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Cardozo Hosts “Making a Career Working for LGBTQ+ Rights: An Alumni Panel”



Five Cardozo alumni shared their stories about fighting for the civil rights of members of the LGBTQ+ community, in a powerful 90-minute talk moderated by Dean Melanie Leslie '92 and sponsored by OUTLaw on February 23. The event was held in the Jacob Burns Moot Court Room with 95 students and faculty in attendance.

Debra Guston '88 is a Partner at Guston & Guston LLP, where she has fought for the rights of the LGBTQ+ community for over 30 years. When she started, she was one of only two lawyers in the 50,000-plus New Jersey Bar who identified as lesbian. In the early years of her practice, especially, she represented clients who had never been listened to and never had someone who understood what they were going through. “It was about making my clients comfortable, saying I’m here and uniquely situated to help,” said Guston. “They needed someone who understood them, someone who has worked with and been a part of this marginalized community.”

Guston has been recognized by the New Jersey State Bar Association for her legislative work on behalf of the Bar, most notably lobbying for the passage of New Jersey’s Gestational Carrier Agreement Act, laws that extended insurance coverage for fertility treatment and New Jersey’s new Confirmatory Adoption statute. Her practice has evolved to focus on family formation and protection, adoption, custody, and surrogacy, which she called her happy place. “I have had

years and years of working with people who are deeply frustrated. It's a step-by-step fight to give couples more control over their process and their lives." She said that litigation was not going to change things fast enough, so she has tirelessly worked on lobbying efforts to change parenting laws in New Jersey. A past President of the Academy of Adoption & Assisted Reproduction Attorneys, she has served as President of the Board of Trustees for the ACLU of New Jersey.

Taylor Brown '17 is a Staff Attorney in the ACLU's LGBTQ & HIV Project. She was the lead counsel in a successful federal case challenging the exclusion of gender-affirming care in the Georgia State Medicaid Plan under the Equal Protection Act, the Affordable Care Act and the Federal Medicaid Act.

A student in the audience asked about coping with the systemic bias and prejudice inherent in these jobs. Brown confirmed that sometimes "it's horribly demoralizing to work in a system you can't always trust." She said that as a trans woman, "you have to be proud of who you are, but you have to be safe," pointing to death threats that have been directed at trans advocates. "Most opposing attorneys have never had to address a trans person, let alone a trans counsel." Brown also talked about how rewarding it is to work on cases for her community, which she described as poor, Southern and trans. She has fought many cases in Georgia, where she won a case that expanded medical coverage for trans people in the state.

Nina Frank '11 is Counsel at Outten & Golden LLP in New York, where she represents individual employees in litigation and negotiation in all areas of employment law. Frank is a member of the Sex Discrimination and Sexual Harassment Practice Group and the Lesbian, Gay, Bisexual, Transgender & Queer (LGBTQ) Workplace Rights Practice Group. One case she spoke about involved a gay man who was sexually assaulted at work and blamed by his boss for what happened to him. "You have got to be able to get up in the morning and harness your anger and put it to use to really be able to represent that client." Her early cases gave her the confidence to advocate for her clients. She told her herself that "I feel I know the law, and I know what I'm doing."

She said that she works on a robust docket of LGBTQ+ cases, and that for her clients, "there is an unmet need for LGBTQ people to go where they are understood." She said that many clients couldn't find a lawyer who understood how something like sexual harassment can affect someone in this community. "There are not too many firms out there" with the lawyers who are asking the right questions to support these clients, she said.

Ryan H. Nelson '11 is an Assistant Professor of Law at South Texas College of Law Houston. His areas of expertise include Civil Procedure, Employment Law and Discrimination, and LGBTQ+ Legal Issues. "I knew that I wanted to be a teacher," he said. "Professor Ed Stein really helped me, encouraging me to write

legal articles while I was working as an associate at a law firm”, and later to earn an LL.M. and then take a one-year unpaid fellowship at Harvard in pursuit of his dream. Nelson’s teaching in Texas provides him an opportunity “every day” to support students from marginalized backgrounds who struggle with fears about the impact on their careers of coming out. He advises them to be action-oriented asking, What do you want to do with that information, and what are the goals you wish it to support? If you have the privilege of deciding to be visible, decide what your action will do for you.”

He said that “I come out as queer as soon as possible in conversations” and does so by talking about his husband or in other ways.

Jason Starr ’10 has over 15 years of experience as an attorney, educator and strategist in the fight for human rights. He is the former and founding Director of Litigation and current Senior Strategist at the Human Rights Campaign Foundation, the nation’s largest LGBTQ+ civil rights membership organization.

When faced with the hard work of fighting for civil rights, he reminds himself that “I am not seeking rights for someone, I’m seeking recognition of rights. We have rights! We are born with them. I didn’t create these problems, and I can’t own the problem because someone else decided to be a bigot.”

In thanking these Cardozo alumni for sharing their experiences, Dean Leslie concluded, “It is so inspiring to hear from you and to learn how you built your careers and that you did so at great personal sacrifice.”