The Center for Individual Rights

is a non-profit public interest law firm and a tax-exempt charitable organization under section 501(c)(3) of the Internal Revenue Code.

CIR’s purpose is the defense of civil rights against the increasingly aggressive and unchecked authority of federal and state governments. CIR provides free legal representation to deserving clients who cannot otherwise obtain or afford adequate legal counsel and whose individual rights are threatened.

In light of its limited resources, CIR can provide legal counsel in only a restricted number of cases. In selecting cases for litigation, CIR applies several criteria, including the following: the prospective client’s need, the “fit” of the prospective case with both CIR’s principles and its expertise, the legal and especially the constitutional ramifications of the case, and the likely costs of the case and its impact on CIR’s ongoing public interest work.
IR’s challenges to the constitutionality of affirmative action in university admissions in *Gratz v. Bollinger* and *Grutter v. Bollinger* succeeded in limiting the use of preferences in undergraduate admissions, and came within one vote of eliminating them in law schools.

“Just as important were CIR’s challenges to restrictions on academic speech and its victories in *Rosenberger v. Rector and Visitors of the University of Virginia*, a landmark religious liberty case, *Reno v. Bossier Parish School District*, which restricted the use of race in local redistricting, and *United States v. Morrison*, where CIR successfully argued that provisions of the Violence Against Women Act exceeded Congress’s power under the commerce clause.

“Despite the millions of dollars that conservative patrons invested in first-generation firms, none of them came close to this record of winning important, precedent-setting cases.”

Steven M. Teles, *The Rise of the Conservative Legal Movement*
The Year in Review

This report of activities makes clear the continued value of focused litigation in protecting individual rights. At a time when neither national party embraces the virtues of limited government, the courts remain an effective—perhaps the only—means to pursue principled limits on government authority.

This year, as in the last several, the fight for individual rights took place against the backdrop of our country’s efforts to counter radical Islamism here and abroad. Not just the United States but all the nations of the West continued to be targets of a “holy war”—one by its nature antithetical to the idea of self-government according to the exercise of reason.

As a consequence, freedoms we have taken for granted here are disappearing in countries we once thought similar to ours. In Canada, for example, authors and magazines are prosecuted before so-called “Human Rights Tribunals” for publishing statements Muslim political groups find offensive. In France, citizens routinely are tried for “inciting racial hatred,” simply for writing letters critical of Muslim immigrants. In England, too, it is against the law to criticize Muslims (and other groups). Increasingly, racial quotas and other race-based laws are becoming a permanent way of life.

The record is decidedly more mixed in the United States. We are not likely to criminalize ethnic “hate” speech anytime soon. But advocacy groups continue to manipulate harassment and non-discrimination regulations to punish speech with which they disagree, including speech considered insulting to Muslim groups. And while American law continues to frown on the use of racial preferences, many elite schools and government agencies pay lip service to those restrictions while employing racial double standards in many aspects of their programs.

The resistance of the United States to European-style ethnic group politics depends now, as always, on the written guarantees of our Constitution—hence the vital importance of American individuals’ willingness to keep those guarantees alive and relevant by defending them in court. This year, as in past years, there was no shortage of boldness among CIR’s clients in asking the courts to enforce the fundamental rights that make up the substance of limited government.
Nowhere was this more apparent than in CIR’s continued representation of Eric Russell, who sought to compel Michigan officials to honor a constitutional amendment that ended the use of racial preferences in Michigan state programs (BAMN v. Granholm). Two years ago, Russell single-handedly stood up to the Michigan Governor and Attorney General, three Michigan universities, and a federal judge, all of whom had collusively agreed to set aside the new amendment for a period of months until its constitutionality could be assessed. Represented by CIR, Russell filed an emergency appeal to the U.S. Court of Appeals for the Sixth Circuit, which promptly dissolved the illegal agreement and allowed the amendment to take effect as the voters intended while the courts considered various legal challenges.

Groups such as the NAACP, the ACLU and a Michigan advocacy organization called BAMN reacted with multiple challenges to the ballot initiative. Relying on Supreme Court precedent nearly twenty years old, these groups argued that making it more difficult for minority groups to secure racial preferences amounts to illegal discrimination against those groups.
In March 2008, though, it was Russell, not the organizations that opposed him, who was rewarded—with a major federal ruling upholding the authority of state citizens to vote to end the use of racial preferences. Federal District Court Judge David Lawson held that, far from precluding ballot initiatives to end racial classifications, the Constitution favors such initiatives. Russell’s achievement was a sharp blow to ongoing efforts to make racial double standards a permanent feature of American life.

CIR’s success in the Russell matter lay in the fact that we represented not a cause, but an individual. Unlike advocacy groups, public policy institutes, and the like, CIR does not promote a political agenda of any kind. Instead, on behalf of real litigants, we ask the courts to enforce the legal rights presupposed by limited government and contained in our written Constitution.

Nowhere did CIR’s strategy of representing real individuals make a bigger difference this past year than in two cases against the New York City school system. Though New York Schools Chancellor Joel Klein had promised to make access to elite examination schools more objective and transparent, he did little to address the racial preferences that permeated the complex entrance system. In the end, it took two parents—Stanley Ng and Anjan Rau—to expose and end the race-based policies that elected officials preferred to leave in place.

Stanley Ng contacted CIR when he learned that his child had been barred from even competing for an important elite high school preparation program because, according to one school official, there were “too many” Asians in these high schools already. Anjan Rau had little choice but to sue after he learned that his daughter had been denied admission to a New York exam school even though she scored higher on the entrance exam than many white students who were accepted.

In both cases, CIR achieved quick and definitive results. A few months after Ng v. New York Department of Education was filed, the school system eliminated the racial criteria it had been using to exclude Asian children from the preparation program (though it continues to refuse to pay damages to the hundreds of parents...
who paid for private tutoring). And a month after Rau was filed, Federal Judge Jack Weinstein finally was forced to end a 1970’s-era desegregation court order that mandated racial quotas in favor of white students (Rau v. New York Department of Education).

The comparative ease with which CIR prosecuted the Ng and Rau cases demonstrates the cumulative effect of two decades of high profile legal challenges to racial preferences. School officials now understand the legal and public relations risks of litigation over these unpopular policies. And so, rather than fight us, they settle quickly.

Also CIR’s free speech practice was extended yet further this year when we represented Julie Waltz in a major new suit challenging the use of “housing discrimination” investigations to discourage neighborhood residents from too-vociferously challenging state housing policies. Though such political speech clearly is protected by the First Amendment, officials have targeted those who engage in it on the pretext that it violates federal housing law.

In today’s overwhelmingly liberal legal culture, winning constitutional precedents that favor limited government is indispensable. The success of CIR and its clients in continuing this fight another year is owing to the generosity and dedication of the law firms and attorneys who have provided CIR with millions of dollars worth of pro bono time, to the courage and generosity of our donors and contributors, and to our hardworking staff. To all of them, we extend our warmest thanks.

Terence J. Pell

Jeremy Rabkin

President

Chairman
CIR’S Mission

Each year, CIR represents a handful of individuals in high profile cases raising important issues of individual rights. CIR concentrates its limited resources on three areas where the threat to individual rights is the greatest and where litigation can accomplish the most: freedom of speech, civil rights, and limits on federal and state government.

Freedom of Speech and Religion

In recent years, the principle that individuals enjoy the freedom to express political views of every stripe has given way before the call for a “supportive” and “inclusive” environment for racial minority and other supposedly “marginalized” groups. This perspective informs college speech codes, harassment regulations, and the like. It has been used to “justify” silencing authors whose words are deemed offensive to Islamic sensibilities, punish student rallies in support of the war in Iraq, and investigate faculty members sympathetic to students who engage in speech deemed hateful. CIR’s academic free speech cases are designed to do more than simply settle everyday disputes between campus partisans: each case is designed to establish a principled legal precedent that fundamentally changes institutional practices for years to come. Of note in this connection is our 2006 victory in *McConnell v. LeMoyne*. In that case, the New York Court of Appeals ruled that a private school could not arbitrarily expel a student because he wrote a paper critical of multiculturalism.

Underlying McConnell’s expulsion was so-called “dispositions theory,” which came to be part of the accreditation standards for graduate programs in sociology and education. On this view, any student at a teachers’ college who did not share certain “dispositions”—dedication to “social justice” being the chief among them—was unfit to teach in a “multicultural” society. Soon after the New York Court ruled, the National Council for Accreditation of Teacher Education eliminated the politically loaded “social justice” requirement from its “professional dispositions standard” for America’s teachers. The *McConnell* victory did more than get Scott McConnell re-enrolled—it helped change accreditation standards across the country.

The drive to regulate speech extends beyond academia and oftentimes is directed at the core First Amendment right to petition the government and participate in elections. In the last several years, state officials have made it increasingly difficult for citizens to make needed changes to state law through ballot initiatives, generally by enacting myriad regulations designed to frustrate the collection of needed signatures. In addition, left-of-center advocacy groups have regularly mounted time-consuming and costly legal challenges in state and federal court against politically conservative initiatives.

California resident Julie Waltz challenged state housing officials' decision to place an adult living facility for former sex offenders in a residential neighborhood. Though her speech was clearly protected, housing officials decided to make an example of her by means of a protracted “investigation” for housing discrimination.

Civil Rights

Like the First Amendment, the Fourteenth Amendment was adopted to protect a natural right: that of citizens to be treated equally by their government regardless of race. If individual citizens do not have this natural right, all the denunciations of past laws mandating segregation lose their moral and legal force; and if citizens do have this natural right, those of any race possess it in the same degree.

Over the years, courts have contrived exceptions to the Fourteenth Amendment, first in an effort to deny equal legal protection to black citizens, and more recently to engineer proportional representation of blacks and other racial minorities in all areas of endeavor.

In truth, the Constitution forbids the government from engaging in racial classifications no matter what purpose they serve. When the government classifies an individual by race, it depreciates merit and ability. Denying—or granting—university admission, employment, or a contract on the basis of ethnicity harms the individuals denied as well as those who receive benefits on terms unrelated to their abilities.
Almost alone among civil libertarian law firms, CIR has waged a comprehensive campaign in court against all major forms of racial double standards. CIR’s cases have exposed the extent to which race has become the basis for admissions decisions at many schools and the unfair consequences of such decisions, including the racial disparities in grades, graduation rates, and professional exam passage rates that result from unequal admissions standards.

Following CIR’s 1996 victory in *Hopwood v. Texas*, which struck down the dual admissions systems of the University of Texas Law School, CIR challenged similar policies at the University of Washington (*Smith v. University of Washington*), the University of Michigan Undergraduate College of Literature, Sciences and the Arts (*Gratz v. Bollinger*), and the University of Michigan Law School (*Grutter v. Bollinger*). Other cases challenged the use of racial preferences in government hiring (*Brennan v. New York City Schools*) and government contracting (*Dynalantic v. DOD*). CIR’s goal was to put the issue of racial double standards before the U.S. Supreme Court.

In 2003, the Supreme Court heard two CIR cases challenging admissions preferences at the University of Michigan (*Gratz v. Bollinger, Grutter v. Bollinger*). In split rulings, the Supreme Court held that schools may take race into account to achieve “diversity” using an admissions system tailored after that of the University of Michigan Law School. At the same time, the Court struck down the Michigan undergraduate admissions system on the grounds that it awarded excessive and mechanical weight to race.

Though asserting that diversity is valuable, the Court did not spell out the educational interests that diversity serves. Nor did it explain the degree to which preferential admissions policies may be employed to achieve those benefits. As a result, diversity—racial balancing by another name—has come to be seen as an end in itself.

The Court’s confused decisions in *Gratz* and *Grutter* permitted the continued wholesale admission of minority students with academic credentials substantially below those of their classmates. This practice is unfair both to students denied admission and to minority students who falsely assume they are being accepted on the same standards as other students. On average, preferenced students have lower grades and drop out at higher rates than they would if they attended a school that applied equal standards to all applicants.

Since *Grutter* was decided, CIR has filed nearly a half-dozen cases challenging racial preferences that serve no legitimate educational purpose. In 2007, the Court ruled unconstitutional two race-based school assignment plans with objectives that differed little from racial proportionality: one in Seattle, Washington, and the other in Louisville, Kentucky. CIR promptly filed several
other cases challenging racial balancing programs in secondary school systems (Rau v. New York City Dept. of Educ., Ng v. New York City Dept. of Educ., which successfully eliminated two magnet school-related preferences in New York City) and Smith v. Virginia Commonwealth University, et al., which opened up a high school summer journalism workshop to all races.

Limits on Federal and State Government

It is a reality too often ignored, but one recognized by our Founding Fathers, that liberty is endangered least by a dispersed government. Hence, the Constitution grants to the federal government only certain enumerated powers, divided among three branches. All other power is reserved to the states and to individuals.

For some time, CIR has sought to restore a principled conception of the constitutional limits on government. In part, this is the idea called “federalism,” sometimes misleadingly described as “states’ rights.” But for CIR, the main issue is not which government, federal or state, should regulate the lives of citizens, nor are our efforts driven by any particular ideology: we seek to restore the proper limits to all levels of government.

For decades, the federal government’s legislative activities have exceeded the powers given to Congress by the Constitution. There

BAMN protesters pursue CIR client Jennifer Gratz outside the Federal Courthouse in Detroit during a break in a case challenging efforts of Ward Connerly, Gratz, and others to place a referendum on the Michigan ballot forbidding the use of racial preferences. CIR’s successful defense enabled the referendum to go forward as scheduled (Operation King’s Dream v. Connerly). And CIR continues to defend the underlying constitutional challenges to the amendment (BAMN v. Granholm).
simply is no support in either the letter or spirit of the Constitution for national laws regulating vast parts of citizens’ lives. For example, in 1994, Congress enacted subtitle C of the Violence Against Women Act, which created a federal tort remedy for female victims of violence. Congress claimed authority to do so under the “commerce clause,” which permits it to regulate commerce among the states.

CIR mounted a constitutional challenge to subtitle C on behalf of a student at Virginia Polytechnic School. In its 2000 decision in this case, the Supreme Court struck down this portion of the Violence Against Women Act. *U.S. v. Morrison* is one of the decade’s most important constitutional precedents, restoring critical constitutional limits on Congress’s power to regulate individual conduct. (CIR has helped to restore principled limits on federal authority in other cases too, notably in *Solid Waste...
Restoring limits on the authority of the federal government requires a parallel effort to enforce principled limits on state government. Just as it is important to limit the federal government to those powers enumerated in the Constitution, state government agencies are constrained by constitutionally protected individual rights as well.

By defending strict limits on state interference with churches, schools, and families, CIR is helping to revive the idea of self-government based on the right of individuals to control their own lives. The institutions of marriage and the family are one area of the law where state judges, legislators, and welfare officials have set aside principled limits on state authority in order to further “progressive” views—in this instance, a novel conception of marriage. On the one hand, liberal state judges busy themselves rewriting the laws of marriage and child adoption to give individuals the widest possible latitude to avail themselves of the “rights” of marriage and family. Yet on the other hand, state child protection officials routinely sanction the traumatizing removal of children from traditional families for the slightest deviations from current fashions in education, child rearing, and even medical treatment.

As a result of the collapse of the traditional family structure, many children need protection, in varying degrees, from untrained or impaired parents. But too often, instead of grappling with the ways in which state judges and other officials have themselves undermined the family, and thus endangered children, officials have invested new and unchecked powers on state child protection officials to intervene in family life.

CIR’s effort to restore principle to this area of the law continues to focus on our representation the Muellers, an Idaho family who had their five-week-old infant removed from their custody because an emergency room physician interpreted the mother’s questions over the proper treatment of a high fever as child endangerment. In 2007, the federal district judge hearing Mueller v. Auker said what should have been said long ago—the state has no basis to displace the right of parents to make difficult medical decisions unless the parents are ignoring a clearly less risky alternative.

The decision drew immediate appeals from all parties and now is before the Ninth Circuit Court of Appeals. There, CIR hopes to broaden and strengthen constitutional presumptions in favor of the right of families to make important medical (and other) decisions without state interference, particularly those decisions involving matters of judgment with no clearly reasonable (or unreasonable) choice either way.
U.S. Supreme Court

*Parents Involved in Community Schools v. Seattle School District No. 1, et al.*, 127 S.Ct. 2738 (2006). Civil Rights; Equal Protection. Filed an *amicus* brief on behalf of parents of public school students challenging a racially based high school assignment scheme that seeks to achieve a racial composition in over-subscribed schools mirroring that of the student population as a whole.

OUTCOME: Victory. Chief Justice Roberts ruled that the racially based scheme did not achieve a “compelling state interest” and therefore was unacceptable. Justice Kennedy concurred, ruling that the school district’s method was not narrowly tailored on the basis of race.

*Morse, Juneau School Board v. Joseph Frederick*, 127 S.Ct. 2618 (2006). Free Speech. Filed an *amicus* brief on behalf of high school student Joseph Frederick, arguing that the school is precluded from punishing students for the content of their speech unless it is clearly disruptive.

OUTCOME: Loss. Chief Justice Roberts ruled that the school was allowed to restrict messages supporting illegal drug use.

Federal Appellate Courts

*Operation King’s Dream v. Ward Connerly, et al.*, 501 F.3d 584 (Sixth Circuit Court of Appeals). Civil Rights; Equal Protection. CIR represents Ward Connerly, Jennifer Gratz, and the Michigan Civil Rights Initiative Committee in a lawsuit that sought to have Amendment 2 retroactively removed from the Michigan Constitution.

OUTCOME: Victory. The Sixth Circuit held that the successful election mooted the case, and that the Court could not invalidate part of the Michigan Constitution.

STATUS: Pending. The Ninth Circuit currently is reviewing whether one of the authorities has qualified immunity, and when the court decides that issue, the case will return to the District court.

Federal District Courts

*Mueller v. Auker, et al.*, 2007 WL 627620 (D.Idaho, 2007); No. 07-35554 (Ninth Circuit Court of Appeals). Civil Rights; Due Process. Representing parents whose infant daughter was seized by child welfare authorities in order to administer a medical procedure to which the mother had not consented.

STATUS: Pending. The Ninth Circuit currently is reviewing whether one of the authorities has qualified immunity, and when the court decides that issue, the case will return to the District court.

*Affordable Housing Development Corp. v. City of Fresno*, No. F-97-5498 (E.D. Cal. Aug. 31, 2000); aff’d in part and rev’d in part, 433 F.3d 1182 (9th Cir. 2006). Freedom of Speech. Defended neighborhood homeowner, Travis Compton, sued by housing developer
for federal housing discrimination because of statements made regarding proposed housing project.

OUTCOME: Victory. CIR settled with the defendants over attorneys’ fees, concluding the case.

_BAMN v. Granholm_, No. 06-15024, _temporary stay granted_, 473 F.3d 237 (2006). Civil Rights; Equal Protection. CIR filed a motion to intervene on behalf of Eric Russell, a Michigan resident who applied to the University of Michigan Law School last year, and Toward a Fair Michigan, a 501(c)(3) corporation seeking to educate and advise the public on civil rights issues. Multiple parties are seeking to challenge and/or delay Michigan’s Proposal 2, a ballot initiative passed by the voters of Michigan in November 2006, outlawing racial and gender preferences. When the Governor and Attorney General of the State of Michigan, as well as the governing bodies of three universities, all stipulated to the suspension of Proposal 2’s application to the universities’ admissions and financial aid policies until July 2007, and the district court entered an order pursuant to that stipulation, CIR appealed the order to the Sixth Circuit and procured a temporary stay of the suspension order.

STATUS: Pending. CIR is currently representing Jennifer Gratz, the Director of Research at the American Civil Rights Institute, in a motion to intervene in the case, to ensure that Proposal 2 is applied to the University of Michigan Law School.

_Miranda v. New York City Department of Education_, (E.D.N.Y. filed June 6, 2006)

_STATUS: Pending. CIR succeeded in consolidating the case of Ruben Miranda, a Hispanic custodian injured by the settlement agreement, within the broader case in August 2007. CIR filed a complaint in front of the New York State Department for Human Rights on behalf of John Brennan. Various motions to reconsider and other proceedings are currently pending._

_Brennan v. Ashcroft_, No. 02-0256 (E.D.N.Y. filed Jan. 11, 2002).

_United States v. New York City Board of Education_, 260 F.3d 123 (2nd Cir. 2001), _rem’d_ 448 F.Supp.2d 397 (E.D.N.Y., 2006). Civil Rights; Equal Protection. Representing school custodians challenging preferential benefits provided to minorities and women in settlement agreement in litigation in which U.S. Department of Justice charged New York City Board of Education with discrimination in hiring and promotion of school custodians.

Federal District Courts, continued

program on behalf of small business that manufactures training simulators.

STATUS: Pending. Judge Sullivan ruled in August 2007 that Congress’s 2006 reauthor-ization of the Department of Defense program required that attorneys submit new motions about the legal status of the set-aside program. Those proceedings are now pending in front of Judge Sullivan.

Father Flanagan’s Boys Home v. District of Columbia, et al. / United States v. District of Columbia, et al., Consolidated Case Nos. 01-1732 and 04-00619 (D.D.C.). Freedom of Speech. Defended neighborhood groups sued by the parent corporation of Boys Town for federal housing discrimination because of group’s peaceful opposition to proposed housing project. After CIR succeeded in having neighborhood members dismissed from case, CIR represented them in depositions and assisted them to prepare for in-court testimony at trial. CIR also filed an amicus brief in support of the District of Columbia’s motion for summary judgment.

OUTCOME: Settled and dismissed. The Federal government will not sue for attorneys’ fees.

South Middlesex Opportunity Council, Inc., et al. v. Town of Framingham, et al. No. 07-12018 (M.A.D., filed October 24, 2007). Freedom of Speech. Defended Harold Wolfe, a resident of Framingham, Massachusetts, who attempted to stop the relocation of a drug rehabilitation center, South Middlesex Opportunity Council, Inc. (SMOC) to his neighborhood, through the operation of a website against the rehabilitation center. SMOC sued the town of Framingham, Mr. Wolfe, and a number of other neighbors and members of the Framingham city government, claiming that all had made false and defamatory statements.

OUTCOME: Victory. SMOC voluntarily ended its suit against Mr. Wolfe.

Center for Individual Rights v. United States Department of Justice No. 07-01125 (D.D.C. filed June 22, 2007). Freedom of Information claim. CIR is suing the Justice Department over a Freedom of Information Act (FOIA) request seeking documents related to its prior cases, Father Flanagan’s Boys Home v. District of Columbia and United States v. District of Columbia. The Justice Department has asserted that some of the documents requested by CIR would interfere with law enforcement proceedings.

STATUS: Pending. CIR has asked the Court to reconsider a previous decision exempting the Justice Department from releasing a number of the documents.

Yes on Term Limits, et al. v. Savage, et al. No. 07-6233 (Tenth Circuit Court of Appeals). CIR submitted an amicus brief on behalf of the American Civil Rights Coalition regarding stringent petition requirements in the State of Oklahoma.

STATUS: Pending.

Rau v. New York City Department of Education No. 08-00210 (E.D.N.Y filed January 15, 2008)
Hart v. Community School Bd. No. 72-01041 (E.D.N.Y filed August 4, 1972) Civil Rights; Equal Protection. CIR intervened on a decades-old decision by Judge Jack Weinstein that imposed a racial quota on the Mark Twain Intermediate School for the Gifted and Talented. The school requires admissions tests. CIR filed on behalf of Nikita Rau, an Indian-American student restricted from the school despite strong credentials.

OUTCOME: Victory. The city agreed to end the racial quota as implemented in 1974 and Judge Weinstein terminated the consent decree.

Ng, et al. v. New York City Department of Education No. 07-04805 (E.D.N.Y filed November 20, 2007) Civil Rights; Equal Protection. CIR is suing the Department of Education on behalf of Asian and white parents whose children were not allowed to apply for the Specialized High School Institute (SHSI). SHSI is a free program run by the city designed to help prepare middle school students for the admissions tests to New York’s elite public high schools, the Specialized High Schools.

STATUS: Pending.

Waltz v. Brumfield, et al. No. 5:2008cv00432, (C.D.CA. filed April 1, 2008) Freedom of Speech. CIR is suing several officials of the California Department of Fair Employment and Housing (“DFEH”) on behalf of California resident Julie Waltz. The suit alleges that state officials used a housing discrimination investigation to stifle criticism of its policies relating to the placement of sex offenders in residential neighborhoods.

STATUS: Pending.
### Financial Information

#### Statements of Financial Position
March 31, 2008 and 2007

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<tr>
<th>Assets</th>
<th>2008</th>
<th>2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash and Cash Equivalents</td>
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<td>$ 1,891,537</td>
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<td>Investments</td>
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<tr>
<td>Prepaid Expenses</td>
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<td>19,166</td>
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<td><strong>Total Assets</strong></td>
<td>$ 3,280,268</td>
<td>$ 2,975,042</td>
</tr>
</tbody>
</table>

| Liabilities and Net Assets      |        |        |
| Accounts Payable and Accrued Expenses | $ 117,021 | $ 28,416 |
| Security Deposit                | 3,975  | 3,975  |
| Accrued Rent                    | 99,354 | 75,366 |
| **Net Assets - Unrestricted**   | 2,964,513 | 2,771,855 |
| Net Assets - Temporarily Restricted | 95,405   | 95,430  |
| **Total Net Assets**            | $ 3,059,918 | $ 2,867,285 |
| **Total Liabilities and Net Assets** | $ 3,280,268 | $ 2,975,042 |

#### Statements of Activities
March 31, 2008 and 2007

<table>
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<tr>
<th>Support</th>
<th>2008</th>
<th>2007</th>
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<tr>
<td>Contributions and Grants</td>
<td>$ 990,459</td>
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<td>Attorneys’ Fees</td>
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<td>Investment, Rent &amp; Other Income</td>
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<td><strong>Total Support</strong></td>
<td>$ 1,401,407</td>
<td>$ 1,482,092</td>
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| Expenses                         |        |        |
| Programs:                        |        |        |
| Litigation                       | $ 764,427 | $ 683,465 |
| Publications/Education           | 175,121 | 292,853 |
| **Total Program Expenses**       | $ 939,548 | $ 976,318 |
| Administrative                   | $ 118,174 | $ 119,063 |
| Fundraising                      | 151,052 | 250,723 |
| **Total Expenses**               | $ 1,208,774 | $ 1,346,104 |

| Change in Net Assets             | $ 192,633 | $ 135,988 |
| Net Assets - Beginning           | 2,867,285 | 2,731,297 |
| **Net Assets - Ending**          | $ 3,059,918 | $ 2,867,285 |

*Figures are excerpted from the audited financial report. Center for Individual Right’s complete audit is available upon request from the Center’s Washington, D.C., office.*
Staff Articles

News Coverage
CIR and its cases were covered in numerous articles and editorials. A sample of these follow:


IN ‘WRONG MINORITY’ H.S. TEST PREP DENIED FOR ASIANS: SUIT

By: Chuck Bennett

November 19, 2007 — Three Chinese parents in Brooklyn are expected to file a federal lawsuit today challenging a decision by the Department of Education to limit eligibility to blacks and Latinos.

The program only selects certain kinds of minorities — and unfortunately my daughter didn’t fall into that category,” said Peggy Foo-Chung, 47, a mom from Bensonhurst who applied with her 12-year-old daughter, Joline.

The motion asks the court to lift a 1974 desegregation order for a Brooklyn middle school, effectively ending the racial criteria. The school attracts “children from all racial and ethnic groups,” says the city’s brief, filed in the federal court.

“Mark Twain is now a racially mixed, highly sought-after, excellent school,” the city’s brief, filed in United States District Court in Brooklyn, states, adding that the school attracts “children from all over the district and the city into the Coney Island neighborhood.”

The motion asks the court to lift the 1974 order for Mark Twain Intermediate School. The school was imposed when the region, District 21, was overwhelmingly white.

But the parents say it is unfair to have the court abolish the order. After The New York Post reported Nikita Rau’s rejection in June, Schools Chancellor Joel Klein called the quotas an unnecessary “anachronism,” but made no move to have the court abolish them.

In dismissiing the suit, L-1 said the plaintiffs failed to show that because of the court order the school had to reflect the demographic changes.

In dissimissisng the suit, L-1 said the plaintiffs failed to show that because of the court order the school had to reflect the demographic changes.

The order stated that the school had to reflect the basic makeup of the neighborhood.

For a free lunch could apply.
CIR Board of Directors

**Professor Jeremy A. Rabkin (Chairman)** is a professor of International Law at the George Mason Law School. Professor Rabkin is an expert in government regulation, bureaucracy, public law and policy, and the judiciary. Professor Rabkin received his Ph.D. in Government from Harvard University in 1983.

**Dr. Larry P. Arnn** is President of Hillsdale College. Dr. Arnn previously served as the President of the Claremont Institute in Southern California. While there he was the founding chairman of the California Civil Rights Initiative (Proposition 209), which prohibits race preferences in state hiring, contracting and admissions. Dr. Arnn has a Masters and Ph.D. in Government from the Claremont Graduate School.

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