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the importance of these relationships so children aren't shut off from the very people they need most."

Sue Ellen Carvin lived with another woman in a marital-like relationship for 12 years. During that time they decided to have a child together, with her partner becoming the biological mother.

Carvin stayed at home serving as primary caregiver for the child, who called her "Mama." She bathed, dressed and fed her child, disciplined and consoled her and provided financial support.

When the child was almost 6 years old, the couple separated. The ex-partner eventually cut off all contact with between Carvin and the child.

In order to restore contact with the child she had raised from birth, Carvin filed a petition for a declaration of parentage or in the alternative for an order for third-party visitation. A King County Superior Court judge held that because Carvin was not married to her partner and was not the child's biological mother, she had no standing to seek a declaration of parentage.

"As a matter of fairness, someone who has functioned as a child's parent should have the same visitation rights as allowed in other similar parent-child relationships," attorney Aaron Caplan said. "When couples split up, their children need the love and support of both parents, regardless of the parents' sexual orientation."

The ACLU urged the appeals court to allow Carvin a fair opportunity to prove that she is a parent of the child. State courts around the country have recognized the constitutional rights of

"de facto" parents—adults who, with the consent of a biological parent, have taken on the role and responsibilities of a parent and have developed a bonded relationship with a child. In this case, the trial court found that a "substantial relationship" exists between Carvin and her child, that she "acted as a parent in many ways for five years" and that the termination of her visitation "harmed the child."

LESBIAN ILLEGALLY FIRED FROM WASHINGTON HOSPITAL SETTLES DISCRIMINATION SUIT

Pullman Memorial Hospital and Dr. Charles Guess have agreed to pay a former sonographer \$75,000 for harassing and illegally firing her solely because she is a lesbian. The case, which the American Civil Liberties Union successfully appealed to the Washington Court of Appeals, helped establish important law protecting gay and lesbian government employees from discrimination.

"I am relieved that I can finally put this painful experience behind me and move on with my life," Mary Jo Davis said. "Employees should be judged on their work, not on their sexual orientation. While the money doesn't make up for the indignities I suffered from Dr. Guess and other hospital administrators, it's comforting to know that by standing up for what's right, I have made it easier for other people facing anti-gay discrimination in the workplace."

Davis worked in the radiology department at the hospital near Spokane for about two years. Guess, the chief radiologist, harassed her routine-

ly, constantly referring to her as a "fucking dyke" and "fucking faggot" and telling another doctor, "I don't think that fucking faggot should be doing vaginal exams, and I'm not working with her."

When Davis complained, Guess told hospital administrators that he didn't agree with her "lesbian lifestyle." Rather than discipline Guess, the hospital punished Davis—reducing her work hours to three-quarters time so Guess wouldn't have to work with her. Finally, Davis was fired.

"By standing up to the bigotry of Dr. Guess and Pullman Memorial Hospital, Ms. Davis has made going to work every day much easier for lesbian and gay government employees," attorney Ken Choe said. "Because of her, it is now clear that government employers can be held accountable for anti-gay discrimination."

In July 2002, the Washington Court of Appeals ruled that government employers cannot discriminate against employees for being gay. This was the first time an appeals court interpreted the U.S. Constitution to protect government employees against anti-gay discrimination.



Robert Ball (right) greets former U.S. Rep. Wendell Wyatt, R-Ore., during a reception celebrating The Avenue Lofts project Oct. 13

GAY BUSINESSMAN UNVEILS LOFTS

Robert Ball, a gay Portland real estate investor specializing in preserving and converting historic buildings into living spaces, has announced that sales will begin Oct. 19 at the Meier & Frank warehouse building. The project, located at 1001 N.W. 14th Ave., recently was named The Avenue Lofts.

"Like the Marshall Wells Lofts we just finished, The Avenue Lofts will give buyers a unique opportunity to live in a historic landmark listed on the National Register of Historic Places, and every purchaser will get a historic tax freeze," Ball said in a statement. "Some of our lofts will have 18-foot-tall windows and 26-foot-tall ceilings. The Avenue Lofts are truly remarkable—something that has never been seen in Portland before."

The most substantial change to the structure will be a 5,500-square-foot atrium cut in the center of the building from the roof to the third floor. The atrium will provide ventilation and light for lofts located on each floor of the building's interior.

Also included will be eight townhouses, 17 two-story penthouses and 186 secure, covered parking spaces. Prices start at \$148,000.

"The Meier & Frank warehouse was a place where many Oregonians and Southwest Washingtonians have fond memories of many exciting shopping experiences," Ball said. "I remember going to Meier & Frank warehouse sales many times with my mom when I was young." □

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