLU, now known as the American Civil Liberties Union of Minnesota, was a pioneer in the struggle for GLBT equality, and continues to be a powerful ally, having litigated in regard to same-sex marriage and equal protection for GLBT people. Its co-sponsorship with MnGALLA of the first two Minnesota conferences focusing on legal rights for GLBT people played a major role in alerting closeted GLBT lawyers as well as straight law firms of the legal needs of members of the GLBT community, and presaged the annual Regional Lavender Law conferences taking place today.

*Phil Duran, Staff Attorney, OutFront Minnesota  
Minneapolis, Minnesota*

One subplot in the MnGALLA story is the cooperative working relationship between gay men and lesbians. In the late 1970s – before the AIDS crisis – the cultures of gay men and lesbians were very, very different. At that time, many lesbians were indifferent to the rights of men arrested in public bathhouses and adult bookstores, while many gay men were not very concerned about family issues such as adoption, estate planning, and domestic partnerships. The men and women who founded MnGALLA came together in recognition that their commonalities transcended their differences. The same recognition of commonality transcending difference was true of non-gay advocates for civil rights and liberties who joined with MnGALLA, such as Matt Stark of the Minnesota Civil Liberties Union.

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