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Introduction
The following symbols will denote important information about each resource. The reason for the symbol will be discussed in the text, the symbols are provided as a quick reference guide.
Family law is most prevalently a State law issue, although, recently there has been more Federal involvement. The definition of family is constantly evolving and the law, due to differing political and religious views, does not enjoy significant crossover from state to state. Over the past few decades, a movement for equal treatment of all families has resulted in many changes to family law. However, these changes are volatile and require constant monitoring due to the struggle between the American people, the judiciary and legislative bodies.
Whether you are practicing family law, taking on a pro-bono case, a few years out of law school or a few years away from retirement, this pathfinder provides insight for you, the attorney who is researching a LGBTQ family law issue. It is our duty as lawyers to ensure we are able to represent our clients using cost-effective research strategies to apprise ourselves of the newest and most relevant law. Given this and the fact that most family law attorneys practice in small private firms, this pathfinder attempts to illustrate the most cost effective strategies for researching your legal problem.

LGBTQ family law issues occur in every state. Whether or not your state recognizes them as an issue with standing is another problem. Due to vast differences from state to state, this pathfinder is not an in depth guide to every LGBTQ family law issue and how to solve it. Instead, this pathfinder provides an outline of free web based resources related to LGBTQ family law throughout the United States. The electronic sources discussed herein are not inclusive of every resource available, but they do include some of the best.
This Pathfinder will
- Identify free web based resources of LGBTQ family law information
  - Identify the benefits of each source
  - Identify the weaknesses of each source
- Prevent you from having to reinvent the wheel
- Provide strategies for keeping up to date on the latest LGBTQ family law news and law

This Pathfinder assumes
- You have completed Law School
- You have a basic understanding of legal information
- You have a basic understanding of how to construct a research plan

This Pathfinder is not
- A treatise

This Pathfinder will not
- Provide primary sources for citation in a legal brief
- Provide legal advice
This pathfinder is divided into four sections. Each section begins with the most valuable sources and then progresses through a variety of other beneficial sources for your convenience.

Where do I start?

• This pathfinder attempts to provide you with the most information for the smallest cost. An overview of how to effectively use free intermediated web based search engines and encyclopedias is essential to this goal.

What do the scholars say?

• Secondary sources are essential to an understanding of the law, but not every office subscribes to scholarly journals or has the ability to search a fee-based subscription service for scholarly literature. This pathfinder provides you with an overview of the best free web based scholarly sources.

Who is already doing this work?

• The sources in this section rival paper based treatises. These sources are updated often, searchable, and often contain the primary law pertaining to LGBTQ family law issues.

How do I find cases?

• This pathfinder covers LGBTQ family law in the United States. Due to this broad scope, it is impossible to evaluate and present to you every free web based source of primary law. Let us just say, there are a lot of them. As such, this pathfinder provides a cursory overview of free electronic sources you can use to locate primary law useful to your legal problem.
The internet is a wealth of knowledge that is worth utilizing no matter the size of your firm or capital. Absent the cost of an internet connection, free internet sources are an excellent way to engage in preliminary research. They can be used to generate search terms, locate possible statutes, locate frequently cited cases and a whole lot more. Most importantly, you can use the internet to find resources that will help you avoid having to reinvent the wheel.
Basics of Reliability

If you do not have the resources to do research via a library or subscription service the internet becomes a very important resource. You always need to be aware of the reliability of each source you encounter. The following chart lists factors you can use to evaluate the reliability of information found on the internet. None of the factors are conclusive. Always use a combination of common-sense and these factors.

For more information on evaluating internet credibility please visit http://www.library.uiuc.edu/ugl/howdoi/webeval.html
Cannot remember that song lyric or need to find out the scores to the latest football game? Google is probably first on your list of places to look. How about that second parent adoption issue your new client just presented you with? Probably not. Google is one of the smartest and easiest places to start your legal research. Google provides free access to intermediated sources that can lead to frequently cited cases, websites providing relevant information to your case, relevant search terms and often will prevent you from having to reinvent the wheel.

Due to the fact that this Pathfinder focuses on providing cost-effective research strategies, a significant portion will delve into how you can use Google to provide your client with the best research for the lowest cost...Free!
Search Engine Optimization
Consultants can help websites raise their rankings on Google and on other search engines. This is done using search engine optimization. The goal is to discern patterns in search engine listings, and then develop a methodology for improving rankings. This method seeks to inflate rankings and thus circumvent Google’s intermediation. Thankfully, Google does have programs in place to weaken attempts of search engine optimization by reducing rankings of sites known to use this method.

Cookies
Google places a cookie on your computer that expires two years after being placed there and is renewed each time you search Google. These cookies are used to track your search history. Google uses this information to save user preferences and to provide other search features.

Under current U.S. law, the government has the power to force Google to hand over all information gathered through the use of cookies.

For more information please visit en.wikipedia.org/wiki/Criticism_of_Google or en.wikipedia.org/wiki/Google_search
Always remember that if you do not place a Boolean operator between search terms, Google will assume a space between words as an “and.”

If you absolutely want a search term used place a “+” before the term.

If you do not want a search term used place a “-” before the term.

If you want any of the search terms used but not necessarily all of them place “or” between the terms.
You will find the most accurate results by typing in words or short phrases rather than long sentences and questions.

• If your question is “Can two women adopt a child in Louisiana?” Try: [Two Women Adopt Louisiana] or [same-sex adoption Louisiana]

The best search terms are descriptive and specific. Enclosing keywords in quotation marks can help you locate results that contain an exact phrase, such as a person's full name, an article title, or a case name.

A wildcard in a Google search query is an asterisk (*), an asterisk will match one or more whole words.

• (same-sex * family) will return both
  • Same-sex loving family; and
  • Same-sex parents and families
The Advanced Search page provides several ways you can easily expand or limit a search, including options for the following:

- Search for one or more words
- Exclude unwanted words
- Limit the results to a specific language or file type
- Search within a site or domain
- Limit the search to a specific date, region, or numeric range
- Find similar pages or other pages that link to a particular page
- Use topic-specific Google search engines
On occasion a link in Google will not work or will not contain content that is relevant to your original search. If you are interested in seeing the webpage as Google interpreted in your search results, click next to the weblink on Cached. This will show you the version Google cached when making an initial entry of the website.

If you find a webpage that is spot on to your issue, click similar pages next the weblink and Google will show Similar pages.

A new feature to Google is searchwiki providing you with the capability to customize your results with your own rankings, deletions and notes.
A relevant and useful feature of Google is the ability to connect with news outlets. Do not forget to hit the NEWS button at the top of the page to see the current news on your LGBTQ family law issue, the results may surprise you and could be very helpful with your case.

On the side bar of Google News look for the NEWS Alerts button. Use this feature to subscribe to as it happens, daily, or weekly updates related to a particular search term. You can have this service check the news, the web, blogs, videos and groups or have it check a comprehensive group of sources.

www.google.com/news
A new feature of Google News is the **News Archive Search**. This function allows you to search historical archives and (as shown above) you can create timelines of selected results from relevant time periods. If you choose a particular time frame, timelines will provide you with the most popular news result from various periods throughout that time frame. However, each result is merely the beginning for if you click on a specific period you open up many more results relevant to that specific time period.

www.google.com/archivesearch
Government sponsored websites are typically not the first sites to come up in a Google search. U.S. Government Search provides a place where you can search content located on U.S. federal, state and local government websites.

U.S. Government search is not a good place to begin researching as it provides for only limited results and can detrimentally limit your research.

This is a great place to locate primary sources (such as statutes, regulations and case law) once you have developed search terms and know more about what you are looking for.
In Google Advanced Search, you have the option of searching in topic-specific areas. Try Google Scholar, which indexes the full text of scholarly literature. Google Scholar includes most peer-reviewed online journals. Much like Google search the Google Scholar feature allows for both simple and advanced searches.

The downfall of Google Scholar is that the engine focuses largely on the area of science. As such, it is often cumbersome to locate relevant documents. While an interesting tool, it may not be as useful as locating scholarly articles via more legal friendly search engines such as SSRN.
Wikipedia is a reference website, much like a free encyclopedia, except that it is not written and edited by experts, but by one of the largest contingents of volunteers from all around the world.

Wikipedia is a great place to begin research because of the vast amount of general information it provides and because of its ability to provide hyperlinks.
Anyone can go to a Wikipedia article and edit the information. Because of this, people are wary of using Wikipedia as a legitimate source of information. Never fear, Wikipedia is constantly monitored for accuracy and the wide contingent of contributors ensures that one person is not controlling the information on a single page. **Beware of content where neutrality is disputed and content lacking citations.**

The goal of each article is to provide a neutral, comprehensive, encyclopedia quality article. Therefore, the older an article is, the more comprehensive it tends to be. In order to obtain the most reliable information you need to beware when you come upon a recently updated page so as to avoid misinformation that has not yet been removed.

Never use Wikipedia as your only source of information. Ensure that you check that each source the page cites to is accurate and reliable.
Searching Wikipedia

There are two ways to search on Wikipedia. The first is a basic Boolean search much like Google provides. The second is by browsing an index. Wikipedia has two indices; 1) a complete alphabetical index, and 2) a categorical index.
Tips for Maximizing your Wikipedia Search

What links here?
• Appears on the left side of the screen in the “toolbox”
• Complete list of other Wikipedia articles which link to the article you are currently viewing.

Talk Pages
• Provides a place to see if there is any disagreement over sources or point-of-view
• Often provides suggestions of subject matter that the article should cover, but currently does not.

Printable version
• Use whenever you want to print an article.
Most articles contain a **See also** section directing you to other articles that may be relevant to your research. When searching for LGBT Adoption, the article contains a See Also section with the following references:

Articles also contain a section of **External links**. External links are a great resource for finding articles, news, PDFs and websites on the same topic. These external links are often vastly different from the sites you would encounter in a Google search.
Hyperlinks and Annotations in Wikipedia

While Wikipedia includes a See also section in every article, each article is also filled with hyperlinks to other articles. These hyperlinks do not necessarily relate to the topic of the article. As such, most hyperlinks will not be useful when researching a specific topic. However, do not discount these as there could be many hidden throughout the article that will be helpful to your LGBTQ legal problem.

Citations are an important part of ensuring reliability of each portion of an article. The LGBT Adoption page contains 39 citations to provide credibility to the article. The actual reliability of each annotation is not well known and, as such, you should check the reliability of each source. These annotations are a great place to find external information and often will send you to a site that can provide you with persuasive authority and, sometimes, primary authority.
Wikipedia articles, such as the LGBT Adoption article, are useful for looking at the law and arguments. The LGBT Adoption page describes the current status of LGBT Adoption in your state or country and then evaluates the arguments that have been tried previously in order to advocate for or against LGBT Adoption. Why reinvent the wheel, when Wikipedia provides summaries of many arguments that could have relevance to your case.

**LGBTQ Family Law Related Wikipedia Articles**

- [http://en.wikipedia.org/wiki/LGBT_rights_in_the_United_States](http://en.wikipedia.org/wiki/LGBT_rights_in_the_United_States)
- [http://en.wikipedia.org/wiki/Same-sex_marriage_legislation_in_the_United_States_by_state](http://en.wikipedia.org/wiki/Same-sex_marriage_legislation_in_the_United_States_by_state)
- [http://en.wikipedia.org/wiki/Domestic_partnerships_in_the_United_States](http://en.wikipedia.org/wiki/Domestic_partnerships_in_the_United_States)
What do the Scholars say?
SSRN is an eLibrary of pre-published scholarly papers. SSRN’s database is divided into two areas that you can search:

(1) The Abstract Database
   As per it’s title, the abstract database contains hundreds of thousands of abstracts to scholarly papers that are forthcoming.

(2) The Electronic Paper Collection.
   The electronic paper collection contains downloadable papers in PDF format. SSRN provides electronic delivery of papers if an author allows.

There are three main ways to search the SSRN database: (1) Browse the SSRN eLibrary, (2) view current Top Papers, or (3) search by Title, Author, or Journal/Topic.

www.SSRN.com
SSRN eLibrary Database Search

Search Term(s): LGBT or Gay or Same-sex and "Family Law"

Options: □ Title Only □ Title, Abstract & Keywords □ All Dates

Author(s): First Name □ Last Name

To Search Papers by:
- Title, Abstract or Keywords: Enter one or more words in the Search Term field and click Search.
- Exact Phrase: Enclose the Search Terms in quotes.
- Title Only: Check the Title Only option.
- Author: Enter the Last Name and/or First Name fields.
- Multiple Authors: Separate Last Names and/or First Names by commas.
While a great resource for up and coming research, the downfall of SSRN is that many of the articles that you may find are often not published and as such it weakens the persuasiveness of the source. Furthermore, intermediation of SSRN is based largely upon the author’s ability to provide a well thought out abstract that will lead users to their article and, as such, the method of finding a good source is hit or miss.
Updated regularly, Law Professor Blogs provide information about recent cases, symposiums, polls, news and other pertinent information to specific topics. The information is organized in a number of ways including: recent posts, topical archive and a weekly archive. This resource can be used to find case names, statutes and scholarly perspective on different LGBTQ issues.

Do not forget to subscribe to the blogs using the subscribe function located on the right hand toolbar. This function allows you to receive posts as they are made so that you are always aware of the most current issues.

There is continuity between the different blogs as they all use the same interface, therefore, if you become familiar with one, it is easy to transition and find information on another.

http://www.lawprofessorblogs.com/
Beware when using Law Prof Blogs

Law Prof Blogs purports to peer review each of the member blogs. This resource does not seem to be intentionally biased, but caution should be taken as each post is written by a single person and they can edit information as they deem fit.

Law Prof Blogs is a great place to start research as these professors are the preeminent scholars in their particular field.
While not everything on this Blog is LGBTQ specific, much of the content contains commentary on law, policy and news that directly impacts LGBTQ Families. Much of the content on this blog overlaps with content posted on the Sexual Orientation and the Law Blog. As such, use both blogs as a way to check content for accuracy and bias.

Of all the Law Professor Blogs, this blog is by far the best source of information for your LGBTQ family law issue. Most of the issues discussed in the posts by Sara Benson, a visiting professor at the University of Illinois College of Law, relate to LGBTQ family law. The posts discuss contemporary issues by providing insight into how the law or decision impacts the LGBTQ community and what the next step might be to furthering or protecting rights.

At first glance this Blog does not have a lot of relevance to LGBTQ family law. However, if you utilize the subscribe to this blog function, periodically a post will prove to be relevant.
Nancy Polikoff, a law professor at American University, publishes a blog entitled Beyond (Straight and Gay) Marriage. She has also written a book by the same title (herein). The blog is organized chronologically and by label. You can also browse the archive. Polikoff advocates for equality and, as a result, her posts tend to lean towards whether a case helps or hurts equality. Despite the title, Polikoff discusses many different LGBTQ family law issues, not just marriage. Her posts are heavily hyperlinked to outside news sources, cases and other information.

http://beyondstraightandgaymarriage.blogspot.com/
In 1994, the American Association of Law Libraries Standing Committee on Lesbian and Gay Issues published a bibliography designed to provide “guidance to all of our librarian colleagues in both developing a core collection of relevant material and in providing research assistance to all law library patrons.” Page xiii

This resource provides annotated summaries of the thesis of each source. Where an article analyzes a specific case, the full case citation is also included. The bibliography attempts to shed light on seminal works on particular topics as well as provides insight as to the level of expertise the author has in the area (i.e. professor, practitioner or student). They also try to provide cautionary notes indicating whether articles are brief, lengthy or complex.

Do not skip the introduction of the book that includes a list of seminal cases that have attracted the most scholarly attention.

This source can be found in book form at a library and is published by Hein. Whether you are browsing the latest edition or you do not have access to a hard copy be sure to visit the regularly maintained website for updates to the latest edition. The online updates typically include texts written in the proceeding six months or sources that were left out of previous editions.

www.lgbtbib.org
Originally published in September of 2002, this bibliography is regularly updated by Paul Axel-Lute, a Rutgers Law Librarian. The bibliography contains references to other bibliographies, ALR Annotations, Web-based Resources, Books, articles supporting same-sex marriage, articles opposing same-sex marriage and cases organized by state.

**Beware!**

While an extremely valuable source of information leading to a wide array of other sources, the downfall of this bibliography is a lack of annotations. Few, if any, of the sources contained in this bibliography are annotated. As such, the value of each source is unknown unless you take the time to go find the source and decipher the value and usefulness yourself.

This is not a very good source if in a time-crunch, but given a little leg work, this could be a very useful source if you encounter same-sex marriage issues on a regular basis.

http://law-library.rutgers.edu/SSM.html
Who is already doing this work?
Lambda Legal is an organization dedicated to advocating for the equality and civil rights of the LGBT community. Lambda Legal has played a pivotal role in many landmark cases such as *Lawrence v. Texas* and *Romer v. Evans*.

The most useful function of the Lambda site is the “our work” tab located on the homepage tool bar. Under this tab, you will find links to Current Cases, Landmark Cases, publications and your state.
The Lambda Legal site is confusing to navigate at first. There is a lot of information and initially that will not be apparent. Never fear, that is why this pathfinder is here.

Lambda legal provides services and advice in order to advocate for LGBTQ rights. As such, much of their information tends to be biased towards a particular side of the issue. However, Lambda attempts to include arguments against LGBTQ rights along with their respective counterarguments.

Use the case law freely on Lambda as the links provided are to actual decisions from actual courts and do not seem to be edited. However, much of the other information on the site is provided by Lambda Legal, and as such, use caution when using their materials.
The Lambda Legal Docket contains a list of all current cases that Lambda is pursuing across the country. This resource is great for researching your same-sex family law issue because Lambda Legal encounters most LGBTQ family issues and is on the forefront of the most current issues.

This docket contains many benefits including a brief annotation and a link to more in depth analysis of the case including: issues, state, summary, context, legal impact, history and documents.

Lambda has pinpointed and advocated for some of the most influential cases for LGBT rights. These cases are often cited as the seminal law on a particular issue. Among these cases are multiple family law cases from across the country.

Organized much like the Lambda Legal Docket. These case pages include a brief summary, history of the case, legal impact and documents relating to the case.

The documents relating to the case often include the complaints filed by Lambda and the decisions. The complaints are a good source of the arguments used to support these landmark cases and to rebut opposition.

http://www.lambdalegal.org/our-work/in-court/cases/landmark-cases.html
This page contains a map of the United States allowing you to click on your state to find out more information about LGBTQ rights in your state. The state information includes charts relating to issues in Family Law, Employment, and Parenting. It also contains references to cases and statutes. For instance the Illinois information page includes, but is not limited to, the following charts:

http://www.lambdalegal.org/our-work/states/
The publications page contains drop down menus that allow you to access an array of publications by Lambda Legal. These publications cover a wide variety of topics including adoption and parenting, civil unions, domestic partnerships, marriage, privacy, relationship recognition and reproductive rights.

These publications are valuable as they provide the most innovative arguments for advocates of LGBTQ rights and overview charts of the law in the particular area. These articles are downloadable and free to access.

http://www.lambdalegal.org/our-work/publications/
Lambda in court contains past briefs and complaints submitted by Lambda as well as decisions for the cases advocated by Lambda and their partner organizations. Each section is organized by topic in a convenient pull-down menu, much like in the publications section.

When clicking on the case name you are brought to an annotated page giving you insight as to the depth of the argument. You then have the option to download a PDF or print the file. The briefs are a great resource for cases and for essential arguments in favor of LGBTQ rights.

http://www.lambdalegal.org/our-work/in-court/
Lambda has a variety of tool kits in multiple languages. The audience for these tool kits is a LGBTQ person attempting to advocate pro se. However, these tool kits can be helpful to you, as an attorney. The tool kits are freely downloadable.

The “Getting Down to Basics” tool kit contains the most useful information. Specifically the two articles entitled “What the Experts Say” and “Combating Misguided Efforts…”

Both articles contain expert opinions in support of LGBTQ issues, provide summaries of studies supporting the issues and highlights organizations supportive of LGBTQ rights, including the American Bar Association. While not a primary source of these authorities, these tool kits are a good place to start when building up your arsenal.

The articles do contain citations to the authority relied upon and provide links to external sites for more information.

http://www.lambdalegal.org/take-action/tool-kits
Lambda Legal advocates for LGBTQ rights in regards to some specific family law issues, including: marriage, same-sex relationships, adoption, parenting and reproductive rights. These topic pages provide a cursory overview of each issue. However, under the marriage tab you will find a link to many resources that are helpful in advocating for same-sex relationships. Information includes why civil unions are unconstitutional and why marriage matters.

This section is interesting and worth a read, but may not be as useful as some of the other areas of the site and other sources.
Lambda in the News

Lambda’s In the News section contains press releases, news, media contacts as well as newsletters. While an interesting place to browse, this section focuses on news about Lambda attorneys, leaders and cases only. Another issue is that the Lambda site administrators handpick which news sources are put on this page and, as such, the sources tend to be biased towards pro-LGBTQ coverage. The articles are also significantly edited to include only pro Lambda information. You must click on a hyperlink to the actual news source to read the entire article.

A more efficient and less biased news service is Google News as it gives a broader cross section of legal issues and Google News does not purportedly support one side of an issue.

The ACLU is a non-profit and nonpartisan organization that advocates for the protection of all civil rights through the courts, legislation and in communities.

The ACLU LGBT project serves to fight discrimination against the LGBT community and advocates for LGBT rights through the courts, legislatures and public education.

http://www.aclu.org/lgbt
Both the ACLU and the Get Busy. Get Equal. websites are quite difficult to navigate and takes some time to find the most useful portions. The Lambda Legal website provides much of the same information and it is organized in a more streamlined fashion.

Much like Lambda Legal, the ACLU and Get Busy. Get Equal. advocate for LGBTQ rights. As such, much of the content located on their respective websites tends to be biased towards one side of the issue. Use caution when using materials.
The ACLU Lesbian Gay Bisexual Transgender Project provides case profiles that include cases currently being advocated for by the ACLU as well as cases that have recently concluded. All cases discussed relate to LGBTQ & AIDS rights. The cases are organized by topic, which include: relationships, discrimination, parenting, youth & schools and transgender.

Case profiles allow you to find recent case law dealing with LGBTQ Family Law issues. The main case profile page contains case names and a brief summary of the case. Click on the case name and you are sent to a page dedicated just to that case. For instance, the In Re Marriage case out of California contains a Summary, Blog, a Press Release, a Case Profile and the decision. Many case pages also include hyperlinks to court websites containing all of the documents filed by all interested parties.

The cases are organized by active and concluded and there are not many of them. Be sure to look at the petitions as they are a great source for determining which arguments work and will prevent you from re-inventing the wheel.

http://www.aclu.org/lgbt/caseprofiles
The Get Busy, Get Equal website is supported by the ACLU LGBT project and it’s main purpose is to provide information on LGBTQ relationships, parenting and more. One of the most useful portions of the website is it’s ability to serve as a guide to obtaining a LGBTQ marriage or adoption in states that currently recognize or are on the way to recognizing LGBTQ relationships and parents.

These guides answer frequently asked questions about the impact of seminal cases on LGBTQ rights in a certain jurisdiction.

For example, the California Guide to Marriage provides insight about the In Re Marriages case in California on LGBTQ Marriage rights in California. It also provides information about obtaining a marriage license and how to plan a legal ceremony.
Under the relationships tab, you will find resources to advocating for a domestic partnership policy in your state, a great resource for making an appeal to a higher court in your state. This source outlines arguments already made in the courts and arguments that have yet to be raised. It provides a summary of the argument and an analysis of the persuasiveness. This is also a resource for challenging opposition arguments. (i.e. Gay people are a threat to society, Gay people don’t need more rights).
Get what you need. Quicker.

Use the ACLU’s advanced search option to easily navigate through the various portions of the website.

Utilize Boolean operators to maximize your results.

http://www.aclu.org/search/search_wrap.html
NCLR is a non-profit public interest law firm dedicated to advancing the civil and human rights of the LGBTQ community through litigation, advocacy and education.

The NCLR website is one of the most easily navigated websites related to LGBTQ issues. The home page includes a simple search bar as well as multiple drop down menus with simple buzz words that will point you in the right direction. Two of the drop down menus are especially relevant to researching your LGBTQ family law problem as shown herein.
Beware when using NCLR

Much like Lambda Legal, the ACLU and Get Busy. Get Equal., NCLR advocates for LGBTQ rights. As such, much of the content located on their respective websites tends to be biased towards one side of the issue. Use caution when using materials.

NCLR is a good source of case law and arguments, not news.
NCLR offers legal assistance and not just to lay people. NCLR attempts to provide assistance to attorneys throughout the country. This service is especially useful if you do not encounter LGBTQ family law issues on a regular basis. NCLR defines the assistance they provide to attorneys as “technical assistance” and may include assistance with framing or researching a LGBTQ legal issue, developing legal strategies or locating expert witness.

In select cases, where your legal issue is complicated and will require a lot of support, NCLR may agree to co-counsel or to provide amicus support.

If you are an attorney looking to build your LGBTQ client base, NCLR offers you the opportunity to become a co-operating attorney and will refer clients with specific legal problems related to your practice area to your office.

http://www.nclrights.org/site/PageServer?pagename=legal_getHelp#atty
The NCLR Press Center contains press releases and statements made by NCLR and is not a good source for outside news coverage. This page is organized in a way that provides for a brief summary of each article and then a link for more information.

Sign up for NCLR Email Updates to receive the most up to date alerts about opinions, legislation, policy and updates to the NCLR docket. It is as easy as entering your email address and deciding what you want to receive updates about.

<table>
<thead>
<tr>
<th>Email Interests</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Action Alerts</td>
<td>On occasion, your action is needed on urgent and important issues facing our community. Stay in the loop to take action.</td>
</tr>
<tr>
<td>Breaking NCLR News &amp; Opinion</td>
<td>Breaking updates on the litigation, legislation, and policy in which NCLR is involved.</td>
</tr>
<tr>
<td>On The Docket</td>
<td>We’ll send you our e-newsletter, “On the Docket”, every other month so you can keep up to date on our life- and law-changing work.</td>
</tr>
<tr>
<td>On The Road</td>
<td>Find out when we’ll be in your town or area! Once a month, we’ll send you our events information.</td>
</tr>
<tr>
<td>Out For Justice: Kate’s Blog</td>
<td>Read what Kate has to say about current NCLR work and other issues and topics.</td>
</tr>
<tr>
<td>The Southern Report</td>
<td>Get all the news from our Southern Regional Office. We’ll send this quarterly.</td>
</tr>
</tbody>
</table>

http://www.nclrights.org/site/PageServer?pagename=press_center
Publications and Downloads

Each legal issue contains a publications and downloads section. For instance on the Marriage page, there is a short list of publications and then a link to more publications regarding marriage. Be sure to click through as there are many more publications than initially visible on the main Marriage page. These publications include facts and statistics as well as advisories regarding legal issues.

On the Docket

Similar to the publications and downloads section of each legal issue, on the docket contains a short list of pending, victorious and appellate litigation. Click through to view all the cases for the particular legal issue in order to ensure you are getting the most information possible.

http://www.nclrights.org/site/PageServer?pagename=issue_overview
The National Gay and Lesbian Task Force provides education, training, and support for those in the LGBTQ community organizing campaigns to create public support for equality. The task force includes a public policy and government affairs department where lawyers and policy makers lobby for LGBTQ rights. The website is a good source of information to use when you need to make policy arguments on appeal.

http://www.thetaskforce.org/
Beware when using the Task Force

The Task Force advocates for LGBTQ rights. As such, much of the content located on their website tends to be biased towards one side of the issue. Despite extensive citations, use caution when using materials.
The two most relevant LGBTQ family law issues discussed by the task force are marriage and parenting. The related reports bar is the most useful portion of any individual issue page. You can access individual reports by clicking through the reports tab on the homepage toolbar and then searching for reports based on an individual issue or by accessing an individual issue page through the issue toolbar. The easiest method of accessing reports is by searching in the reports section.

Reports contain data, statistics, facts and summaries of laws. Unlike talking points, these reports contain extensive citations and references to outside sources and often contain graphs and maps to visualize the information.

Please see Appendix A for examples of reports that would be useful to your LGBTQ family law issue.

http://www.thetaskforce.org/reports_and_research/
The talking points section contains a small section of documents that summarize law, compare relationship rights (marriage, civil unions and domestic partnerships) and otherwise provide foundation for arguments to be made in favor of LGBTQ family law rights.

Unfortunately most of this information comes straight from the task force itself with very few, if any, citations to outside sources of information. In this respect, be careful of bias.

http://www.thetaskforce.org/activist_center/resources_and_tools/talking_points
The HRC works to achieve equality for the LGBTQ community via educational and media outreach, as well as through scholarship and policy analysis.

The website provides access to federal law, state law, legislation and many publications containing facts, statistics and numerous endnotes with how to find more in depth information.
Beware when using HRC

Like many sources contained in this pathfinder, HRC advocates for LGBTQ rights. As such, much of the content located on their website tends to be biased towards one side of the issue. Despite extensive citations, use caution when using materials.
HRC provides summaries of specific aspects of state law pertinent to LGBTQ family law issues. While these are merely summaries, each summary is followed by a citation to the actual statute so you can locate further information.

Many of the laws that impact gay, lesbian, bisexual and transgender lives are governed by individual states. State laws can range from partnership recognition for same-sex couples to parenting rights to employment discrimination.

The Human Rights Campaign works with state and local groups as well as lawmakers across the country to ensure equality for all GLBT Americans.

- Illinois Adoption Law
- Illinois Birth Certificate Law: Gender Identity Issues
- Illinois Custody and Visitation Law
- Illinois Donor Insemination Law
- Illinois Hate Crimes Law
Under the issues tab on the HRC homepage you will find specific information about marriage and parenting. Each of these pages contains a link to publications relating to the particular issue. These publications include statistics, facts and citations to outside sources.

These pages also include links to relevant news, legislation and laws.

http://www.hrc.org/issues/index.htm
DOMA Watch is an organization dedicated to preserving marriage as a union between one man and one woman. DOMA Watch also advocates for a Federal Marriage Amendment.

Regardless of which side of the same-sex marriage issue you are advocating for, this website is one of the best sources of proposed legislation and actual law.

A country wide map provides hyperlinks to the actual verbiage of state statutes and legislation including citations. The website also provides a map of the federal circuits and outlines the issues each circuit has heard and where they have come out on those issues.

http://www.domawatch.org/
<table>
<thead>
<tr>
<th>Against DOMA</th>
<th>For DOMA</th>
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<tr>
<td>American Bar Association</td>
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<td>American Civil Liberties Union</td>
<td>Alliance for Marriage</td>
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<td>Equal Marriage</td>
<td>American Center for Law and Justice (ACLJ)</td>
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<td>The Freedom to Marry Collaborative</td>
<td>American Family Association</td>
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<td>Gay &amp; Lesbian Advocates &amp; Defenders</td>
<td>Center for Reclaiming America</td>
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<td>Human Rights Campaign</td>
<td>Christian Legal Society</td>
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<td>Lambda Legal</td>
<td>Concerned Women for America</td>
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<td>National Conference of State Legislatures</td>
<td>Family Research Council</td>
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<td>National Organization of Women</td>
<td>Focus on the Family</td>
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<td>National Center for Lesbian Rights</td>
<td>Heritage Foundation</td>
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<td>Parents, Families and Friends of Lesbians and Gays</td>
<td>Institute for Marriage and Public Policy</td>
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<td>more links</td>
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<td>Marriage Law Project</td>
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<td>Parents and Friends of Exgays and Gays</td>
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<td>Thomas More Law Center</td>
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If your LGBTQ legal problem involves marriage, you will want a good grasp of both sides of the issue. That being said, you may be interested in checking out MarriageWatch.org, an anti-same-sex marriage website. This website contains information about proposed constitutional amendments, proposed legislation, issues, arguments and case law. One of the most interesting portions of the website is the fact that it tracks the positions of many of the secular institutions throughout the world as they relate to same-sex marriage, this information is located under religious communities.

Beware!

MarriageWatch.org is dedicated solely to making a case against same-sex marriage. As such, much of the content on the website is biased towards that point of view. Use the information with caution.

The website contains no search function to find relevant documents and is somewhat unwieldy to navigate.

It seems as if 2006 was the last time an update occurred to any of the legally pertinent information.
The ACLJ is a non-profit legal clinic providing services at no cost to clients with constitutional legal issues. The ACLJ’s position on marriage is that it should remain an institution for one man and one woman and they are dedicated to defending and promoting the Defense of Marriage Act.

The ACLJ website is somewhat confusing to navigate and does not contain a lot of information pertinent to LGBTQ family law other than the fact that the ACLJ opposes same-sex marriage.

The website does list the cases that ACLJ is currently advocating, however, these are not indexed or searchable and it is hard to decipher which cases are relevant to LGBTQ family law.

This source is a mediocre source of information for opposition arguments.

http://www.aclj.org/
How do I find cases?
Finding Cases and Statutes in Your State!

You never want to begin your legal research by diving straight into primary sources. You should locate the primary sources once you have a good background of LGBTQ family law, your specific legal problem and a list of case and statute citations that you want to delve further into.

The next few pages are dedicated to providing you with information about locating the case law and statutes you have pinpointed through your research in secondary sources as well as finding other case law to bolster your arguments. State websites are a great place to find free case law and legislation, though intermediation is minimal. You can also use these websites as a source of court forms and court rules.

Every state organizes their website differently and some are better than others. The chart on the subsequent pages attempts to denote the best and worst of state websites by ranking them (1 = best, 2 = good and 3 = poor) based on ease of use as well as pointing out specific features of the website that are easily and quickly accessible (see legend below).

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| Kentucky | courts.ky.gov (CL 2)                  | <a href="http://www.lrc.state.ky.us">www.lrc.state.ky.us</a> (SC CON 2)            |
| Louisiana| <a href="http://www.lasc.org">www.lasc.org</a> (CL CR F 2)              | <a href="http://www.legis.state.la.us">www.legis.state.la.us</a> (SC CON 2)         |</p>
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Free Case Law Research

Some state court websites provide only their slip opinions. Your legal issue may also cross state lines. For these reasons you will want to access a free legal search engine providing you access to cases, statutes and forms. You will also want to ensure that you check that the case or statute is still good law.

Lexis One

- **Lexis One** allows you to search for Case Law using keywords and case citations for free. If you search through a topical index (i.e. Family Law) there is a charge for each document you would like to view (ranging from $1 - $15 dollars).
- As every lawyer knows, an important aspect of legal research is being able to ensure the primary law is good. It is almost impossible to run a case through a citator for free. However, Lexis One does provide a citator at a reduced cost to small firms.
- Lexis One contains no intermediation or editorial material.
- State case law is only free for the past five years. However, due to the velocity of change in LGBTQ family law, this should not be an issue.

State Bar Association

- Many state bar associations provide access to free legal research tools with your membership. For instance, the Illinois State Bar Association provides it’s membership with access to Fastcase that allows for Boolean searching of cases, statutes, court rules and much more.
This pathfinder covers a wide variety of free web based resources. However, effective legal research requires diligence and a willingness to combine a wide variety of sources, including print based. You may not have access in your office to an extensive legal library but still might have an interest in locating print sources because of sheer desire or because you have hit a dead-end and you are not sure what you should do next.

There are over 200 Law School Libraries throughout the United States. Many provide research assistance to the public and local attorneys. Most will not do the research for you, but will help you find sources that will be helpful and suggest alternative approaches. You may visit their webpage for more information or contact them via telephone to ensure they offer this service.

Even if you do not require live assistance, feel free to visit the library to browse their materials.

For a list of Law School Libraries visit:

www.justlawlinks.com/LIBRARY/index-library.htm
Appendix A

Adoption Laws in the U.S.
This map has required no update since: November 4, 2008

*North Dakota law, enacted in 2003, allows child-placing agencies to discriminate against prospective parents based on religious or moral objection, which could result in discrimination against prospective LGBT parents.

NOTE: Parenting rights are always determined on a case-by-case basis.
If you are considering becoming a parent or are facing a parenting contest, you should contact the National Lesbian and Gay Law Association (www.NLGLA.org) to identify a lawyer licensed in your state and familiar with LGBT family law.

Arkansas – Arkansas law, enacted by a statewide vote on Nov. 4, 2008 and going into effect on Jan. 1, 2009, prohibits the adoption by an individual “cohabiting with a sexual partner outside of a marriage.” The law applies “equally to cohabiting opposite-sex and same-sex individuals.”

Nebraska – Nebraska policy, by 1995 directive of the then director of Nebraska’s Department of Social Service, prohibits adoption by individuals “who are known by the agency to be homosexual or who are unmarried and living with another adult.” It is unclear if this policy is enforced. The Nebraska state constitution restricts marriage to opposite-sex couples.

Florida – Florida law, enacted in 1977, expressly prohibits “homosexual” individuals from adopting.

Michigan – In 2004, the Attorney General issued an opinion stating that same-sex couples who are married in other jurisdictions are not legally authorized to jointly adopt children in Michigan.

Mississippi – Mississippi law, enacted in 2000, expressly prohibits “adoption by couples of the same gender.”

Utah – Utah law, enacted in 2000, prohibits adoption “by a person who is cohabitating in a relationship that is not a legally valid and binding marriage” under Utah state law. (Cohabitating is defined as “residing with a person and being involved in a sexual relationship with that person.”) A subsequent law, enacted in 2007, gives preference to married couples over single adults in adoption placement decisions. Utah has a state constitutional amendment and a statutory law restricting marriage to opposite-sex couples.

States with Laws Restricting Gay Adoption

National Gay and Lesbian Task Force
www.theTaskForce.org
Anti-Gay Marriage Measures in the U.S.

This map has required no update since: November 4, 2008

In 1996, Congress passed and President Clinton signed into law the “Defense of Marriage Act” (DOMA). It says that no state is required to honor same sex marriages performed in another state. It also seeks to restrict how marriage may be defined or interpreted under federal law to “a legal union between one man and one woman as husband and wife.”

Many states have passed both a statute and a constitutional amendment.

**Anti-Gay Marriage Measures** (ban marriage for same-sex couples)

- **Statutes**
  - 1995–UT
  - 1996–AZ, DE, GA, ID, IL, KS, MI, MO¹, NC, OK, PA, SC, SD, TN
  - 1997–AR, IN, ME, MN, MS, ND, VA
  - 1998–AL, HI², IA³, KY, WA
  - 1999–LA
  - 2000–CA, CO, WV
  - 2001–MO
  - 2004–NH

- **Constitutional Amendments**
  - 1998–AK
  - 2002–NV
  - 2004–MO, MS, MT, OR
  - 2006–CO, TN
  - 2008–AZ, CA

¹ Missouri’s 1996 anti-marriage law was subsequently overturned by its state supreme court.
² Hawaii enacted a state constitutional amendment in 1998 stating that “the legislature shall have the power to reserve marriage to opposite-sex couples.” In turn, also in 1998, the state legislature passed a law prohibiting same-sex couples from marrying.
³ Iowa’s 1998 anti-marriage law was overturned by an Iowa trial court in August 2007. The decision is on appeal.

**Broader Anti-Gay Family Measures**

- (may ban other forms of partner recognition in addition to marriage, like domestic partnership and civil unions; some ban these for unmarried opposite-sex couples as well)

- **Statutes**
  - 1997–AK, FL, MT
  - 2003–TX
  - 2004–VA, OH

- **Constitutional Amendments**
  - 2000–NE
  - 2004–LA, AR, GA, KY, MI, ND, OH, OK, UT
  - 2005–KS, TX
  - 2006–AL, ID, SC, SD, VA, WI
  - 2008–FL
## Appendix B
Before you Begin...

Make sure you know the following:

### Parties
- Who?
- What?
- Role
- Occupation
- Relationship

### Events
- What?
- When?
- Where?
- How?

### Claims
- Complaint
- Claim
- Injury/Harm
- Defenses
Create a checklist of all of the sources you intend to consult and check them off as you complete your research. For your convenience, use the table of contents of this pathfinder as a starting point for your checklist.

For each source you consult ensure that you keep a detailed record of the source of information, dates, search terms used, page numbers, full citations, references and other important information.

For each piece of relevant information found, provide a brief summary along with the above information.