

Elizabeth Schwartz: Battle for Gay Marriage Starting to Pay Off

Daily Business Review

December 15, 2014 | 0 Comments

SHARE

PRINT

REPRINTS



Lesbian, gay, bisexual, and transgender pride flag

Since she started practicing law in 1997, Miami Beach solo Elizabeth Schwartz has built a reputation as an effective advocate for the lesbian, gay, bisexual and transgender community.

Her years of fighting in the trenches paid off July 25 when Miami-Dade Circuit Judge Sarah Zabel declared unconstitutional Florida's ban on same-sex marriage, which was approved by voters in 2008.

Schwartz was part of a pro bono team that represented the statewide gay-rights group Equality Florida Institute and six same-sex South Florida couples who sued Miami-Dade Clerk of Courts Harvey Ruvin for marriage licenses.

She also has played a key role in several cases that led to overturning the state's 1977 ban on gays and lesbians adopting children.

Legal barriers to same-sex marriage are dropping at a stunning pace across the nation, with the rate accelerating in October after the U.S. Supreme Court announced it would not hear appeals from five states seeking to prevent same-sex marriages. As of this month, 35 states allow gay marriage.

In Florida, circuit judges in Broward, Palm Beach and Monroe counties and U.S. District Court Judge Robert L. Hinkle in Tallahassee have joined Zabel in striking down the state ban.

On Dec. 3, a three-judge panel of the U.S. Court of Appeals for the Eleventh Circuit ruled against Florida's request to extend a stay of Hinkle's ruling past Jan. 5.

While victory may be tantalizingly close, Schwartz and other advocates still have their work cut out for them. Attorney General Pam Bondi last month asked the Third District Court of Appeal to overrule Zabel and Chief Monroe Circuit Judge Luis Garcia, who have stayed their orders.

Schwartz's other team members are Sylvia Walbolt and Jeffrey M. Cohen of Carlton Fields Jordan Burt, Mary Meeks of Orlando and Shannon Minter, legal director of the National Center for Lesbian Rights in Washington.