



LGBT Committee Celebrates Successes, Plans for the Future

Elizabeth McGriff

The Bar Association of San Francisco (BASF) has been a pioneer among bar associations working to ensure equity for lesbian, gay, bisexual, and transgender (LGBT) lawyers. Law firms, corporate law departments, and legal organizations in the Bay Area and beyond have actively embraced BASF's initiatives.

In 1986, BASF established a Committee on Equality, which made recommendations to the BASF Board of Directors on how to eliminate barriers to the advancement of racial minorities, women, lesbians and gay men, and lawyers with disabilities in the San Francisco legal community. BASF established its Committee on Sexual Orientation Issues (LGBT Committee) in 1990 to address the specific needs of gay and lesbian lawyers, and later broadened its focus to include all LGBT lawyers.

The committee has taken on major projects throughout the years, including in 1991 producing a comprehensive report titled "Creating an Environment Conducive to Diversity: A Guide for Legal Employers on Eliminating Sexual Discrimination." Responding to the call to create new policies to promote LGBT inclusion, many San Francisco firms pledged to embrace the recommendations in this groundbreaking report.

In 2007, the committee issued another unprecedented report on "Lesbian, Gay, Bisexual, and Transgender Issues,"¹ which addressed workplace equality, offering specific best practices to ensure that "the doors are open to LGBT lawyers and that promotion and retention goals are also embraced."


The report's executive summary states, "This Report, properly used, will benefit your business. It will help you recruit, retain, and advance excellent lawyers, and create a flourishing culture of inclusion and fairness." The report has been downloaded thousands of times, reprinted in hard copy four times, and is still requested to be used for continuing education programs throughout the country.

In 2008, the LGBT Committee threw its heart and soul into the defeat of California's Proposition 8, the statewide ballot initiative that eliminated the right of same-sex couples to marry. In the years after Prop 8, the committee worked to support court battles up to the U.S. Supreme Court's final ruling in June 2015, which legalized same-sex marriage throughout the country.

I caught up with the 2015 LGBT Committee cochairs, Peter Catalanotti, Manning & Kass, Ellrod, Ramirez, Trester, and Robert Gower, Trucker Huss, to find out what the committee is currently doing and their reactions to current news.


*Equality Committee on LGBT Issues Committee Cochairs Peter Catalanotti (left) and Robert Gower (right).
Photo by Jim Block.*

Equality Committee on LGBT Issues Committee Cochairs Peter Catalanotti (left) and Robert Gower (right) with BASF/JDC Diversity and Pipeline Programs Manager Elizabeth McGriff (center). Photo by Jim Block.

 *BASF's LGBT Committee has been extremely active for twenty-five years. What is the committee doing now?*

Robert Gower (RG): The committee continues to focus on critical legal issues facing our community, as well as promoting LGBT individuals in the legal profession. We dedicate our resources and time toward planning educational opportunities for the Bay Area legal community as well as the public. Working closely with other LGBT organizations, as well as other BASF committees, we have an ongoing objective to bring attention to the struggles facing LGBT individuals, as well as highlight the monumental achievements of the community over the last several years. Knowledge is power, and greater exposure leads to greater acceptance.


Peter Catalanotti (PC): Following our successful “Pathways to the Judiciary” event in April and our annual LGBT Partners and Summer Associates event in June, the committee is working on two MCLE events, including a family law panel discussion on adoption, fostering, surrogacy, and dissolution. We are also putting together a post-*Obergefell* panel discussion. Finally, our committee members volunteer their time on BASF programs such as Destination Law School and the BASF LGBT Youth Project.

 *What is your role as cochairs?*

PC: The cochairs oversee the committee, act as a liaison between BASF and the committee, and plan education and social LGBT-focused events.

RG: As cochairs, Pete and I are facilitators. We are fortunate to work with an amazing group of individuals to develop programs and conduct community outreach events. We work with a diverse and inspiring group that

constantly challenges us to think outside of the box, and find new and exciting ways to engage in conversations on evolving topics.

 *What motivated you to want to cochair the committee?*

RG: Just six years ago when I began practicing law, there was a sense that the LGBT community was on the cusp of monumental achievements. As a lawyer, and member of the LGBT community, I felt both obligated and privileged to lend my time and skills in any way I could. The achievements of our community have not come easily, nor quickly. They are the result of countless hours of dedication and decades of patience and perseverance. Joining the committee was one way I was able to help give back to those who had done so much to advance the rights of our community, and also a way I could help pay it forward. When I was asked to take on the role of cochair beginning in 2014, I was beyond excited. Working with the committee has been both educational and inspirational.

PC: BASF provides such important services to the San Francisco community, I wanted to find a way to give back. As equal rights in employment, housing, and marriage have become more accessible to LGBT individuals in California, I wanted to help lead our community in the next issues we face, including, but not limited to (1) preventing LGBT teen suicide, and (2) equality for the transgender community.

In the past, our panel discussions have featured transgender legal community leaders such as Judge Victoria Kolakowski, Alameda County Superior Court, and in-house attorney Erica Worthington from Qualcomm. Our next family law panel discussion will address family law issues in the LGBT community. I hope to continue this trend as cochair.



Q In 2007, the LGBT Committee spearheaded the groundbreaking report on “Lesbian, Gay, Bisexual, and Transgender Issues,” which is still being requested across the nation for MCLE programs as background materials. Are there plans to do more reporting on issues that need addressing in the legal profession?

PC: Yes. In November 2014, the committee held a panel MCLE titled “Elimination of LGBT Bias in the Legal Profession,” which included a summary update of the most recent survey results. The committee provides a new survey every few years. We are working on updating the questions to reflect the changes in the law since 2007.

RG: The landscape has changed dramatically since 2007, both in California and nationwide. In 2014, we conducted a survey to update the 2007 report. Only nine months after the new survey was completed, the landscape changed again with nationwide recognition of same-sex marriage. In the wake of this, we now hope to return to the root of the original survey and help employers determine and identify where LGBT employees are still being left behind their peers. Stay tuned for upcoming programs examining employment issues for the LGBT community.

Q How did the June U.S. Supreme Court decision in *Obergefell v. Hodges* to legalize same-sex marriage affect you?

PC: The decision reinvigorated my zest for LGBT equality, nationwide. It also caused me to evaluate what lies ahead in our fight for equality.

RG: My husband and I were married in 2014 in California. In 2014, the ability to get married had a feeling of privilege, because there was no determined federal constitutional right. Whenever we travelled, our marital status became questionable. We even spent our honeymoon in Puerto Rico, where our marriage was not recognized. Aside

from protecting the recognition of my marriage throughout the United States, the *Obergefell* decision serves as a symbolic affirmation that my marriage is no different than any other. Justice Kennedy expressed this quite plainly as “equal dignity in the eyes of the law.”

Q Can anyone join the committee?

PC: Absolutely! We encourage all LGBT and LGBT allies in BASF to join our committee. To join us, send an email to Raquel Cabading at rcabading@sfbar.org.

Q What is the makeup of the committee?

RG: The committee is made up of a diverse group of LGBT and LGBT ally attorneys committed to equality. Our members include litigators and transactional attorneys in private practice, government employees, and some nonprofit employees.

Q In what ways will the *Obergefell v. Hodges* decision influence the work of the committee?

PC: It is difficult to say how it will influence our committee so soon after the decision. I suspect that there will be many religion-based challenges that need to be addressed. A recent U.S. Equal Employment Opportunity Commission decision suggests that nationwide protection from antigay employment discrimination may soon be upon us.

RG: *Obergefell* reaffirms the efforts of generations of hard work of the LGBT and allied community, especially the perseverance of the legal community. The victory in *Obergefell* does not mean our work is done. There are many more issues to address. *Obergefell*

reignites our committee's passion for the pursuit of equality, and allows us to refocus our efforts on other issues. Please stay tuned for an upcoming CLE series, "After Obergefell," in which we will explore the ongoing challenges facing the LGBT community.

Elizabeth McGriff is the Diversity Pipeline Programs manager at BASF. She can be reached at emcgriff@sfbar.org.

Peter Catalanotti is a partner at Manning & Kass Ellrod, Ramirez, Trester, where he specializes in the defense of real estate brokers, appraisers, insurance agents, and lawyers. He is a licensed real estate broker and cochair of the Real Estate Sales and Brokerage Subsection of the Real Property Law Section of the State Bar of California. Catalanotti is a board member of the Bay Area Lawyers for Individual Freedom (BALIF) and

the National LGBT Bar Association. He was recently named among the Best LGBT Attorneys Under 40. In his spare time, he teaches kickboxing, rides his motorcycle, and cooks vegetarian meals with his fiancé.

Robert Gower is an attorney with Trucker Huss, an ERISA and employee benefits law firm in San Francisco where he specializes in retirement plans. Gower has been a member of BASF since he graduated from the UC Davis School of Law in 2009. In his spare time he enjoys backpacking with his husband and exploring San Francisco with his dog, Olive.

Note

1. www.sfbar.org/lgbt-report.

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