



RELEVANT | RESEARCHED | RESPECTED

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TRANSGENDER

Understanding the Law of
Gender Identity and Expression

featuring

Robyn B. Gigl

Live Program

JUNE 15, 2017

ST. LOUIS

Holiday Inn Airport West
(Earth City)

7.2 MCLE Hours including
0.5 Ethics Hour

Live Programs

JUNE 22, 2017

INDEPENDENCE

Stoney Creek Hotel
& Conference Center

JUNE 23, 2017

ST. LOUIS

Eric P. Newman Education Center
Washington University

8.0 MCLE Hours including
1.0 Ethics Hour



Co-sponsored by MoBarCLE and The Missouri Bar Young Lawyers' Section

There are an estimated 1.5 million transgender people in the United States.

If you think any of these thoughts:

I have no reason to learn anything about transgender individuals;

I don't have any transgender clients;

These issues don't impact my current clients;

Transgender rights are not a major issue where I practice;

you are wrong!

Your lack of knowledge could expose your clients to liability for back pay, front pay, compensatory and punitive damages, including attorney's fees.

Robyn Gigl uses her personal story to humanize the issues involved and to present a different narrative of what many want to denigrate as a "lifestyle choice." She will provide you with a checklist of "dos and don'ts" to help your clients approach these issues in a sensitive and sensible manner to avoid costly litigation. Gigl will also focus on the impact of the proliferation of Religious Freedom Restoration Acts (RFRA) in a number of states, and the interplay of state RFRA with existing federal law.

You will learn the current state of law involving transgender rights and how those rights impact your:

- corporate clients
- HR departments
- school districts
- local government entities
- other institutional and individual clients



MODERATOR
Kristen L. Maly
*McCarthy Leonard &
Kaemmer, LC*

PROGRAM SPECIAL

Printed course material
book included with
program registration!

ABOUT OUR SPEAKER

Robyn Gigl has been handling complex litigation including employment law, commercial and business litigation and white-collar criminal defense for more than 35 years representing clients in state and federal courts in New Jersey.

Robyn, who is the Chair of the New Jersey State Bar Association's LGBT Rights Section and on the Board of Directors of Garden State Equality and the Transgender Legal Defense and Education Fund, also has an expertise on LGBT issues in the workplace.

As a transgender woman, Gigl had the unique experience of being the managing partner of her law firm while transitioning from male to female. She successfully led her firm through the complex cultural and practical issues that face corporate policy makers, managers and co-workers when an employee goes through the gender affirmation process. Gigl is the author of multiple articles on transgender issues for the New Jersey State Bar Association and a chapter in BNA's leading treatise on the subject. She speaks frequently on transgender issues to bar groups and the judiciary, law schools, corporate groups and financial institutions.

Gigl is a partner in the Trenton, NJ firm Gluck Walrath, LLP. She is AV® Rated by Martindale-Hubbell, and has been selected as a New Jersey Super Lawyer from 2010 – 2015. She is a graduate of Stonehill College, and Villanova University School of Law, where she was a Member and Associate Editor of the *Villanova Law Review*.



ENDER

8:00 – 8:30 a.m.
PROGRAM REGISTRATION

8:30 – 9:30 a.m.
CULTURAL COMPETENCY AND ETHICAL OBLIGATIONS

- ▶ Defining Terms
- ▶ Who Are the “T” In LGBT
- ▶ Gender Queer and/or Gender Neutral

A PERSONAL JOURNEY

- ▶ Putting a Human Face on the Issues
- ▶ Questions & Answers – including the personal ones

9:30 – 10:15 a.m.
THE EVOLUTION OF TITLE VII AND TITLE IX PROTECTIONS

- ▶ Early Attempts to Use Title VII
- ▶ Sex Stereotyping
- ▶ “Because of Sex”
- ▶ EEOC
- ▶ Back to the Future

10:15 – 10:30 a.m. BREAK

10:30 a.m. – 12:00 noon
Unraveling Transgender Bathroom Issues - Title IX – Guidance or the Lack Thereof

- ▶ North Carolina and HB2
- ▶ Title IX and the Obama Administration’s Guidance and the Trump Administration’s Guidance
- ▶ *Gloucester County School Board v. G.G.*
- ▶ An Open Dialogue on the Legal and Personal Issues Involved
- All Points of View Are Welcomed and Encouraged

12:00 noon – 1:30 p.m.
LUNCH (on your own)

1:30 – 2:15 p.m.
TRANSITIONING & WORKPLACE ISSUES

- ▶ What is Involved?
- ▶ Workplace Policies & Procedures
- ▶ Collaboration Between the Employer and the Employee
- ▶ The Rights of Other Employees
- ▶ Practical Considerations
- ▶ Federal Law – Title VII, Equal Protection, Executive Orders and U.S. Department of Labor Guidelines

2:15 – 3:00 p.m.
SCHOOLS

- ▶ Student Transitions With or Without Medical Intervention
- ▶ Names and Official Records
- ▶ Family Educational Rights and Privacy Act
- ▶ Bathrooms/Locker Rooms
- ▶ Athletics
- ▶ Teachers/Administrators Transitioning

3:00 – 3:15 p.m. BREAK

3:15 – 4:15 p.m.
RELIGIOUS FREEDOM RESTORATION ACTS AND THE FIRST AMENDMENT DEFENSE ACT

- ▶ The History of RFRAs
- ▶ *Hobby Lobby and Elane Photography, LLC v. Willock* (New Mexico)
- ▶ *Obergefell v. Hodges* – RFRAs and Attempts to Discriminate Against the LGBT Community
- ▶ The Houston Equal Rights Ordinance (HERO), North Carolina and Mississippi
- ▶ The Use of RFRAs to Regulate the Use of Bathrooms by Trans* People

4:15 – 4:30 p.m.
QUESTION & ANSWER SESSION

4:30 p.m. ADJOURN

TRANSGENDER: UNDERSTANDING THE LAW OF GENDER IDENTITY AND EXPRESSION

Name _____ Bar Number _____

Street Address _____ P.O. Box _____

City/State/Zip _____

Phone Number _____ Fax _____ E-mail _____

(Required for electronic course materials)

Check # _____ Debit/Credit Card (The Missouri Bar does not accept cash)

Debit/Credit Card No. _____ Exp. Date _____ CVV _____

Registration Fees:

\$299 — Registration Fee
(includes printed course materials)

Program Date & Location

St. Louis • June 15, 2017
Holiday Inn Airport West (Earth City)
3400 Rider Trail South
314-291-6800

The TRIAL EXPERIENCE

The Trial Experience is designed for practitioners who wish to master important litigation skills. This seminar will focus on procedural, evidentiary and ethical requirements attorneys must apply from the beginning to the end of a jury trial. If you wish to improve your courtroom technique, register today!

7:30 A.M. REGISTRATION

8:30 a.m. – 9:20 a.m.

CRAFTING EFFECTIVE PLEADINGS & MANAGING SUCCESSFUL VOIR DIRE

Chad A. Stewart, *City Attorney's Office* (Independence)

Rebecca J. Grosser, *Grosser Law, LLC* (St. Louis)

9:20 a.m. – 10:10 a.m.

UNDERSTANDING CIVIL AND CRIMINAL JURY INSTRUCTIONS – A JUDGE'S PERSPECTIVE

Hon. Deborah Daniels, *13th Judicial Circuit* (both locations)

10:10 a.m. – 10:20 a.m.

BREAK

10:20 a.m. – 11:10 a.m.

MAINTAINING A THEME: FROM OPEN TO CLOSE

Tara M. Kelly, *City Attorney's Office* (Independence)

J. Brent Dulle, *City of St. Louis Law Department* (St. Louis)

11:10 a.m. – 12:00 noon

CONDUCTING DIRECT EXAMINATION OF ALL WITNESSES

Douglass F. Noland, *Noland Law Firm, LLC* (Independence)

Gary A. Grove and Teneil L. Kellerman, *Grove Eisen Karlen* (St. Louis)

12:00 NOON LUNCH (on your own)

1:00 p.m. – 1:50 p.m.

CONDUCTING CROSS-EXAMINATION OF ALL WITNESSES

Douglass F. Noland (Independence)

Gary A. Grove and Teneil L. Kellerman (St. Louis)

1:50 p.m. – 2:40 p.m.

USING EVIDENCE IN CREATIVE WAYS

Elizabeth Unger Carlyle, *Carlyle Parish, LLC* (Independence)

Thomas C. DeVoto, *DeVoto Law Firm* (St. Louis)

2:40 p.m. – 2:50 p.m.

BREAK

(Continued on next page)

The TRIAL EXPERIENCE

2:50 p.m. – 3:40 p.m.

OBJECTING DURING TRIAL & STRATEGICALLY USING MOTIONS *IN LIMINE*

Max E. Mitchell, *District Defender* (Independence)

Mary L. Reitz, *Greensfelder, Hemker & Gale, PC* (St. Louis)

3:40 p.m. – 4:30 p.m.

CONSIDERING THE ETHICS OF A JURY TRIAL

L. Michaelle Tobin, *Associate Clinical Professor, University of Missouri-Kansas City School of Law* (Independence)

Hon. David C. Mason, *22nd Judicial Circuit* (St. Louis)

4:30 P.M. ADJOURN

MODERATORS



INDEPENDENCE

Kate E. Noland

Noland Law Firm



ST. LOUIS

Michael J. Hart

Sher Corwin Winters, LLC

THE TRIAL EXPERIENCE

Name _____ Bar Number _____

Street Address _____ P.O. Box _____

City/State/Zip _____

Phone Number _____ Fax _____ E-mail _____

(Required for electronic course materials)

Check # _____ Debit/Credit Card (The Missouri Bar does not accept cash)

Debit/Credit Card No. _____

Exp. Date _____ CVV _____

Registration Fees: (includes electronic course materials)

- \$129 — Attorneys in practice less than 5 years
- \$229 — Registration Fee
- Season Pass Holder — Basic — Limited — Unlimited
- \$139 — I can't participate but would like the electronic course materials

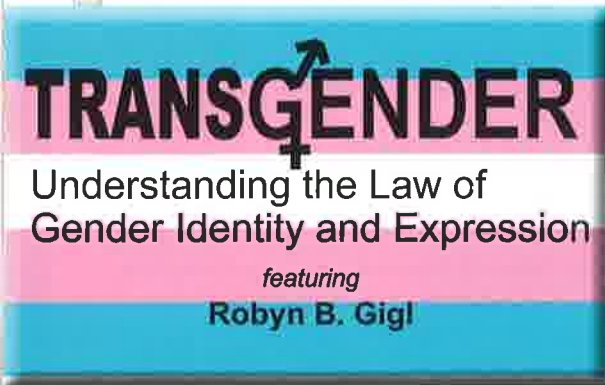
Program Dates & Locations

- Independence • June 22, 2017
Stoney Creek Hotel & Conference Center
18011 Bass Pro Drive
816-908-9600
- St. Louis • June 23, 2017
Eric P. Newman Education Center —
Washington University
320 South Euclid
314-747-6338



The Missouri Bar
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 Jefferson City, MO 65102-0119

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 Gender Identity and Expression

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Robyn B. Gigl



THE TRIAL EXPERIENCE



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 James Breckenridge
 Levy Craig Law Firm
 1301 Oak St Ste 500
 Kansas City MO 64106-2865



For more information:
 Scan code for more information or to register for this program.

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PROGRAM REGISTRATION INFORMATION

Kansas credit is pending.

Special accommodations:

If you need special accommodations addressed by the Americans with Disabilities Act, please contact the MoBarCLE Programs Department.

Course Materials:

Materials for *The Trial Experience* are available electronically prior to the program. You can download and print any sections you wish to bring to the seminar. No printed materials are available. Printed materials are included with registration for *Transgender – Understanding the Law of Gender Identity and Expression*.

Cancellations:

A colleague may attend in your place if he or she could have registered at the same price. If unable to attend a program, cancellation must be received in writing by MoBarCLE no later than 2 business days (Monday-Friday) after the program concludes. Otherwise, you will receive the electronic course materials in full consideration of tuition paid. Please note: If you cancel your registration, a refund will be issued less the fee for the electronic course materials.

Word of Thanks:

Those who plan and teach MoBarCLE seminars are volunteers. Their generous contributions of time, talent, and energy make this and every MoBarCLE seminar a success. We deeply appreciate their work.

To Register:

Visit: www.mobarcle.org

Call: 1-888-253-6013 or 573-635-4128
 Fax: 573-659-8931

Mail to: The Missouri Bar
 P.O. Box 119
 Jefferson City, MO 65102-0119