



Road to Miami Wasn't Short (Or Straight) For Elizabeth Schwartz



Liz Schwartz. Photo courtesy of Sergio Tirado.

Life's pivotal moments aren't always recognized as such in real-time.

Elizabeth Schwartz had an early one. She'd just finished her second through eighth-grade education at a Jewish day school near her childhood home in the Hollywood suburbs. Schwartz was one in a class of 18.

Her parents gave her a choice: continue her education at the Pine Crest School in Fort Lauderdale or go to the public school down the street.

"I remember thinking: I'm pretty sure the world isn't only 18 white people," Schwartz said. "I'm pretty sure I should know the rest of the world, that's probably a good thing."

She chose Hollywood Hills High School. The more real-world, urban experience would lead her to another pivotal moment: a decision to follow in the footsteps of her father and attend the University of Pennsylvania in Philadelphia.

Schwartz left for Penn in 1989.

"I was a real activist in undergrad. It was not long after the bombings of the MOVE houses," she said.

MOVE was a black liberation group. On May 13, 1985, ongoing tensions between MOVE and the Philadelphia Police Department came to a head and erupted.

The city dropped a satchel bomb (typically used in military combat) on the group, which was living in a West Philadelphia rowhome occupied by men, women and children.

Eleven people were killed (including five children and the founder), 61 homes were destroyed and more than 250 people were left homeless.

"It was a time in Philly of a lot of racial tension and the black community was under siege," Schwartz said. "I did a lot of work in the black community."

She also earned a minor in African-American studies.

Schwartz was not only immersed in racial justice issues, but also in the plight of those experiencing homelessness and in reproductive rights.

She recalls protesting with a sign that had wire hangers on it. It said: "This is not a surgical instrument," referring to the issue of back-alley abortions.

"It occurred to me that here I was trying to be this activist, but I was really always outside of the establishment trying to rattle the cage, sign the petitions," she said. "I realized that I wasn't as effective as I wanted to be, so I had my epiphany to go to law school. I was thinking that so many people who have affected social change have done so with a law degree."

Schwartz, 48, had the activist streak in her before those consequential years at Penn.

"I grew up in a family that was very involved in the community," she said. "My parents were, my mom still is, very involved in the Jewish community and trying to help others with a sense of the importance of giving back and acknowledging your privilege. It's a central tenant in the Judaism I grew up with: moral values and healing the world. I always grew up with a sense of pride in who I am. Even as who I am evolved."

Her mother, who she is very close to, still lives in Schwartz's childhood home where she lived since she was 11 days old. Her father, who Schwartz said was her best friend, died about five years ago. She is the youngest of six.

'You need to hire me'

It was off to the University of Miami School of Law in 1994. Soon after, Schwartz came out as a lesbian.

"When I think about coming out as a lawyer, [SFGN publisher] Norm [Kent] was one of the early pioneers that sort of made us think that it was OK, and that the world was safe," Schwartz said. "He said to lift your voice, don't just put your head down and practice, but be out and do your thing."

Years before Schwartz would go on to operate her own practice, she went through another of those pivotal moments.

She discovered two gay men who had *the* gay law firm in South Beach.

"I said: 'you need to hire me.' And they said: 'we don't hire people,'" Schwartz recalls.

The two men were Paul Crockett and Jerry Chasen of the now-defunct Crockett & Chasen.

Schwartz persisted: "I said: 'you don't hire people, but you have to hire me. You think you represent the gay community, but you don't have a woman, so you're not representing the gay community.'"

The partners held firm, but Crockett was in the midst of writing a book on HIV law and Schwartz managed to convince him to let her volunteer to check his sources. It got her foot in the door.

She'd end up working at the firm for about four years, which specialized in many areas that affected the LGBT community, including estate planning, probate and viatication.

Schwartz said she remembers viatication very well. It's when an individual sells his life insurance policy to an investor for a portion of the face value.

"It was right at the beginning of the antiretroviral [HIV] therapies getting passed by the FDA," Schwartz said. "We were on South Beach, really God's waiting room – guys were coming to die."

Selling a portion of policy was a way for the men to quickly get needed funds to provide some comfort in the face of certain death.

As time went on and drug therapies advanced, people were living longer and so viatication decreased in frequency, Schwartz said.

"There really weren't other lawyers here in Miami whose practice just focused on the LGBT community," she said. "We got a lot of press for that. It was really not something that a lot of folks were doing."

'Not done yet'

The firm would later split up and Schwartz went solo in 2000. She continued to practice in South Beach until a few years ago when she moved to midtown Miami.

Schwartz said her private practice has advanced in tandem with the timeline of issues the gay community has gone through – not the least of which was her work with other teams to overturn Florida's bans on gay adoption and gay marriage.

She began to meet lesbians who wanted to have babies. She arranged sperm donor agreements and orchestrated surrogacy arrangements. (Gay people weren't able to legally adopt in Florida until 2010.)

"We were the last state in the country to remove the ban on gay people adopting," Schwartz said.

Florida was, however, the 36th state to legalize same-sex marriage in January 2015. The ban was lifted nationally in June of the same year.

Naturally, Schwartz's practice worked on family formation issues – adoptions, surrogacy and estate planning. She formalized marriages and, consequently, did some divorce and relationship dissolution work, too.

Schwartz wrote a book on it all in 2016: "Before I Do: A Legal Guide to Marriage, Gay and Otherwise."

Schwartz and her partner, Lydia Martin, were married in Vermont in 2013. They have been together for about 18 years in all. Martin, now retired, was a longtime writer for the Miami Herald.

Schwartz has also been doing work with the transgender community – name and gender marker changes. She educates judges across the state about its importance.

"We have a statute that authorizes name changes but not gender marker changes and some judges are resistant. Not that they're transphobic, but feel they need to see a statute," she said.

Schwartz has seen and been a part of a lot of victories for the LGBT community, but, not surprisingly, she said there is much work to be done.

"Marriage equality was one hurdle. Adoption equality was one hurdle. This isn't the end. Until we have full-lived equality for everyone in our community, regardless of how you identify or where you live, your socioeconomic status, we're not done yet," she said.

Schwartz said she's keeping an eye on cases currently before the U.S. Supreme Court that could have an effect on the LGBT community.

"Florida still does not have employment discrimination protections [for LGBT] on the statewide level," she said.

Schwartz is hopeful about the Florida Competitive Workforce Act being championed by Equality Florida.

"It's critical because it's not just workforce discrimination protections, its housing and public accommodations in addition to employment and lots of other areas. It's really important that we have a comprehensive bill passed," she said.

Schwartz is also the co-chair of the national board of SAGE, which is an advocacy and service organization for LGBT elders.

She credits many of her mentors for her drive to help the underrepresented: Norm Kent, Paul Crockett, Jerry Chasen, Riki Wilchins and many others – including her parents.

"My parents were always teaching me to be proud of who I am," Schwartz said. "They've always been so loving and amazing. My mother is so fierce, she taught me to never take no for an answer."

In some ways though, Schwartz said with a smile, she feels like she was raised by a wild pack of gay men.

"I very much came up in the queer community. I love our uniqueness and I never want that to change," she said.

For more, go to ElizabethSchwartz.com.

[activist](#) [Gay Lawyer](#) [Elizabeth Schwartz](#)