

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, FL 33139, www.miamibeachfl.gov

Robert Rosenwald

Robert Rosenwald is First Assistant City Attorney at the City of Miami Beach, where he practices constitutional and civil rights law on behalf of the City. Since 2010, Mr. Rosenwald has led a team of lawyers in the City Attorney's Office dedicated to advancing the rights and protections for gay and transgender Floridians. Mr. Rosenwald presented oral argument on behalf of the City in favor of striking down Florida's ban on same sex marriage in the first Florida lawsuit to invalidate the ban, *Pareto v. Ruvin*. He also led a coalition of seventeen Florida cities and counties appearing as amicus curiae in same-sex marriage lawsuits throughout Florida in order to advocate for the rights of same-sex couples.

In addition to litigating, Mr. Rosenwald has drafted landmark legislation for the City protecting LGBT people. This work started with his work on the City's human rights ordinance, which was the first in the state to protect transgender people and the first to protect intersex people, and continued with drafting the City's progressive grossing-up ordinance that made the City the first Florida municipality to reimburse the tax penalty that domestic partners employed by the City were forced to pay before marriage equality became a reality. Mr. Rosenwald also drafted legislation that ensured that the City's healthcare plans fully covered transgender City employees' healthcare needs and drafted legislation repealing a controversial religious exemption from the HRO.

Mr. Rosenwald also drafted the City's groundbreaking legislation banning harmful reparative therapy on minors, the first such legislation in the South and only the second in the country. The City's ordinance has since served as the model and been replicated by countless other municipalities in Florida and around the country, though the legislation is currently under attack in the Eleventh Circuit Court of Appeals – and its future is uncertain.

From 2015 until today, Mr. Rosenwald represented a transgender unaccompanied minor fleeing persecution in her homeland of Guatemala, successfully litigating an asylum trial in a federal immigration court governed by the Trump administration's harsh anti-immigrant rules. Most recently, Mr. Rosenwald led a coalition of twenty-three Florida local governments appearing as amicus curiae and presenting oral argument in Florida's Fifth District Court of Appeal, successfully invalidating a trial court order holding that all Florida local human rights ordinances were invalid because they were putatively preempted by the Florida Civil Rights Act. In addition to work on LGBT legal issues, Mr. Rosenwald works on a variety of public policy issues for the City, including sea level rise, firearm regulation, and income equality. He has litigated important cases arising under the First (freedom of speech), Second (gun control), Fourth (police misconduct), and Fourteenth (equal protection and due process) Amendments to the U.S. Constitution. Most recently, Mr. Rosenwald served as lead counsel in the Florida Supreme Court for the City's constitutional challenge to the State of Florida's ban on local minimum wage ordinances in *City of Miami Beach v. Florida Retail Federation*.

Prior to joining the City Attorney's Office, Mr. Rosenwald was the Director of the LGBT Advocacy Project at the ACLU of Florida. There, he focused on a variety of public policy issues impacting the gay and transgender community in Florida, including the 2008 anti-gay initiative that outlawed protections for same-sex couples, discrimination in Florida's adoption policies, and discrimination and harassment against gay and transgender youth in the public schools. Mr. Rosenwald has testified before committees of the Florida legislature on the need for anti-bullying legislation to protect gay and transgender students at school. He also represented gay and transgender students in court throughout Florida to insure them safe access to their education.

Mr. Rosenwald was recognized by the Miami Daily Business Review in 2009 as one of South Florida's Most Effective Lawyers for his work litigating the 2008 landmark ACLU trial on behalf of Martin Gil, successfully invalidating Florida's ban on adoption by gay people. On September 22, 2010, Florida's Third District Court of Appeals unanimously affirmed the trial court's decision and ended Florida's thirty-three year ban.

Also in 2008, Mr. Rosenwald was lead counsel in the novel ACLU case *Gay-Straight Alliance of Okeechobee High School v. School Board of Okeechobee County*, where, for the first time, a federal district court held that high school gay-straight alliances do not imperil the well-being of students.

Mr. Rosenwald is a 1997 graduate of the University of Pittsburgh Law School, and clerked from 1997 -1998 for the late Judge C. Clyde Atkins of the U.S. District Court for the Southern District of Florida.