Marriage Equality: What Does It Mean?  
Continuing Legal Education Seminar  
Friday, March 18, 2016 | 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

7.0 General CLE Credits

To register, please visit the following link:  
https://secure.qgiv.com/for/famu/event/769182/

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.
9:00 - 9:05 a.m.  

**Introduction**

**9:05 – 9:55 a.m.**  

**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.

**10:00 - 10:50 a.m.**  

**Family Law within the Same-Sex Marriage: A Judicial Prospective**  
*The Honorable Sarah Zabel, 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.

**10:55 - 11:45 a.m.**  

**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?

*Continued next page*
11:45 a.m. - 12:15 p.m.  LUNCH

12:15 - 1:00 p.m.  LUNCH KEYNOTE ADDRESS
TransAmerica in 2016: The Current Status of the Transgender Community
Gina Duncan, Director of Transgender Inclusion, Equality Florida
As one of the most rapidly emerging demographics in our society, the Transgender Community is facing challenges unique to any community in our society. In the workplace, the classroom, and from public policy to public acceptance, the crosshairs of discrimination have been directly pointed at gender nonconforming people worldwide. This seminar will examine the issues and seek to identify solutions to creating an educated and tolerant society which understands and embraces the transgender journey.

1:05 - 1:55 p.m.  Housing and Employment Discrimination On The Basis of Sexual Orientation and Gender Identity After the Obergfell Decision
Rhonda Reaves, Professor of Law, FAMU College of Law
As a result of the Supreme Court’s ruling on same sex marriage, the focus has turned to the potential impact of the decision on other areas of law, including housing and employment discrimination. This seminar will begin with a review of the current state of the law and whether the Obergfell decision may influence changes in law. Current federal law barring discrimination in housing (The Fair Housing Act) and discrimination in employment (Title VII of the Civil Rights Act of 1964) include “sex” as a protected characteristic but do not include sexual orientation or gender identity as protected categories. One strategy by advocates on behalf of the LGBT community has been to argue in favor of expanding the concept of “discrimination because of sex” to include discrimination because of sexual orientation and gender identity. This seminar will examine the success of this strategy.

The seminar will also discuss attempts by the federal agencies that implement the Fair Housing Act and Title VII to combat discrimination against members of the LGBT community. The seminar will look at current proposals to amend current civil rights statutes to include sexual orientation and gender identity as protected characteristics or pass new legislation to protect members of the LGBT community. The seminar will also look at state law protections for members of the LGBT community. Finally, the seminar will discuss practical strategies for lawyers representing LGBT clients on how to navigate the law in this area.
Estate planning and taxes concerning Same-Sex Marriage
Mary Merrell Bailey, Managing Partner at Your Caring Law Firm

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.

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
Mary Merrell Bailey, Esquire
Mary Merrell Bailey, Managing Partner at Your Caring Law Firm, is a recovering CPA who practices solely as an attorney in the areas of estate planning, probate, trust administration, guardianships, business succession planning and asset protection. Merrell’s clients are uncommonly attractive and have a great sense of humor. The special needs of the elderly are high priorities to Merrell, who has six college degrees, including a J.D. from Barry University (Valedictorian of graduating class; Law Review; Faculty Professionalism Award); M.S. Accounting; M.S. Taxation; M.B.A.; (all UCF). Merrell is Vice-Chair of the Board of Trustees of the National Endowment for Financial Education, a member of the Dean’s Advisory Council at the UCF College of Business, and a 2012 inductee into the UCF College of Business Administration’s Hall of Fame. Merrell is an alumna of Pi Beta Phi sorority, rowed for UCF’s women’s crew team, and currently rows at the Orlando Rowing Club.

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.

Gina Duncan
Gina Duncan was born Greg Pingston and lived as a man for 50 years. “Greg” transitioned to Gina in 2006. Greg was a standout football player in high school and earned a football scholarship to attend East Carolina University (ECU). Greg was the captain of an undefeated state championship football team at Merritt Island High School, an all-state middle linebacker and was class president and homecoming king at Merritt Island. In college, Greg was an all conference football player and elected Vice President of the Student Government Association at ECU. Greg, now Gina, was a father of two, a husband, a brother and a son.

Gina Duncan was a leader in the Mortgage Banking industry in Orlando for 30 years. She served on the Board of Directors of the Home Builders Association of Mid-Florida and Mortgage Bankers Association of Central Florida. Gina was President of the Mortgage Bankers Association of Central Florida in 2005. She was with Wells Fargo Home Mortgage from 1997 to 2011, and served as the Area Manager of Central Florida, and then promoted to Regional Manager for East Florida, overseeing 26 branches, over 250 employees and a multi-million dollar budget. While at Wells Fargo, Gina was Chair of the East Region of Wells Fargo’s employee resource group, PRIDE, for LGBT employees, overseeing 46 PRIDE chapters from Maine to Texas. Gina also served on the Orlando Human
Rights Campaign Steering Committee as Co-Chair of the Diversity Committee. She chaired the Transgender Day of Remembrance and Transgender Career and Wellness Fair events. Gina was elected President of the Metropolitan Business Association (MBA), the LGBT Chamber of Commerce in Orlando. She was the first transgender person to serve as President of a major chamber of commerce in the country. She was the President of MBA’s Come Out With Pride event, which annually draws over 100,000 people to the Orlando area. Gina was invited to attend the first ever Human Rights Campaign’s National Women’s Diversity Leadership Conference, and also served on the HRC National Business Council. Gina served on the Board of Directors and Steering Committee of Equality Florida and on the Orlando Anti-Discrimination Alliance, which has been instrumental in passing the Orange County Human Rights Ordinance as well as a Domestic Partnership Registry in both the City of Orlando and Orange County. Gina recently ran for County Commissioner garnering 40% of the vote in an unsuccessful bid for county office.

In 2014, Gina became Equality Florida’s Transgender Inclusion Director embarking on a career in corporate transgender inclusion training and consulting. Gina has trained major corporations across the United States and was a guest speaker at the Global Summit on Human Rights in Milan, Italy sponsored by the Harvey Milk Foundation. Gina is now recognized as a national and international speaker on transgender inclusion in the workplace. Gina chairs Equality Florida’s Transgender Inclusion Initiative, TransAction Florida, which is comprised of an 18 member advisory board from all over the state of Florida. TransAction advocates for transgender rights and protections through public policy, advocacy and education efforts statewide. She is now a national and international advocate, corporate trainer and speaker specializing in transgender dynamics in the workplace and classroom. She has worked with major corporations, elected officials, school boards, colleges, universities and non-profit organizations to improve knowledge and understanding of the transgender journey and the development of competencies in supporting transgender people in the workplace, educational environments and in various organizations.

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.

Speaker continued next page
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.

Rhonda Reaves
Rhonda Reaves is a Professor of Law at Florida A&M University College of Law in Orlando, Florida. Professor Reaves is a graduate of Stanford Law School and Yale University. Professor Reaves teaches courses in Property; Employment Discrimination Law; Employment Law; and Professional Responsibility. Her scholarship includes Retaliatory Harassment: Sex and the Hostile Coworker as the Enforcer of Workplace Norms, 2007 MICH. ST. L. REV. 403 (2007); One of These Things Is Not like the Other: Analogizing Ageism to Racism in Employment Discrimination Cases, 38 U. RICH. L. REV. 839 (2004); “There’s No Crying in Baseball”: Sports and the Legal and Social Construction of Gender, J. GENDER RACE & JUST. (2001).
The Honorable Sarah I. Zabel

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.