Marriage Equality: What Does It Mean?
Continuing Legal Education Seminar
Tuesday, December 1, 2015 | 9 a.m. - 4 p.m.

The Obergefell vs. Hodges decision was the dawn of a new day for human rights in America. This seminar will enlighten you on the remaining legal battles namely discrimination confronting our LGBT community. Additionally, this seminar focuses on the various area of law now impacted by the Obergefell decision i.e. Family Law, Estate Planning, Taxation and Discrimination. We urge your attendance from the novice practitioner to those with many years of experience; from the general practitioner to those specializing in Family Law, Estate planning, and Taxation; as well as those who are passionate about the constitutional rights of all.

FAMU College of Law
201 Beggs Avenue, Orlando, Florida 32801

Free for FAMU College of Law Faculty and Students

6.0 General CLE Credits

To register, please visit the following link:
https://secure.qgiv.com/for/famu/event/767120/

If you require a reasonable accommodation pursuant to the Americans with Disabilities Amendment Act (ADAA), please contact Adrienne Snyder, Coordinator of Administrative Services/Human Resources, at (407) 254-3217 at least 10 working days prior to the start of the event.
Introduction

The Impact of the Constitution on Same-Sex Marriage (Obergefell vs. Hodges)
Joseph Hurt, Judicial Lecturer, FAMU College of Law
This section of the seminar examines the landmark Obergefell decision and how the constitution impacted this ruling. The opinion authored by Justice Kennedy is founded upon the constitutional liberty and equality of same gender loving people. An in depth look as to how the due process and equal protection clauses of the 14th Amendment support this fundamental right to marry not only to different sex couples but also to same-sex couples.

Family Law within the Same-Sex Marriage: A Judicial Prospective
The Honorable Sarah Zable, Eleventh Judicial Circuit of Florida
A judicial prospective about relocation issues regarding children, the role of a guardian ad litem in relocation cases, and child support issues in family cases.

The Practicalities of Family Law within the Same-Sex Marriage
Rhoda Pierre Cato, Associate Professor, FAMU College of Law
This section of the seminar will concentrate on the primary family law issues that will be considered in same sex marriages. This seminar will include discussion on but will not be limited to:
1. Should I have a pre-nuptial agreement while considering any provisions that are not included in a prenuptial agreement?
2. Maybe we are not ready for a marriage, cohabitation is preferable. What are the legal differences between marriage and living together; should we draft a cohabitation agreement?
3. One partner has a child, when we marry may my spouse adopt my child; we want to adopt children. What are the legal factors and issues to be considered?
4. It didn’t work let’s get divorced; property division, spousal support, alimony and child support how does that work?
Estate planning and taxes concerning Same-Sex Marriage  
Jodi Murphy, Esquire, Murphy & Berglund, PLLC  
As a result of the Supreme Court’s ruling on same sex marriage the process of estate planning has become even more complicated. Even though on the surface advising same sex couples may appear the same as advising heterosexual couples; advising same gender loving couples without first taking into consideration their unique circumstances and needs could lead to unfavorable consequences for both clients and practitioners. This seminar is designed for both general practitioners and specialists. This seminar will examine the following:  
1. What the Supreme Court’s ruling and nationwide implementation means for estate planning;  
2. How to plan for same sex couples married couples as opposed to same sex couples? What are the advantages, if any, to not marrying?  
3. How does planning for same sex married couples differ from heterosexual married couples?  
4. How to address the issues of income tax filing, social security, medicare, capital gains tax, state property taxes and other related issues?  
5. A review of tax and estate planning considerations for same sex married and unmarried couples.

discrimination within the Same-Sex Marriage  
Patricia Broussard, Professor of Law, FAMU College of Law  
1. Housing  
2. In the workplace  
Addresses the issue of the Federal Housing Act which fails to include sexual orientation or gender identity as a protected class and only 22 states have laws prohibiting housing discrimination based on sexual orientation or gender identity. The state of Florida is one of the states that do not have anti-discrimination laws regarding housing. Also, discrimination regarding a large number of same-sex senior citizen couples who are applying for senior housing.  
A discussion of Title VII of the Civil Rights Act which prohibits job discrimination based on race, color, sex, religion and nation of origin. The Act does not provide protections to the lesbian, gay, bisexual and transgender community. Moreover there remains 28 states that permit the dismissal of someone based on sexual orientation or gender identity. Florida is one of the states that does not provide protection to its LGBT community.

Continued next page
Religion & Same Sex Marriage
Joseph Hurt, Judicial Lecturer, FAMU College of Law

1. The Church and same sex marriage
2. Are discriminatory practices by governmental officers permissible?
   a. Marriage by Judge
   b. Marriage by Notary
   c. Issuance of marriage licenses
3. Discriminatory practices of businesses against same sex weddings.
   a. Refusal of bakers to bake wedding cake for same sex weddings
   b. Refusal of florists to supply floral arrangement for same sex weddings
   c. Refusal of photographers to photograph or video same sex marriages

It is apparent that the First Amendment to the constitution protects the rights of clergy not to perform a religious wedding ceremony; however, the waters remain murky as to whether or not public officials with religious objections to same sex marriage are protected from issuing marriage licenses or solemnizing marriages. Additionally, whether business owners with similar objections, may refuse to provide services and/or goods, related to same-sex marriages? Also, a discussion concerning the conflict between the role of state antidiscrimination laws and right of religious freedom.

Closing Remarks
Patricia Broussard

Professor Patricia Broussard joined the faculty of Florida A&M University College of Law after teaching at Howard University School of Law for seven years. She teaches Constitutional Law I and II, First Amendment, Advance Appellate Advocacy, and Advance Topics on Women and the Law. Professor Broussard began her legal career clerking for the Honorable George W. Mitchell of the District of Columbia Superior Court. She writes in the area of Human Rights with a specialty focus on Female Genital Mutilation (FGM).

She has several articles on that subject and has been declared an expert witness on FGM in immigration and asylum cases. She is the recipient of the designation of “Fulbright Specialist” and has been placed on the Fulbright Roster as such. Professor Broussard also writes on disenfranchisement issues and has submitted two amici curiae briefs to the United States Supreme Court; one on behalf of students while teaching at HUSL in Grutter v. Bollinger, and the other on behalf of students in Shelby County v. Holder while teaching at FAMU College of Law.

Professor Broussard is committed to service and while at Howard received the Warren Rosmarin Award for outstanding teaching and service. She regularly coaches moot court and client counseling teams and serves as a commissioner for the City of Orlando Mayor’s Martin Luther King Commission. She developed and implemented an annual neighborhood service project entitled “Clean-Up Parramore Day” for the law school. She is a four time recipient of the Percy Luney Spirit of Service Award and a five time recipient of Professor of the year. Professor Broussard believes that the success of her students is her greatest accomplishment in academia.

Professor Broussard has a J.D., cum laude, from Howard University School of Law and a B.S. degree from Northwestern University.

Rhoda Pierre Cato

Professor Cato joined the faculty of Florida A&M University College of Law, in 2005, after serving eight years as a judge and magistrate for the City of Houston, Texas, Municipal Courts. Prior to her appointment to the bench, Cato was an Assistant City Attorney for the City of Houston. Professor Cato’s courses include contracts, family law, and law & film. Professor Cato has coached skills competition teams and has represented the College of Law as a senator on the Faculty Senate. Professor Cato has a J.D. from Texas Southern University Thurgood Marshall School of Law and a B.A. from Loyola University, New Orleans.
Joseph Richard Hurt
Professor Joseph Richard Hurt’s career in legal education spans over 30 years, and includes deanships at three law schools and teaching appointments at six schools. He started his career at Mississippi College School of Law, where he was a member of the faculty for more than 21 years. During this time, he also served as Assistant Dean for Academic Affairs, Associate Dean and Dean for seven years. Under Professor Hurt’s leadership, the law school broadened its applicant pool, and gained regional and national recognition through the publications of its faculty, the performance of its students at appellate and trial inter-school competitions, and the prestigious placement of its graduates, particularly in judicial clerkships. Following his deanship at Mississippi College, he served as Deputy Consultant on Legal Education to the American Bar Association in the Office of the Consultant that oversees the Accreditation Project for the ABA.

With his background in the law school accreditation process, Professor Hurt led two of Florida’s new law schools, Florida Coastal in Jacksonville and Barry in Orlando through the full ABA accreditation process as dean. Additionally, he has successfully provided guidance as an outside consultant to three other law schools either seeking ABA accreditation or dealing with issues of compliance with accreditation standards.

Professor Hurt service to the legal profession has extended beyond the academy including his membership on and chairing of the Mississippi Supreme Court’s Advisory Committee on Rules and numerous leadership positions in local, state and national bar associations. His contributions to the profession were recognized when he was named the Outstanding Young Lawyer of Mississippi and later received the Mississippi Supreme Court’s Chief Justice Award.

Professor Hurt earned his undergraduate degree from Mississippi College, a master’s degree in History and the J.D. degree from Baylor University and the LL.M. degree from Yale University. At FAMU, he teaches Constitutional Law, Professional Responsibility, an Executive Powers Constitutional Law seminar and Federal Courts.

Jodi Murphy, Esquire
Murphy & Berglund, PLLC was established with the objective of providing estate planning for all Florida residents, from basic will planning to complex trust planning. Mrs. Murphy’s practice includes, but is not limited to, trust and estate planning, probate, guardianship planning for families, disability planning, estate tax planning, business succession planning, legacy planning, lifetime giving and charitable planning. Prior to establishing her own firm, Mrs. Murphy was a litigation and family law associate with Baker & Hostetler, LLP (Orlando, FL).
The Honorable Sarah I. Zable
Judge Zabel first took the Bench in 2003. She has served in the Juvenile, Criminal and Civil divisions. She is currently sitting in the Family Division. Judge Zabel graduated from Miami Dade College with an AA. She graduated with a degree in communications from Florida State University. She worked for several years as an investment banker in Miami before attending Law School.

After graduation from Nova Law School, Judge Zabel went to work for the State Attorney’s Office, Child Support Enforcement Division where she was Assistant Division Chief. After leaving the State Attorney’s Office, Judge Zabel went into private practice in the areas of Family and Civil law. She was also a Certified Circuit Civil and Family Mediator.

Judge Zabel has served as Secretary, Treasurer, President-Elect, and President of the Miami-Dade Chapter of the Florida Association for Women Lawyers. Judge Zabel also served as the representative for FAWL for the Dade County Bar Association. Judge Zabel served on the Commission on the Status for Women in North Miami Beach. Judge Zabel served on a Florida Bar Grievance Committee for 3 years. Judge Zabel served on the Board of Directors for Legal Services of Greater Miami and Lawyers and Advocates for Special Education Advocacy. Judge Zabel also served on the Family Law Rules Committee of the Florida Bar.

Judge Zabel while working for the State Attorney’s Office initiated a project with the Worker’s Compensation Judges in Miami-Dade County to create a program where past child support could be collected through Worker’s Compensation. She worked to pass a statute making it mandatory for child support arrears to be considered through Worker’s Compensation. Since being on the Bench, Judge Zabel helped to establish Miami Shine which is now a statewide youth advocacy group for youth who are transitioning out of the Foster Care System.

Judge Zabel is also a mentor for the Women of Tomorrow, an organization which mentors at risk high school girls. Judge Zabel is also a mentor with Big Brothers Big Sisters. Judge Zabel is on the Leadership Committee for the Florida Association for Women Lawyers. Judge Zabel is a member of the Florida Bar Committee on Professionalism. Judge Zabel is certified to teach at Judicial Conferences. Judge Zabel has judged over Mock Trial Competitions for the last several years; both Undergraduate and Law School. She is also an Adjunct Professor with Miami-Dade College.