

William J. Thom



Born in 1941, William Thom is a retired a civil rights attorney, judge, and founder of the Lambda Legal Defense and Education Fund – the nations first legal services corporation dedicated to advancing LGBT rights.

Thom did his undergraduate studies at Princeton University, served two-years in the military, and then obtained a law degree from Yale Law School. While at Yale, he joined a right-wing political organization, an affiliation influenced by his conservative upbringing as a youth in Connecticut. He switched allegiance to the Democratic Party in 1970.

Thom moved to New York where he practiced law. Thom said that when he “arrived in New York in the 1960s, being gay was officially a mental illness, in 49 of 50 states we were criminals, in the City of New York gay bars were illegal and only able to exist through the corruption of the police department.” He recalled “mass arrests and sweeps of gay people, lawyers jacking up fees to defend them, and sharing lists of their clients with police to shake them down some more. Our political clout was less than zero. Elected officials wouldn’t let us in the door to discuss our issues.”

During the first couple years of the 1970s, Thom had been offering legal assistance to an organization called the Gay Activists Alliance. Their political work involved lobbying politicians to support gay rights and engaging in more direct actions, like sit-ins.

It was during this period that the idea of a legal organization devoted to the cause of gay rights was first conceived. Specifically, in 1972 Thom had been reading a magazine when he came across an ad which sought the services of a gay lawyer. Thom responded and was dismayed to learn he was the only person willing to come forward. It was in this moment that Thom realized that the LGBT community needed legal representation. Thom assembled a group of attorneys sympathetic to the gay rights movement and filed papers in 1972 to create the Lambda Legal Defense and Education Fund.

However, Thom’s new organization faced immediate hurdles. It submitted an application to an intermediate appellate court for permission to operate as a legal services corporation. The application was denied on the ground that Lambda had not demonstrated that the organization was “benevolent or charitable.” Not to be deterred, Thom appealed the decision to the highest court in New York. He argued that failure to

approve the organization's application infringed impermissibly on the speech and association rights of gay and lesbian people and raised serious equal protection issues. Ultimately, the New York Court of Appeals sided with Thom and the Lambda Legal Defense and Education Fund finally became operational on October 18, 1973.

Although Thom served as Lambda's president from 1973 to 1978, his work with Lambda was not exclusive. He also had a law partnership with attorneys E. Carrington Boggan and Craig W. Patton, two other trailblazers from the 1970s.

Some of Thom's most well-known cases as a practicing lawyer include *People v. West 12 Tenants Corp.*, which established that under disability laws it is illegal to discriminate against people afflicted with HIV/AIDs and *Gay Student Organization v. Bonner* which removed the ban against a gay student group at the University of New Hampshire.

The work of Lambda Legal has been pivotal in many LGBT rights cases including the Supreme Court's 2003 decision in *Lawrence v. Texas*, which invalidated sodomy laws in the United States. Most famously, Lambda spearheaded the litigation in *Obergefell v. Hodges*, in which same sex marriage was legalized across the United States in 2015.

In 1984, Thom was appointed to the New York bench as a civil court judge – this was a milestone moment – Thom was the first openly gay person to serve on the state's judiciary. Regarding his appointment, Thom proclaimed that it was “a victory for human rights” that “extends the hand of political fellowship to the unrepresented” from this point on “lesbians and gay men know that the process is open to them.”

References

Micheline, A. “Mayor Koch swears in gay judge.” *Daily News*, New York, NY, 29 Aug 1984 – [Print](#)

Andersen, E. “Out of the Closets and into the Courts: Legal Opportunity Structure and Gay Rights Litigation.” The University of Michigan Press, 2004 - [Link](#)

Humm, Andy. “Remembering How Gay Lawyers Became Legal.” *Gay City News*, 26 Feb. 2020 - [Link](#)

In re William J. Thom Lambda Legal Defense & Education Fund, Inc., 40 A.D.2d 787 (N.Y. App. Div. 1972) - [Link](#)

GayTalk 2.0. “Pride Icon Spotlight - William ‘Bill’ Thom.” *GAYTALK 2.0: An LGBT Podcast*, 23 June 2019 - [Link](#)

News Stories – [Link](#)