

Enchante' News

A Transgender Newsletter



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<http://florida.enchante.tripod.com>

March 2003

Legislation

There is quite a bit of legislation on dockets and being passed across the country. I will try to include a few articles in each newsletter to keep everyone up to date. Lately I have been receiving information on more than I can put in the newsletter, in order to keep it in a reasonable printable size.

Marriage

Please read the article on page 3. Marriage for a transgendered individual can be a tricky issue, whether you are in a heterosexual, lesbian or gay relationship. There are a few articles on the Enchante' website regarding marriages with the difficulties and accomplishments in trying to obtain them.

If you plan to marry a person of the same gender as your future planned gender (for those still pre-op) you better do it before you have SRS. Patty got married 10 days before.

Hormone Replacement (HRT)

One of the first major steps we take is starting hormone replacement therapy. This is actually easier than most expect. Just about any endocrinologist or even your primary care physician can order the needed blood tests to monitor various hormone levels and prescribe your hormones. If you're having a problem getting hormones we can recommend doctors experienced with transgenders and proper HRT.

I must stress the importance of going about getting your hormones in the proper manner. Yes, you can order them out of country or take herbal supplements. But without proper monitoring of blood levels you have a much increased risk of embolism's (stroke) and you may not be taking the optimum levels of hormones, androgens and anti-androgens. With testing you can optimize these levels to get the best results. Throughout our journey we want the best results and live to see them fulfilled.

A letter from the Editor

The past couple of months we have had many new members joining our meetings. I wish to thank them for coming and hope we continue to see them in the future. It's nice seeing new faces. But it's nice having old timer's pop in to share their experiences. So I keep an open

invitation to the old and new alike. Come and join us for a relaxing and informative time.

At the May meeting we may have a doctor come explain the pro's and con's of laser hair removal. He has a clinic in Sanford, FL.

For Immediate Release: February 28, 2003
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**NTAC APPLAUDS AFL-CIO
TRANSGENDER-INCLUSIVE STAND
AGAINST BIGOTRY AND HATRED**

The AFL-CIO Executive Council, representing over 13 million employees in the United States, spoke out this week against all forms of bigotry and hatred. In a statement posted to the Executive Council page at the AFL-CIO website <www.afl-cio.org> on February 27, labor leaders recognized that much work remained in making equality a reality for all Americans. This is the first time that the AFL-CIO leadership specifically included transgendered people in a call for an end to bias.

"Employment, housing and other forms of discrimination, as well as acts of violence based on sexual orientation and gender identity and gender expression, continue unabated."

Donna Cartwright, a member of the AFL-CIO Pride at Work National Executive Board said, "This is a wonderful day for transgender people, and a proud day for the labor movement. The AFL-CIO's action in recognizing that transgender and gender-different people need protection against discrimination and hate crimes is in the best traditions of labor solidarity and support for human rights."

Noting a post-9/11 increase in attacks on civil liberties, the AFL-CIO promised to challenge discrimination in housing, employment, education, healthcare access and other areas.

In a very clear message, the AFL-CIO leaders vowed to stand with their allies and with the civil rights community to oppose all forms of discrimination based upon race, national origin, gender, disability, sexual orientation, gender identity or gender expression, religion or age. "All of these forms of discrimination harm union members and all workers, who face the additional challenge of economic exploitation and employer retaliation when they attempt to assert their rights in the workplace. "

Marta Ames, Executive Director of Pride at Work <www.prideatwork.org>, considers the AFL-CIO resolution an important step forward for the GLBT community. "The resolution does not come out of a vacuum," she said, "but instead reflects the energy and commitment of leaders and activists in the transgender community, the dedication and involvement of Pride At Work members, and the support of many individuals and departments within the AFL-CIO."

Vanessa Edwards Foster, Chairman of the National Transgender Advocacy Coalition (NTAC), said, "The AFL-CIO has shown true vision in supporting all workers, not just certain segments of the workforce. We only hope government can follow their lead."

NTAC applauds the AFL-CIO intention to work with Congress and state and local governments to pass laws that ensure that all individuals have the opportunity to live and work in an environment free of physical

intimidation, prejudice, retaliation, harassment and bias.

ATTORNEYS' REACTIONS TO THE KANTARAS DECISION, LEGAL TRANSSEXUAL MARRIAGE

Relying on expert medical testimony and careful review of Florida statutory requirements, Circuit Court Judge Gerard O'Brien has ruled that Michael Kantaras, a post-transition female to male transsexual, is legally male and that his marriage to Linda Kantaras was legal.

Shannon Minter, Legal Director of the National Center for Lesbian Rights (NCLR) is certain that more state courts will rule favorably in transsexual marriage cases in the next few years, "if we pursue cases with truly compelling facts, and if we do a good job of educating the judges in these cases by presenting expert testimony, as was done in Kantaras." Minter and NCLR staff attorney Karen Doering comprised part of Michael Kantaras' legal team, along with local attorney Collin Vause.

Florida law states that, "Marriages between persons of the same sex ... are not recognized for any purpose in this state. ... For purposes of interpreting any state statute or rule, the term "marriage" means only a legal union between one man and one woman as husband and wife, and the term "spouse" applies only to a member of such a union."

Judge O'Brien's ruling is of national importance. Florida joins California and New Jersey, in which state courts have ruled that transsexuals may marry in their new gender, at odds with Texas, Kansas, and Ohio, whose courts have rendered the opposite decision.

Michael Kantaras met and married his wife after he had completed sex reassignment surgery. Although Linda Kantaras was aware of Michael's transgender history, it wasn't an issue until Michael initiated divorce proceedings. Linda argued that, despite hormones and surgery, Michael remained female and that the marriage was null and void.

Michael's claim to be male was supported by detailed medical testimony of three of the country's leading experts on transsexualism: Drs. Ted Huang and Collier Cole of the University of Texas Medical Branch in Galveston and Dr. Walter Bockting of the Harry Benjamin International Gender Dysphoria Association and Coordinator of Transgender Health Services in the University of Minnesota Program for Human Sexuality. According to Minter, "They were able to provide Judge O'Brien with a comprehensive understanding of the current medical viewpoint on transsexual people and to dispel many stereotypes and misconceptions. I think this is what made the difference in Michael's case."

"Some states may follow Texas and Kansas in denying marriage rights to transsexual people," said Minter, "but I firmly believe that most will follow the lead of Judge O'Brien in Kantaras and the growing trend internationally."

The most important piece of advice Minter offers for any transsexual who becomes embroiled in legal battle is to contact an attorney with experience litigating this issue. "These are incredibly important cases, both for the individuals involved and for the entire community. We cannot afford to lose a single case that might be won through more careful planning or preparation."

"The chances of the Supreme Court stepping in and resolving this issue in the near future are virtually nil," Minter added. "By way of comparison, the Supreme Court did not address laws banning interracial marriage until 1967, long after most states had already abolished such laws."

Attorney Alyson Meiselman agrees that the Kantaras decision is important. Although as a trial level court decision it sets no legal precedent, she notes, its value lies in the detailed medical testimony and legal analysis included. Meiselman thinks it likely that the former Mrs. Kantaras might appeal the decision, which could lead to a precedent setting appellate decision.

Meiselman, one of the attorneys that appealed the Texas case invalidating Christie Lee Littleton's marriage to the U.S. Supreme Court, recently won an important Maryland Appeals Court ruling In the Matter of R.W. Heilig, which established the right of a citizen to petition for a legal change in gender status, regardless of place of birth. She also referred to in re: Kevin, a recent Australian case affirming the legality of a transsexual man's marriage, and TO in re: Gardiner, a Kansas Supreme Court decision invalidating the marriage of a transsexual woman, J' Noel Gardiner.

"The [legal] analysis was totally missing in Littleton, scant and inaccurate by the Kansas Supreme Court," she said, "as opposed to Heilig, which was detailed; Kevin, which was exhaustive and detailed; and Kantaras, which was at the trial court level extensive, detailed, and exhaustive on Kantaras facts."

"Weighing all three decisions [Kantaras, Heilig, and Kevin] together," Meiselman said, "it

would appear that the scourge of Littleton v. Prange (1999) and Gardiner II (2002) may be over. Only time will tell."

Not to be forgotten in the proceedings and the legal decision are the Kantaras children. Michael adopted Linda's son after they married. They later had a daughter conceived by artificial insemination. The children are now 11 and 14 years old and have been in their father's primary custody during most of the past year.

Michael Kantaras is glad that the long wait is over and that he and his children can get on with their lives.

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Trangender Network International

<http://www.ntac.org>
National Transgender Advocacy Coalition

<http://www.temenos.net>
Temenos LGBT Community

<http://florida.enchante.tripod.com>
Enchante' - A support group for transexuals
in the Tampa Bay and surrounding area.

<http://www.gpac.org/>
GenderPAC - Gender Public Advocacy
Coalition

<http://www.megalaw.com>
General Law Info

<http://www.forge.8m.com>
Forge
The Florida Gender Equality Project

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