

**GENERATIONS: AN ORAL HISTORY OF THE LGBTQ
COMMUNITY IN SOUTH FLORIDA**

ROBERT W. LEE INTERVIEW

**DATE OF INTERVIEW: FEBRUARY 26, 2016
PLACE OF INTERVIEW: FORT LAUDERDALE, FLORIDA
INTERVIEWER: FRED FEJES**



Judge Robert W. Lee

Judge Lee received his undergraduate degree from Jacksonville University where he placed on the President's Honor Roll. He was also awarded a Master of Arts degree in History Humanities from California State University at Dominguez Hills. He received his law degree with honors from the University of Florida where he served as a Senior Editor on the Law Review and was awarded a teaching fellowship. After graduating in 1985, Judge Lee began a practice primarily involving commercial litigation. While in practice, he received the Individual Attorney Support Award from Legal Aid of Broward County for pro bono work involving mental health issues. He is an AV rated attorney, and was Board certified in Real Estate law. His wide community involvement included the Broward Education Foundation; Broward United Against Discrimination; the Broward Human Rights Initiative; and the Broward County Hispanic Bar Association.

In 1997, Governor Lawton Chiles appointed Lee to the County Court for Broward County. Judge Lee has served in the Criminal and Civil Divisions, including several years as an Acting Circuit Judge. He was chair of the Broward County Canvassing Board and presided over the historic 2000 Presidential Recount in Broward County. In 2011, Judge Lee was honored with the Stephen R. Booher Memorial Award by the Broward County Bar Association.

Judge Lee has more than a dozen published articles appearing in various legal publications, including the Florida Law Review, Florida Bar Journal, Barry Law Review, Nova Law Review, St. Thomas Law Review, Florida Supreme Court Historical Review, Broward Barrister, and Western State University Law Review. He has presided over more than 345 jury trials and has more than 500 published legal decisions. Judge Lee has served as an Adjunct Professor of Legal Studies at Florida International University; Florida Metropolitan University; and Barry University.

Judge Lee currently serves as an Acting Circuit Judge and the Chair of the Civil Division of the Broward County Court. He continues to speak about the court system to numerous organizations and schools throughout the country.

<p>INTRODUCTION</p>	<p>[00:00:00] Fred: This is February 27 [2016], and we are the Stonewall Library and Archives. This is Fred Fejes. We are doing an interview for the Oral History Generations Project. The person interviewing is Robert E. Lee.</p> <p>[00:00:23] Robert: Robert W. Lee.</p> <p>[00:00:24] Fred: Robert W. Lee.</p> <p>[00:00:24] Robert: There you go.</p> <p>[00:00:25] Fred: I'm sorry.</p> <p>[00:00:25] Robert: That's okay.</p> <p>[00:00:26] Fred: Okay.</p> <p>[00:00:28] Robert: That happens a lot. [laughter]</p> <p>[00:00:30] Fred: And you consent to this interview?</p> <p>[00:00:32] Robert: I absolutely do.</p> <p>[00:00:33] Fred: Okay. Thank you. Okay. Now, the purpose of this interview basically is to do a historical archive of gay and lesbian individuals. And, Robert, do you want to start talking, just sort of start talking about, first of all, something about your family background.</p>
<p>FAMILY BACKGROUND</p>	<p>[00:00:52] Robert: My family background. I actually moved to Florida, North Florida, when I was four. My dad was in the military, so I had a military upbringing to a certain point. My mother is from Mexico. My dad met her when he was on leave in one of his tours in actually South Texas, and so I was raised in a kind of a bicultural family, southern and Mexican, and spent of my life, until I went to law school, in Jacksonville and grew up there. And my family life was a little—starting when I was seven, my father moved to Italy. My mother declined to go, so she raised</p>

	<p>five children on her own with my Mexican grandmother.</p> <p>[00:01:36] Fred: In Jacksonville?</p> <p>[00:01:37] Robert: In Jacksonville. [laughs] So that was my family upbringing. I have a very independent mother, and I kind of inherited that streak in her, that characteristic. And my father was after that point a very minor part of my life. I only saw him actually probably two other times before he passed away, and so that's kind of—</p> <p>[00:02:02] Fred: Is your mother still living?</p> <p>[00:02:04] Robert: My mother is still living. She still lives in Jacksonville and she just retired a year ago. To make our lives easier, she decided to go into the restaurant business in Jacksonville when I was seven years old, when my father moved, and she opened the very first Mexican restaurant in Jacksonville, and by the time I was in college, she had three of them.</p> <p>[00:02:25] Fred: Wow.</p> <p>[00:02:26] Robert: And she had worked in the restaurant business until a year ago December, and she finally retired.</p> <p>[00:02:31] Fred: Fantastic. And your siblings are all up there?</p>
<p>MOTHER'S RESTAURANT</p>	<p>[00:02:33] Robert: My oldest brother has moved to South Carolina. That's where he went to college and he stayed there. And my sister lives in Gainesville. She went to college there and met a guy actually from Gainesville and married him. My youngest brother is a police officer in Jacksonville. My second youngest brother has since passed away. But everybody pretty much stayed in the South.</p>
<p>SIBLINGS</p> <p>EARLY AWARENESS OF SEXUALITY</p>	<p>[00:02:54] Fred: So what about, in terms of your childhood or your early adolescence, about your sexuality, sort of being aware of it, and that experience?</p> <p>[00:03:06] Robert: Yeah, the first time I can remember being aware of anything like that, in all honesty, I remember vividly because it</p>

<p>RELIGION</p>	<p>was the eighth grade, I was twelve, thirteen years old, because my birthday is during that time, and I do remember being attracted to the guys in my class. But I grew up, also, part of that upbringing, too, was I grew up in a fairly conservative, religious family.</p> <p>[00:03:32] Fred: Catholic?</p> <p>[00:03:33] Robert: No, Protestant. It was strange because my mother, although Mexican and Catholic, when she married my father it was with this understanding that she would convert to being Southern Baptist. Usually it's the other way around, you know, the Catholic prevails. So we were raised in a staunch Southern Baptist household, and I was very troubled by my feelings, and in the ninth grade, from ninth grade to senior in high school, I went to a parochial school in Jacksonville that is an evangelical Christian school. And that, interestingly, was just—I mean, seventh grade, I think, was when Anita Bryant was out, so combined with that knowledge of Anita Bryant, who actually came and spoke at our school—I still remember it vividly—I was convinced I was going to hell. Truly, I was very, very worried about it. I remember just stressing so much, the “Why do I have these feelings?”</p> <p>I really, though, went through my whole high school life feeling I had no choice but to suppress those feelings. I actually dated a girl. Actually, several times I've dated, but I actually dated a girl that I was engaged to get married to, and when I was my second year in college, we came about six months from the wedding before I called it off. [laughs] So that was the beginnings of it.</p> <p>In the middle of—between my second and third year of college, that summer I worked at a restaurant that was not my mother's restaurant and—</p>
<p>MET FIRST GAY PERSON</p>	<p>[00:05:13] Fred: This would be like early eighties?</p> <p>[00:05:14] Robert: 1979, 1980, yeah. I met the first known gay people, the first people that I knew were gay. I had people I thought might be gay but. But this restaurant, not surprisingly in the restaurant business, they had a tremendous amount of waiters who were out even then. It was a different world for me at that time, and it was an interesting time to get to talk to them and see what it was like to be an out gay person, and that kind of started really my journey at that point.</p>

COLLEGE IN JACKSONVILLE

I still kept thinking I was going to get married and settle down, and this was just a phase, but that was kind of how it started. It really wasn't until I went to law school in 1982 that I kind of felt in my heart that this was who I am, no need fighting it, this is going to be, and the only issue now is going to be coming out. That was going to be the issue for me. Interestingly, my roommate in law school, who is still a friend of mine—he lives in Miami—was also gay. We went to undergraduate school together and we decided—

[00:06:31]

Fred: Now, undergraduate, you went to the University of North Florida?

[00:06:33]

Robert: Jacksonville University. At that time, UNF, if I'm not mistaken, they still had that bifurcated where you had junior colleges and the third and fourth year.

So I had gone to JU and met Alan [phonetic], was in one of my classes. In later years, when I had gone out to at that time one of the two gays bars in Jacksonville with the waiters from the restaurant, saw him there. We became friends, and he became my law school roommate, and that kind of started this idea that, you know, we both were going through coming out and how were we going to deal with our families. And we each had separate issues.

[00:07:11]

Fred: This was about '82, '83?

[00:07:13]

Robert: Yeah, and it was also a time—because he was from Jacksonville too. Even though he didn't have an evangelical family, he had a very conservative family.

[00:07:21]

Fred: I want to back up just a little bit.

[00:07:23]

Robert: Sure.

[00:07:23]

Fred: In terms of, like, from adolescence on to, like, what kinds of information or images or whatever knowledge were you getting about being gay from the outside?

[00:07:36]

Robert: From the outside?

[00:07:37]

<p>ANITA BRYANT</p>	<p>Fred: Yeah.</p> <p>[00:07:38] Robert: Well, it was there were different ways to look at it for me. One of them was, since, as I mentioned the church upbringing, one was from that part of my experience with the Anita Bryant—</p> <p>[interruption]</p> <p>[00:07:58] Fred: Go ahead.</p> <p>[00:07:59] Robert: Anita Bryant time. Actually, [unclear] Stonewall, she put a book out at the time, an anti-gay book, but she put it out and I remember reading it. Tim LaHaye put out a book called <i>The Unhappy Gays</i> that I read, and it petrified me at that time. So that's one type of information I'm getting.</p>
<p>BOOKS ABOUT GAY MEN</p>	<p>And the other—and this is funny because a friend of mine that I still am friends with that lives in Seattle, we were just talking about this—there was a newsstand in Jacksonville in the older part of the community that was one of the only places that would have LGBT materials, and we used to go there and browse and kind of get it. But the thing that made what we were chuckling about is that the images that we got was that it was something to be hidden and you're not—you know, because the way it was in the back and it was in a corner. We're not talking about porn. We're just talking about things like that, books and magazines. And so that was kind of the information we were getting at the time.</p>
<p>GOING OUT IN GAY JACKSONVILLE</p>	<p>[00:09:05] Fred: Now, what was the community, or was there a community in Jacksonville like?</p> <p>[00:09:11] Robert: Well, I wasn't aware of a community until I got in college. Jacksonville's a fairly—even in the gay community, it's interesting to me—it's still a fairly conservative bunch. Not a very large bunch. And we've talked about that since because I think that one of the benefits of having few places to go is that if you're going to run into anybody you know, it's—</p> <p>[00:09:39] Fred: It'd be there. [laughs]</p> <p>[00:09:40] Robert: It's going to be there because you don't have any other—you know, like here where you have thirty-five places</p>

<p>WATCHING BOYS IN THE BAND</p>	<p>you could go, you can go out to a different place all the time and never run into somebody you know.</p> <p>And, actually, when I was engaged to be married and I went out with the guys from the restaurant, my fiancée's sister was also engaged to be married, and the guy she was engaged to be married to I saw at the gay bar dancing with a guy when we went out. [laughter] So he saw me, we had a nice conversation. I actually still stay in touch with him to this day. He at one point was with the Minneapolis Symphony, very talented. He wound up not getting married either.</p> <p>[00:10:24] Fred: What does he play?</p> <p>[00:10:25] Robert: The piano. He was a pianist. So it was, you know, a very small community, but it was also that that was also the time of the disco era coming, we still, even though it wasn't that long of a period, maybe a year and a half, before I really went to law school, we still think of it fondly as a lot of fun. We had a lot of fun. We were young. Back then the drink age was eighteen, so it was a whole different [unclear].</p> <p>[00:10:54] Fred: Do you remember anything from TV or movies that in any way—</p> <p>[00:10:57] Robert: I remember a couple of things. One was I remember coming home one day from college—I still lived at home—and my mom was watching a movie, and I just naturally sat—it was the afternoon movie. They used to call it the early movie, I think, on TV. And I just sat down to watch it with her, and it wound up being <i>The Boys in the Band</i>, which is kind of strange when I think about it, that it was on TV. And I'm watching, and, you know, it's a very sad story, and my mother felt very compelled to explain to me how these people, you know, the ones on the tele—these gay people, have been mistreated in this country.</p> <p>[00:11:38] Fred: Oh, really?</p> <p>[00:11:39] Robert: My mother's a very open person, and lots of reasons, because she's Mexican, because she was herself not allowed to go certain places in Texas growing up, etc., so she has these memories too. So I remember that.</p> <p>And I also remember sneaking into—kind of sort of sneaking</p>
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<p>MOVIE MAKING LOVE IN JACKSONVILLE</p>	<p>into the movie with Harry Hamlin, <i>Making Love</i>. Me and my friend Tim, we decided to go watch it, but—</p> <p>[00:12:12] Fred: That was showing in Jacksonville?</p> <p>[00:12:13] Robert: That was showing in Jacksonville at the theater, in one theater. Actually, I can still remember it was Regency Square Theatre, and one time a night. And we snuck in, and we actually sat at opposite sides of the theater because in case anyone saw us, they wouldn't think we were together.</p> <p>But in any event, those were the only—and I think there was also a movie once I saw, and I was just thinking of it recently, and I think it was either Lynn Redgrave—It was probably Lynn Redgrave. I remember because it was filmed in San Antonio, and it was about a lesbian relationship, and I remember, though, that there was a controversy because they had to cut one of the scenes, I think when the women—it wasn't a sex scene, but they woke up in bed together. And I remember that kind of controversy of it being, "Oh, gosh, we can't even show anything that suggests two women are actually in the bed together." So those are kind of the few things that were going around. I have no recollection of anything like Stonewall being on the news. I would have been just eight or nine years old. Have no recollection of that at the time.</p> <p>[00:13:25] Fred: Well, then continue on with your growing kind of idea about your being gay and your involvement and your coming out.</p>
<p>LAW SCHOOL AT UNIVERSITY OF FLORIDA</p>	<p>[00:13:32] Robert: And then law school was an eye-opener for many reasons, because that was the first time truly I had gone to school with a group of people that were from all over the place. Most of the kids in the school are from Jacksonville, and so you actually have this very homogenous group of people. And then going to UF, you have people from all over, because there's, I don't know, at least 25 percent of the class seems to be out-of-state students. For the first time in my life, I had knowingly had Jewish friends that were other students. So I had this—and then, of course, from Miami, the Latin. So it was a very all of a sudden different ideas and much more progressive group of people for the first time. JU has a very strong military history or tie, and so there are a lot of the kids that went there also were interested in the military there.</p>

<p>PROGRESS IN LAW SCHOOL</p>	<p>Actually, I even took a course in military history for some reason while I was there.</p> <p>So this was my first time actually being with students where you could freely discuss things and not be worried, so that kind of started it. And then as a lot of people from Jacksonville do—and I still think this is true to this day to a great extent—you feel southern. You don't feel anything more than that. You're a southerner and you want to stay there. You don't really think of going anywhere else.</p> <p>I actually, surprisingly, did well in law school, and I say that sincerely because I did not want to go to law school originally. I just did it as an experiment for a year to see how I would do. And I did very well and I was at the top of my class. I was the senior editor on the law review. And when came time to interview from jobs, no one from Jacksonville would give me an offer, and, lo and behold, the people there in Career Services said, "You need to start interviewing more broadly."</p>
<p>INTERVIEWING IN MIAMI</p>	<p>And sure enough, the largest firms in Florida, Greenberg Traurig, at that time [unclear], started giving me offers of the highest-paying offers given to incoming lawyers in the state of Florida. And I said, "Well, maybe I should move to Miami." I had never been, to that point, and I say this in all sincerity, south of Orlando. I'd never seen Miami, I'd never been to Miami, never been to Fort Lauderdale, and I came down to interview and I just—</p> <p>[00:16:06] Fred: Wait. When was this?</p> <p>[00:16:07] Robert: This would have been 1984. Because I don't know whether they still do it in the schools, but you kind of started interviewing at the end of your second year for the job you would have a year later. And that was back when you only had four law schools and not fourteen that we have today, where it's much different.</p>
<p>SOUTH BEACH IN 1984</p>	<p>So that was an interesting—I loved the—when I came to Miami, I liked the fact that it was so multicultural. At that time, though, South Beach was still kind of sleepy and kind of depressed but just starting to come alive. And I was still, though, in the closet at that time, and I remember it was probably not the first month I was there, I went out to a bar in South Miami, can't even remember the name of it now, but it was right off U.S. 1, and ran into one of the senior associates.</p> <p>[00:17:06] Fred: Uncle Charlie's?</p>

<p>BAR IN SOUTH MIAMI</p>	<p>[00:17:07] Robert: Which one?</p> <p>[00:17:08] Fred: Uncle Charlie's?</p> <p>[00:17:09] Robert: No. It was kind of like The World or something like that, but it was near UM campus, I remember. But that night when I went there was one of the senior associates from the law firm, and he introduced me to a whole different world of professional gay people that I didn't really know existed and a whole different cultural world of people from all over the place, and that really opened my eyes a lot. And I dated a bit, you know, off and on for a while, but when you become a new lawyer, particularly in those type of firms, your life is—</p> <p>[00:17:52] Fred: The law firm.</p> <p>[00:17:53] Robert: The law firm, and that was true back then. And I tell my younger interns now, "Back in the day, you worked till eight o'clock at night. You always worked either Saturday or Sunday," and so my partying was somewhat subdued. I didn't really go out a lot. But that was the beginning.</p> <p>And then right after that, Club 1235 started, Paragon, all that. That was, though, [unclear].</p> <p>[00:18:22] Fred: You were living where?</p> <p>[00:18:23] Robert: I lived in Miami for a year and a half.</p> <p>[00:18:26] Fred: Where in Miami?</p>
<p>LIVING IN MIAMI</p>	<p>[00:18:26] Robert: Right downtown in a place called Venezia, right next to the Omni when the Omni was actually shopping and not like a commercial school, like [unclear] school now. And it was great, you know. It was close to everything.</p>
<p>JOB IN FORT LAUDERDALE</p>	<p>But then I got actually—I was being highly recruited almost immediately by headhunters to go elsewhere, and I got an offer for a firm in Fort Lauderdale, and I decided to accept it and tried to commute for a year. That was very difficult. And then I moved to Fort Lauderdale. Actually, I first moved to Boca, but</p>

<p>LIVING IN FORT LAUDERDALE</p>	<p>then I eventually moved to Fort Lauderdale about a year later. And that then was a whole different—because even at that time, Fort Lauderdale still had a more active—you know, it was still Fort Lauderdale was the more active gay life, and then right after that, Miami Beach then became for maybe a decade. And it's now swung back—</p> <p>[00:19:23] Fred: The other way.</p> <p>[00:19:23] Robert: —to Fort Lauderdale again.</p> <p>[00:19:26] Fred: When you moved to Fort Lauderdale, where'd you move?</p> <p>[00:19:28] Robert: Actually, Victoria Park, right behind what used to be the Miami Herald Building on Sunrise, which is now the [unclear] Company Building. And I found a great condo that I was renting. I smile because I think the rent was 550 a month, and I thought it was outrageous for a two-bedroom apartment. But I lived there, and it was a pretty good place to be, again, to be able to meet people, etc.</p>
<p>AIDS WORK</p>	<p>Actually, it wasn't until maybe 19—I'm trying to think of the year. The first time I really, though, got active in anything in the gay community more than just going out and having drinks, dating, was after the HIV crisis started, they were trying to get people to help legal services for the AIDS community, and it was very difficult. And some people that I still stay in touch with, Bern Teepa [phonetic] was one, he's still in the community doing things; Cindy Brown, who was recently honored. That group started a group called Nine Against AIDS. It was a coalition of nine organizations. And I got brought into it, and that kind of started me on a different path of activism, but still at the same time I was worried that my firm was going to be upset, you know. That still bothered me.</p>
<p>BEING GAY IN LAW FIRM</p>	<p>[00:21:05] Fred: Well, let's talk about that for a moment. What was the whole kind of experience of being in that legal environment, particularly in South Florida, and knowing that you're gay, knowing other gay lawyers, but also knowing that—I think at that time, you know, if you were gay, you were disbarred and—</p> <p>[00:21:24] Robert: Well, even when I worked at the firm in Miami, which was a firm that had offices all across the country, we had over six hundred lawyers, the attorneys—</p>

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Fred: What firm was that?

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Robert: Finley Kumble Wagner, which eventually went bankrupt, but that's a whole 'nother story. Those lawyers that were gay in that firm—and that firm had like—I want to say there was about ten in the firm that I knew. Every one of them was closeted, every one of them without exception. And two of them actually were married and had families, and then they just had a separate life on the side. And this was kind of what I was learning, is that in the professional community it was okay to be gay but you just didn't let anybody know it. You didn't let your clients know it. And that's kind of how it started, so I went down that path too.

I remember actually the guy I ran into at the bar, the attorney, we were invited once to one of our clients was having—one of her kids were getting married, and she invited, like, six lawyers, six of us that had done work for the company that she owned. He said, "We've got to find women to go with us. We're expected to bring women along." And, you know, it was kind of amusing, I thought, because I thought it wasn't a very secret secret. I thought everybody knew. [laughs] You kind of know.

But there was still some worry, and I remember even at the time, and it was sad. We had two of them, I remember, wound up committing suicide because of the pressure that they had with their families, the rejection, the worry about losing their jobs if they came out.

And when I moved to Fort Lauderdale, the firm I worked at, I kept doing the same thing. I didn't really say anything to anybody. I didn't hide my life, but I didn't publicize my life. And it wasn't until I got involved in that that I said, "Well, if they find out that I'm involved, then I'll just deal with it at that time."

[00:23:38]

Fred: Were there other gay lawyers in the firm in Lauderdale?

[00:23:39]

Robert: No, the Lauderdale firm only had ten lawyers, a much, much, much smaller world, much less stress from the attorney perspective, but it was a much smaller firm. But by that time, I had developed a network of friends from Palm Beach all the way down to Miami.

I was at that firm in 1993 when I heard—I'm trying to think, because I've been through so many political things since then. This was the convention where Pat Buchanan and Robertson

<p>1992 REPUBLICAN CONVENTION</p>	<p>in Dallas—</p> <p>[00:24:16] Fred: Right. The Republican Convention in '92.</p> <p>[00:24:17] Robert: Those heinous speeches that they gave, they scared the heck out of me, and that was at the same time that the American Family Association was proposing the amendment of the Florida constitution that would outlaw any special-protection legislation. And it kind of opened my eyes to a couple of things, and one was that the consensus for most people that lived down here that I knew and socialized with was that it can never happen, the public's not going to allow it. And I said, "You don't understand. I grew up in North Florida. It will pass. If this gets on the ballot, it will pass."</p>
<p>WORKING AGAINST ANTI- GAY MEASURE</p>	<p>So that was kicking around, I think, '91, at that time, and that's how I met Dean Trantalis. He put together a team to fight that, and then in 1993—and actually I did a lot of work with Dean without letting my firm know I was doing it, coupled with Nova University, because they put together a legal team, and then they wanted my name on the brief that went to the Florida Supreme Court. And that's when I had to say, "You know, now that my name is going on the brief, my bar number—."</p>
<p>1993 MARCH ON WASHINGTON</p>	<p>[00:25:27] Fred: Sink or swim. [laughs]</p> <p>[00:25:27] Robert: "My firm is going to know what I'm doing."</p> <p>So I was almost ready, everything was going to be discussed, and I decided, though, I had to go to the March on Washington in 1993. And by that time my best friend growing up, that now lives in Seattle, Tim, he was in St. Louis. He decided to—that he called me, he had to go. Ten of my friends from all over, we decided to go, and it was such a wonderful experience. But, of course, it was national news and it was in the front of the paper. And my firm knew I was taking time off to go to Washington, they just didn't know what for, and then they finally put two and two together.</p>
<p>COMING OUT TO FIRM</p>	<p>So I remember coming back to work that next week, and I was working. I was an early bird, and I still am. I was working, and all of a sudden this line of people came into my office, and I was like, "What's this all about?"</p> <p>And it was one of my partners, Virginia Hyatt [phonetic], who's now retired from practice, and some of the other attorneys and staff just wanted to say how proud they were that I went and</p>

<p>AWARNESS OF AIDS</p>	<p>that, you know, I should never feel uncomfortable there. And it was really, really—you know, and I kind of thought that's how they would be. It's just you never know for sure, you know. So I stayed there up until I applied to be a judge.</p> <p>[00:26:55] Fred: Now, before we get into the whole judge thing, though, what about the whole issue and your involvement, awareness of the whole AIDS crisis as it was going on in the 1980s?</p> <p>[00:27:08] Robert: Well, that's a real interesting time, because I was in law school from '82 to '85, and that's when it all started and how scary it was. The first person I knew to die of HIV was one of my classmates in 1983, and I remember one of my other classmates coming and saying, "Do you know Jim died of AIDS?"</p> <p>[00:27:33] Fred: This was up in—</p> <p>[00:27:34] Robert: Up in Gainesville.</p> <p>[00:27:35] Fred: Jim was from where, from South Florida?</p> <p>[00:27:38] Robert: Jim was from South Florida. But it was one of those where he was in class on Thursday, and when we went back to go to class on Tuesday, he had passed away. I mean, it was— [snaps fingers]</p> <p>[00:27:52] Fred: That fast.</p> <p>[00:27:53] Robert: Nothing you could do back then. I just remember also—and part of it was I was in law school—I don't think—I mean, I hardly dated or had any sexual partners at all during the law school time. I was so focused on law school. [laughs] And part of that was fear, because we really didn't know anything. Later, now that I'm older, and again I talked to my friends that I grew up with, and I said part of this, we were this kind of like luck, kind of like the same fortune we have being born in the United States rather than El Salvador. It just happened. And for us, we came out in Jacksonville, and we think that was, for us, a kind of twist of fate, that if we had grown up in New York or somewhere else, what might have been.</p>
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<p>FRIENDS WITH AIDS</p>	<p>And coming down here, you know how it was back then. It wasn't a week go by that you didn't hear someone that you knew had passed away. My friend in law school, Alan, his partner, I remember when he called me to tell me that Anthony had tested positive, and how devastated we were because we didn't know—we knew it was a death sentence. That's what you knew.</p> <p>And my friend Tim that I grew up with, his partner in St. Louis, Richard, I remember he called me and said, "You've got to come up here, but he made me promise I wouldn't tell you," and that was impossible. I mean, that was so hard to go up and go through that, because I had to fly to St. Louis and act like everything was wonderful, knowing how terrible everything was.</p>
<p>PICKETING CORAL RIDIGE PRESBYTERIAN CHURCH</p>	<p>The irony is Anthony, my friend Alan's ex, is still alive. Richard, though, passed away. But it was a tremendous time of fear. But it was also a very motivating thing for—because you said, "I have to try to do something." And I picketed the Coral Ridge Presbyterian Church over that. Now it's funny because as a judge I can't do any of that, but I did. And there's a picture, I think, of me with that group, including Dean, and it was probably a thousand of us on the front page of the Sunday <i>Sentinel</i>. B</p> <p>But that's kind of the hopelessness, when it finally hit home personally, the people you knew, is when you said, "I have to try to do something." Medically, I can do nothing, but the people that are alive and being discriminated against and being kicked out of their homes.</p>
<p>WORK WITH AIDS ORGANIZATION</p>	<p>I represented HealthLink. I don't know if you remember them, but they were an HIV group that their landlord did not know, because the name was HealthLink. They were on the second floor of a building here in Fort Lauderdale. When the landlord found out, wanted to evict them, of course couldn't because they were not in default of anything, so he said, "Well, you can be here, but you don't have in your lease that you're allowed to use the stairwells or the elevators. So I'm not allowing you to use either of those." So I took that to court. It was a very easy case. [Fred laughs.]</p> <p>I started doing work here and there for different groups, and as time went on and things changed, then there was hope, and you started to think, "Okay." But there's a whole generation. It's amazing when I look around and think the young people now, they don't know what that was like because to actually think you're going to die, you have friends that are going through that, is a whole different thing than thinking, "Well, good chance I'll be okay if I stay on my meds." That's kind of</p>

<p>MEETING PARTNER</p>	<p>the attitude that people have today.</p> <p>[00:31:59] Fred: So what was your perception then, like around the mid-1990s when they came up with the—I don't say the cure, but the antivirals that changed the situation?</p> <p>[00:32:11] Robert: Everything. I don't know that it changed a lot of my view. I know that at one point I said to myself—so I would have been—because I know when I was thirty-three, so that would have been 1993, because I was born in 1960. I finally decided—and part of this was the HIV thing a lot of people were going through—“You need to settle down. You need to find somebody and settle down.” Because—you know. And that's kind of what I did. I was living in Victoria Park and one of my good friends lived there. He's with the school board now. He works way high up in the school board. And his brother was visiting from New York, and said, “Robert, can you take him out and show him what living in—?” And I did, and he wound up being my partner for fourteen years. [laughter]</p> <p>[00:33:02] Fred: Wow! What was his name?</p> <p>[00:33:04] Robert: His name was Scott. Actually, it still is Scott. [laughs] It's still his name. So for the next fourteen years from then, we were together and in a relationship, and I didn't really think of anything about any type of sexual activities outside of that.</p> <p>[00:33:26] Fred: I want to come back to that, but I want to get now more into the judgeship, what happened with it.</p> <p>[00:33:32] Robert: Well, that was an interesting quirk, because putting the name on the brief, we strategically decided to submit, I think, three different briefs because one is—</p>
<p>FIGHTING AMERICAN FAMILY INITIATIVE</p>	<p>[00:33:46] Fred: Now, this brief was about the—</p> <p>[00:33:48] Robert: The one to try to fight the American Family Initiative to prevent it from getting on the ballot, because, like we said, if it gets on the ballot, it's going to pass. We have to get it off the ballot. So we were fighting this battle, and we knew that under the rules, the briefs could only be so long, but we had so many different attacks that we decided, “Well, what we're going to do is we're going to do three different briefs, and then we're going</p>

<p>BEFORE FLORIDA SUPREME COURT</p>	<p>to find groups to—.” So I recruited one, including the Broward County Hispanic Bar Association, and then the idea was, although it wasn’t highly publicized, they were also eliminating protections for ethnicity. So I had a meeting with them. They agreed. So we had these different signatories. So, anyway, so the briefs went up, and the Florida Supreme Court issued an order, ordering that I appear to argue the brief, and that was not expected. What was expected was what the ACLU was going to—you know, because they were on one brief, and the muckety-muck lawyers were going to be the ones arguing, and they ordered me to argue the brief.</p> <p>[00:34:52] Fred: For all the briefs.</p> <p>[00:34:54] Robert: I want to say Bill Adams [phonetic], who was at Nova, who was their dean for a while, and he’s now a dean of another law school somewhere. So I was nervous because I’d never argued before the Florida Supreme Court before, and to be honest with you, I’d done a District Court of Appeal but not like that, and I was afraid. The weight was too great on me. I was thinking, “What if I screw up and say something stupid that they—?” You know.</p> <p>So I remember I called the clerk of the Florida Supreme Court. They, shockingly, took my call. I didn’t know they would, but he did. And I asked him that. He goes, “No, if they’ve ordered you to argue, they’ll allow you to let someone argue for you.” So I gave my time to the ACLU. So that worked out.</p>
<p>BEING CONSIDERED FOR JUDGE</p>	<p>But what it did do, because there was then that shifting, when it was all said and done and my name was now on the decision, because when they released it, they put my name as the lawyer on it, I got a call from the Governor’s Office. The governor at that time was Lawton Chiles. Ironically—or not ironically but serendipitously perhaps, one of his staff was Chuck Wolfe, who later was with the Victory Fund for years and years and years, recently retired from that. They called me and said, “We saw your work you did. The Supreme Court ruled in your favor. It got struck from the ballot. Have you ever thought of being a judge?”</p> <p>And I actually said, “No.” I mean, I hadn’t thought about it because I never thought it was possible.</p> <p>“We think you should think about it. There’s no LGBT people out that are willing. The governor—.”</p> <p>[00:36:32] Fred: Now, at this point the whole bar against being gay, that</p>

<p>BEING CONSIDERED FOR APPOINTMENT</p>	<p>was dropped.</p> <p>[00:36:38] Robert: That had been dropped in—I think 1982 was the final decision that came out with that.</p> <p>So they said Governor Chiles, he was in his last two years, and he wanted to be able to say part of his legacy he appointed the first openly gay person to the bench. By that time, we already one openly gay judge, and that was Victoria Sigler, but she ran for office in Miami and she won.</p> <p>So I decided to quietly apply, only because I was afraid if I told my first I was going to apply, they would be upset with me and fire me. It was really a big pay cut for me. It was a \$40,000-a-year pay cut to go from what I was doing to being a judge. So I applied, just to see what the process was like, the interview process. It was horrible. I mean, you interview with ten people.</p> <p>[00:37:37] Fred: Now, let me ask you, in applying for a judge, were these one of the seats that ordinarily are elected?</p> <p>[00:37:41] Robert: All state court seats will be elected, so once the governor appoints you, when the term is up, you have to stand for election.</p> <p>[00:37:51] Fred: So you were filling in for somebody who had—</p> <p>[00:37:54] Robert: It was a new seat the legislature had created. They created a brand-new seat for Broward County, and the governor had to appoint the seat.</p> <p>So I decided to apply, and I thought I was a little cocky, because, after all, the Governor’s Office had called me, and one of the—several, actually, Ali Waldman, Barbara Miller, these are people that are very active in the Democratic Party in Broward County, they took me to lunch and they said, “Look, we don’t know who you are, really, but you’re not going to get it, because we’re not prepared to support you.”</p> <p>[00:38:30] Fred: This was the Democratic Party?</p> <p>[00:38:32] Robert: Right. Because I hadn’t done what you’re supposed to do. You know, you’re supposed to pay your dues and go</p>
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<p>NON-SUPPORT FROM DEMOCRATIC PARTY</p>	<p>and solicit people to assist you. And I was never really political. I mean, I'd voted my whole life, but I'd never been the kind of guy that was active in any partisan politics.</p> <p>So I applied and, lo and behold, I didn't get it, and I was kind of surprised, because I thought, well, if the governor called you, but the commission, which is nine members, they didn't nominate me. So it's not just getting the governor, because you have to get to the governor—if you don't get to the governor, he can't appoint you.</p> <p>So I wound up applying three more times, because Chuck Wolfe talked to me. He says, "Look, this is how the process works."</p> <p>But by that time, Ali Waldman had gotten to know me through different work I had been doing, and then she called me up and says, "I'm going to support you. I want you to meet Larry Davis," who's high up in the Democratic Party.</p> <p>He met me for lunch, and he said the same thing they said the first time. "Oh, you're not going to get it." And I didn't get it. So that happened again the third time.</p> <p>[00:39:45] Fred: Now, how long was this—</p> <p>[00:39:47] Robert: We're talking about probably seats were opening up—gosh, it could be every six months if someone retired at that time.</p>
<p>BEING APPOINTED JUDGE</p>	<p>Then by the fourth time, I got it, and I got the call from the Governor's Office that, "You're being appointed to the seat," and I had to tell my partners at my firm. These are the same people that marched in and said how proud they were four years earlier in 1993, so now it's 1997. And they were not pleased at all.</p> <p>[00:40:24] Fred: Really.</p> <p>[00:40:27] Robert: We had a very, very busy practice, and I did their statewide complex litigation in real estate and development law. We tried cases all over. They were like, "How could you leave? You're making all this money, and you're going to leave us in a bind."</p>
<p>RE-ACTION OF LAW FIRM</p>	<p>I said, "Well, the good news is the governor's appointing me in August for a seat to start in January, so we have all these</p>

<p>OTHER GAY JUDGES</p>	<p>months to figure something out.” They didn’t care. They were going to fire me on the spot, but when the <i>Miami Herald</i> published—it wasn’t the <i>Sun Sentinel</i>, it was the <i>Miami Herald</i> publishes the headline “Gay Hispanic Appointed Judge,” different clients started calling and congratulating. [Fred laughs.] And one of them, [unclear] Federal Bank, which is now out of business, but the San Diego Bank had tremendous holdings in South Florida. They called, and I just told one of them, I said, “Yeah, Bob and Virginia are really upset. Looks like they’re going to let me go, and I’m going to be on my own until my term starts.”</p> <p>“Absolutely not! If you want us to pull our work from you—.” [Fred laughs.]</p> <p>So I wound up staying there till December. But the sad news is it ended our friendship. They declined to come to my investiture. They’ve only spoken to me once since then, and that is actually about six months ago I ran into them. Actually, part of that story is subsequently Bob and Virginia had gotten married, so I ran into them at J. Mark’s, and they were cordial. But it was unfortunate.</p> <p>[00:42:08] Fred: That was not a smart thing to do to a judge, for a law firm to— [laughs]</p> <p>[00:42:12] Robert: Yeah, the funny thing is that I’ve had to preside over their cases since then, but, you know, it doesn’t mean anything to me. But I said it is interesting how everything turns at some point.</p> <p>And shortly thereafter, the governor died, and we then started this—</p> <p>[00:42:35] Fred: The Jeb Bush—</p> <p>[00:42:37] Robert: The Jeb Bush-Charlie Crist where, you know, Governor Bush did appoint some gay people, but they were never really—the only one that was really open and active was Mark LaVan [phonetic], and he was already on the bench. He got appointed, too, before Governor Chiles passed away in Miami. But he kept trying to be elevated, and finally Jeb Bush did elevate him. But everybody else was pretty much closet—I mean, I can name you ten gay judges in Miami, none of whom want to be known as being gay judges, because they came up through the Jeb Bush-Charlie Crist-Rick Scott—</p>
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<p>LEGAL COMMUNITY REACTION TO APPOINTMENT</p>	<p>[00:43:20] Fred: Given that you were that open, what was the environment in the legal community down here, both in the judicial community and in the professional community once you became a judge?</p> <p>[00:43:32] Robert: Two things I remember vividly my very first few months on the bench. One is there was a group of at least ten lawyers who were very upset I had been appointed, and they used the same tired arguments we have heard, because at that time we didn't have <i>Lawrence vs. Texas</i>, so the anti-sodomy laws were still on the statute in the books. So Judge Lee clearly is a known criminal, and how can we appoint a criminal to the bench? And one of those attorneys was on the Florida Bar Board of Governors.</p> <p>So they were very, very unhappy that I had been appointed, and their statements wound up making the newspaper. And actually, the <i>Florida Bar News</i> wound up doing a story on it too. But I didn't really care so much about that, because, first of all, I knew I was going to have a job for at least four years on my term, and I just kind of felt in my heart that if I did my job and worked hard and served the people of Broward County, that they would see they were wrong.</p>
<p>APPOINTMENT IN CRIMINAL DIVISION</p>	<p>And then the second thing was I was immediately put into the Criminal Division, and the way it works in Florida is we're general jurisdiction judges, you don't run for Family Court or Criminal Court, and your chief judge, we have twenty of them in the state, they decide where you're going to be. And my chief judge said, "I need you in Criminal." Well, I had never done criminal in my whole life. I'd never done one criminal case ever as an attorney. [laughs] And here I am, sitting in the Criminal Division. But because I had three months to prepare, I threw myself into it. I reviewed the rules, I sat in, I observed, I did whatever I could, and all of a sudden when I took the bench, the attorneys were shocked that I knew as much as I did.</p> <p>But I remember the first sentencing I had to do and had to face the possibility of incarcerating somebody, and the attorney tried to say, "Judge, if you just give probation, my client is willing to do as much community service at HIV organizations as you want." So it was such a clear—you know.</p> <p>[00:45:50] Fred: Smart move. [laughs]</p> <p>[00:45:55] Robert: Right. And I said, "No, that's not going to work."</p>

<p>2000 ELECTION RECOUNT</p>	<p>At the beginning, there were a few little—but the Hispanic Bar, who had joined us in the briefs four years before, they put on a reception for me when I was appointed. We didn't, in Broward, have a gay lawyer organization yet. There was one in Miami at the time, very, very fledgling.</p> <p>[00:46:25] Fred: Were there a number of Hispanic judges already appointed, or were you the first?</p> <p>[00:46:35] Robert: No, no. Bob Diaz. [laughs] It's a kind of funny story because he's my good friend and he's still on the bench, and we just had lunch actually yesterday. When the headline came, "Gay Hispanic Appointed Judge," well, my last name is Lee, so most people wouldn't know I'm Hispanic. And so I say if my mother had been my father, my last name would be Bomajero [phonetic], which is my mother's name. But people were going to him thinking, "Oh, my god, you're the Hispanic who's gay." [Fred laughs.] He was slightly mortified, even though he claims to be very gay-friendly. I think he still has that fear that people are going to think he's gay.</p> <p>I think other than him, now there's about ten, but back then, I think Judge Diaz was the first one, and so when I came on board, there was a lot of pressure to continue that trend at that time.</p> <p>[00:47:31] Fred: Now, you were involved in the 2000—</p> <p>[00:47:34] Robert: The recount, yeah.</p> <p>[00:47:36] Fred: —recount.</p> <p>[00:47:37] Robert: Gosh, I forgot about that for a minute. Yeah, and that was just a quirk of fate, because the judges, usually the new judges—we call ourselves baby judges, in all honesty; any judge under five years' experience, we call ourselves baby judges—gets that assignment because it's a very onerous assignment. So who knew that was going to happen?</p> <p>For the first couple of years, actually first year I was on the bench, my secretary for private practice would not come over because it was a pay cut for her, too, so I had a new judicial assistant, a Cuban, Cuban lady, and when we went through <i>Bush v Gore</i>, the threats we got, the hate mail, she was</p>
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<p>SHERIFF PROTECTION</p>	<p>shocked. She said, “I did not realize people hated gay people this much.”</p> <p>And what I did, because this is how I am even to this day with, like, blogs and stuff like that, I told her, “Anything you get that’s negative and bad and a threat, I don’t want to know. If you think the sheriff needs to know, then you can tell the sheriff.” And she did, because I wound up having to have fourteen days of twenty-four-hour guard, two sheriff’s deputies with me everywhere I went because of the death threats from the Bush people that were supporting him. And it was an eye-opener for her, but the kind of funny thing was, was that people that didn’t live here—you know, we got a lot of calls from out of state—they were threatening such things as they were going to out me, and it was funny because I was out. [laughter] And I said, “Okay.” And I said, you know, what an interesting thing, because if I had been closeted, they would have really thought they had power over me.</p> <p>I did get Suzanne Gunzburger, who was on the <i>Bush v Gore</i> with me, was on the County Commission, her son, Ron Gunzburger, is gay, and the press got hold of a rumor that he and I were lovers, secret lovers, and, therefore, it was a conflict of interest for me to be on. And Ron and I have laughed about that a lot since then.</p> <p>But there was those efforts, and I think it’s just like anything else, they would have used anything to try to disrupt that whole process.</p> <p>[00:50:03] Fred: Right. And they disrupted the final vote, the vote counting.</p>
<p>DISRUPOTING TO VOTE IN DADE AND PALM BEACH</p>	<p>[00:50:07] Robert: Well, we finished in Broward. They disrupted it in Miami and in Palm Beach. And I still kind of have this reputation to today, I’m a very organized person, and it’s like, “No, this is our job and we’re going to get it done.” And I actually am analytical about it, because I said, “Okay, we have this many votes, and we know we can count this many an hour, so do math. We need to do this many hours, and we’re not going to get it done by the deadline unless we’re here Saturday, Sunday.” And guess what? If you recall, I made everyone work Thanksgiving, which—</p> <p>[00:50:40] Fred: People weren’t happy. [laughs]</p> <p>[00:50:41] Robert: They weren’t happy. But I said there was no way—</p>

<p>VOTE COUNTING IN 2012</p>	<p>and actually, since then, I sat on the second Obama election, but now under a new supervisor.</p> <p>[00:50:54] Fred: Oh, the vote?</p> <p>[00:50:56] Robert: Yeah, the vote-counting for the presidential race, with Dr. Brenda Snipes now, and I remember telling the same thing to her, because I said, "Look, we're not going to finish this." Everybody now either votes early or absentee. Not everybody, but 50 percent of the people that vote in Broward and most of the state of Florida vote early or absentee, which means they're voting in paper that has to be counted not until polls close, and it's a tremendous amount of paperwork that's coming in all at one time. And she was giving people breaks, and I said, "Look, we can't do this. We have to keep—because we have a deadline." And since then, the deadlines are even more strict. So that reputation I started then. But I finally told the chief judge, I said, "There's enough judges, and there's a presidential election only every four years. I should never have to sit on—I've done two. I should never have to sit on another one again." So this one this year, Judge Stephen Zaccor is sitting on it.</p>
<p>COMMUNITY INVOLVEMENT</p>	<p>[00:52:04] Fred: Let me get some of your reflections about the community at large here between Fort Lauderdale and South Miami. You were involved in organizations? What was your role or activity in the community here?</p> <p>[00:52:18] Robert: Starting—</p> <p>[00:52:19] Fred: Starting late nineties, mid nineties.</p> <p>[00:52:21] Robert: Well, again, up until getting involved with the group that—Dean started what we called the BUAD, which is the Broward United Against Dade. But up until then, I really didn't stay—</p>
<p>BUAD</p>	<p>[00:52:36] Fred: Broward United Against Discrimination.</p> <p>[00:52:38] Robert: I'm sorry. I said "Dade." [Fred laughs.] Broward United Against Discrimination, because there was something—Dade had one and Orange County had one.</p>

<p>GUARD</p>	<p>There was really—I mean, my whole life had been really work and then vacation and that was all. You know, I didn't really get involved in any organizations in the community per se at that time, and my firm really didn't want us to. It was kind of strange, because our firm felt we had so much work and we had so many referrals that we didn't need the traditional schmoozing kind of attorneys. There's some attorneys that do that well, but they didn't want us to do that at all.</p> <p>But there was one little group called—oh, gosh, what was the name of it? It was GUARD. Dennis Delia. I did get involved. I was a member of GUARD, and I did get involved with that, which was just before BUAD started. I think GUARD was one of the ones that was active in getting that picketing of the Coral Ridge Presbyterian Church. But my talents were better fit with BUAD because they were having this multi-prong approach, and one of them was the legal team. I said, "Well, that's my talent. I can give that. No, I'm not going to go in." There was a group that wanted to go into the Coral Ridge Presbyterian Church and lay down in the aisles like ACT UP does, and I said, "No, I can't do that. I don't want to be the one getting arrested."</p> <p>But I started, though. I mean, I was involved with the Hispanic Bar to the extent I could be, and since being a judge, we're not allowed to be involved in any political or partisan organizations, which is a huge—for most judges it's very, very difficult. Now I'm on the faculty, actually, of Judicial College, and that's one of the things. We have to teach new judges. So I'm actually doing that in two weeks. I go to Orlando to teach. But that's a very hard thing for most judges because most judges were active in lots of things.</p> <p>So once I became a judge, I said, after a certain period of time, a couple years, "I need to stay involved with my community somehow." The political groups aren't a fit for ethics reasons. I can't be involved in Dolphin Democrats or anything like that. And I stumbled into the Stonewall while visiting the Pride Center.</p>
<p>PRIDE CENTER</p>	<p>[00:55:16] Fred: What year was that?</p> <p>[00:55:17] Robert: It was the year—because I'm a founding member of the Pride Center, so whatever year that was that—I'm trying to think when they were founded.</p> <p>[00:55:28] Fred: Ninety-seven? Ninety-eight?</p>

<p>GETTING INVOLVED WITH STONEWALL</p>	<p>[00:55:28] Robert: Because they started raising money at the same time we were fighting the FAI initiative to open that, because I remember there was kind of a schism in the community. Alan Schubert was leading that group with Yvonne Rohrbacher, who's still here. But we kind of felt like we can't split ourselves. We only have a limited amount of resources, so we need to focus on fighting this initiative, and we'll worry about the Pride Center later. And I remember Yvonne saying, "Look, there's plenty enough for us to do both of these at the same time," and actually she was right.</p> <p>So when that finally opened, I joined that. I saw the Stonewall, which was at that time in the—</p> <p>[00:56:14] Fred: It was in the Pride Center.</p> <p>[00:56:16] Robert: —the Pride Center, and chatted with a gentleman named Louis Benevento, who then called me to go to lunch with him and Melanie Morehead [phonetic]. Now, Melanie Morehead was the president at that time, I think only one of two women that have actually ever been the leader of the Stonewall. They went to lunch and they said, "We'd like to try to get you involved." And I had lots of questions because of ethics issues and I can't get involved in fundraising. And it was a perfect fit for me, and I've been involved with it since then for more than ten years in some role, doing what I can to stay. I still am a member of the Pride Center. I stay away from—even though ethically we can be on various boards, I still find it's hard, because you can be involved on a board as long as you're not involved in fundraising, but most of these groups <i>want</i> you on the board for fundraising. [laughs]</p> <p>[00:57:19] Fred: Right. Checkbooks. [laughs]</p> <p>[00:57:19] Robert: So I said, "I'll be behind the scenes or I'll show up for events or I'll even plan stuff. I don't want my name on a letterhead, that I'm there."</p> <p>[00:57:31] Fred: Right. There's a couple directions, but first I have this one question going back to the judgeship. You have to go up for reelection every four years?</p> <p>[00:57:40] Robert: Every six years.</p>
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<p>RUNNING FOR RE-ELECTION</p>	<p>[00:57:41] Fred: Six years, okay. Now, you typically make the rounds of going to the political clubs in terms of introducing yourself and so on.</p> <p>[00:57:47] Robert: Right. I've never done that ever in my—I've been up for reelection three times. I'm in my nineteenth year now, believe it or not, on the bench, and I've never done that. I've gone to the condos and the dinners and the luncheons and various groups, community organizations, but I still avoided the partisan—</p> <p>[00:58:11] Fred: Have you had any kind of response about being “the gay judge” and then going to these kind of community organizations?</p>
<p>CLIMATE IN BROWARD</p>	<p>[00:58:20] Robert: Well, this is one of the reasons why—and I say this sincerely—that I think Broward is a wonderful place to live, and I'll say the same thing about Palm Beach, because Palm Beach has had a metamorphosis since I've moved here. And I say this because most of my family still lives in Jacksonville, and, if I'm not mistaken—I think I'm correct—that it's the largest city and population in the United States that still does not have LGBT protections. You go there, and in Broward it's almost like it's not a big deal to almost anybody anymore. Even the Republicans here don't really care about this issue anymore. You know, I am a mentor judge to most of the new judges that are appointed. I deal, then, with all of Rick Scott's appointees. I can tell you they have no concern at all. We talk very frankly.</p> <p>[00:59:20] Fred: But a lot of those appointees are local people.</p> <p>[00:59:24] Robert: They have to be local. You have to live in the county. So he's getting people from Broward. But the last one that just got appointed, Nina Di Pietro, her husband, David, is high up in the Republican Party. They're real party stalwarts, but for them the social issues are nothing. They have none. So in Broward, I feel that it's a very—you know.</p> <p>But I'll take it to the next step because I am involved in what we call FALLA, which is the statewide law organization, lawyer organization for lesbians and gays, and we meet at a law school every year. Last year was at Stetson. This year we're going to be at Florida State. We always try to get a judge or judges to come, and when they've been in Orlando, St. Pete,</p>

<p>BEING ASKED TO REMOVE HIMSELF FROM CASES</p>	<p>they haven't had one local judge willing to come to that meeting, not one.</p> <p>[01:00:21] Fred: Really?</p> <p>[01:00:21] Robert: We were here at Nova two years ago. The chief judge came and welcomed everyone to Broward County, we had judges participating in panels. So it is a different world. That's not to say—I mean, there is a gay judge in Lee County, there's a gay judge in Hillsborough County, but they are so worried about their reelection prospects that they want to stay as low key as possible.</p> <p>To me, it's just not an issue. There's going to be people that are the evangelical group that have the religious issue against it, and that's not going to change, but by and large, I really don't have any problem. In the nineteen years I've been on the bench, I've only had two times where someone's actually written a formal motion to have me removed from a case because they didn't want a gay judge. And the interesting part about it is that I denied the request both times, but the chief judge came to me the first time and said, "Why are you—?" We have to remove ourself from some cases, and then but we have a rule, we can remove ourself from any case if we just don't want to be bothered. So I could have said, "You know what? I don't want to deal with this."</p> <p>So he said, "Why don't you take that route? Why don't you just say—?"</p> <p>I said, "Well, what if it's Judge Ilona Holmes," who's an African American judge, "and someone says, 'I don't want a black judge?' Is she supposed to say—?" I said, "No, they're stuck with me, for good or for bad." And I've just kind of taken that view. But I've only had, like I said, the two cases.</p> <p>I've had people want me to speak to their elementary school classes, Boy Scout troop groups. So I feel if they were really tremendously concerned about the issue—but it's because I think it's unique to geographically South Florida versus the rest of the state.</p>
<p>EDUCATION FOR JUDICIARY</p>	<p>I'm now in charge of education for the judiciary for the state of Florida, and this is one of the issues. I work with Scott Bernstein, who's the chair of our Fairness and Diversity Group, who's an openly gay judge in Miami, and we are talking about this strategically, like we need to do at our annual conferences some of these discussions about the LGBT issue. And the interesting part for us is that the whole marriage equality thing</p>

<p>ASSESSMENT OF LGBT COMMUNITY</p>	<p>opened up a tremendous door because now we <i>have</i> to educate the judges on it. We have no choice. So it's like, "But we have to." [Fred laughs.] You have to because it's now the law of the land, so you need to learn about these things. And I try. I was at a luncheon yesterday, and someone asked me a question, and I threw out my—you know, I said, "When I was with my partner Scott," blah, blah, blah, you know, tell the story of whatever it was I was saying, and you could see a few people looking like, "Oh, I didn't know Judge Lee was gay."</p> <p>[01:03:35] Fred: I want to go back to this whole thing about your involvement and awareness and assessment of the community as it's been going. You've been involved, but on the other hand, because of your legal position, you've been sort of like—</p> <p>[01:03:55] Robert: When you say "community," LGBT community specifically?</p> <p>[01:03:59] Fred: LGBT, yeah, and also the Fort Lauderdale community.</p> <p>[01:04:01] Robert: Well, the interesting thing about the LGBT community—and I have good friends in every facet of it, and often I'm happy that I can't be involved in some of it—I'm still disappointed a lot in our bickering with each other, the territorial arguments that we have about certain things. I don't know the answer to all the questions.</p> <p>I'll give you an anecdote about BUAD that continues to this day. Dean was trying—it was Dean, actually, and Robin Bodiford, they were trying to put together various teams. Now, keep in mind that for this first meeting he had over two hundred people show up at the Unitarian Church. It was such a ruckus in there, and I'd never been to anything like this, because there on the stage was Robin Bodiford and, I think, four guys. And the lesbians got upset there wasn't enough women up there. Then there's no people of color up there. No one transgender was up there. This went on for two hours, and we haven't even talked about the substance of why we're there.</p> <p>Now, I will say at some point I got disgusted, I got up and walked out right as two other guys were walking out. I wasn't swarming, I just said, "This is a waste of my time." I left. I walked out with the two guys, Ned [unclear] and Chris Burg [phonetic]. They're my best friends to this day, we met there, and we said, "We have to do something. This is crazy."</p> <p>So that's, fortunately, when I learned that Nova was also doing</p>
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<p>IMPACT OF SAME SEX MARRIAGE AND FAMILIES ON COMMUNITY</p>	<p>something, and I wound up doing a lot with them. But I see that even now today. I think most—I say this sincerely, that I think we don't give people the benefit of the doubt as often as we should of coming from a point of goodwill. People aren't saying, "We're picking these people to be involved because we don't like you. It's because these people want to be involved."</p> <p>We struggle, I know, here at the Stonewall to get people of color involved, women involved, and it's a struggle, and it's a continuing struggle, but I don't think we should denigrate the people that are doing it because of it. And that is something that still is disappointing to this day. But you know what? We have that even at the court system. We have that for every committee we put together, we have to worry about that issue. So one of the things I say is if you say to a group of people, "Who wants to help?" don't criticize for the fact that it just so happened that six retired men from New York are the ones that said yes, because you could have been at the meeting too.</p> <p>That kind of troubles me that we still have those factions, and I think part of it's because we're so large, because when you go back to places like Jacksonville or Savannah—I've kind of adopted that little community there; I send donations to their Community Center there—they don't have these issues as much because they only have a couple things that's going on, so everybody's involved in that.</p> <p>But it is a tremendous—and actually now with the gay marriage and the adoption, people having children, it's taking our community to a whole different level of issues that I never thought in my lifetime we would be addressing. Someone was complaining to me about going to a concert that a church—I think it was the Sunshine Cathedral—was putting on, and I think they said maybe twenty children wound up in the audience, but it was a very bawdy performance because that's what they're used to doing. Now we have to start thinking a little differently, that if you have children there, we have to edit ourselves. And some of things that we do, we've never had them before but now we are. And I say that even with one of my good friends, Robert Lemar [phonetic] has adopted two children, and when he invites people over, he'll always let you know if his kids will be there or not, because he wants to make sure you have your mindset that you're not going to be inappropriate and talk frankly about the guys you've been dating or whatever. And I think it works out just fine.</p> <p>[01:08:38] Fred: What are your thoughts about the emergence of the transgender kind of presence movement, whatever, in the community?</p>
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<p>EMERGENCE OF TRANSGENDER COMMUNITY</p>	<p>[01:08:46] Robert: Well, I think it's one, they've been there. I was talking to Judge Victoria Del Pino down in Miami about this because they actually deal with it, as a judiciary, actually much better than we do in Broward. We're learning. We make mistakes. One of the things we talk about is we think of the transgender movement if somebody is—they're transitioning but they haven't yet legally changed the name and they have all this other protocols they're going through, and they come before me for a traffic ticket and it says, "Larry Jones" on the docket, and I don't see a Larry Jones sitting out there. So it is something that we have to be educated on.</p>
<p>MOVING ON</p>	<p>[01:09:34] Fred: I guess having been through these years of changes and so on, as myself, you're an older gay man, I mean, what's the whole thought about aging, getting older? [laughs]</p> <p>[01:10:03] Robert: Oh, brother, that opens up a whole thing. [laughter] It really is, you know, it's funny, because I was just actually having this conversation. I was at my old law firm, actually. Everybody that worked there, except for Bob and Virginia that won't speak to me, met at Coconut Creek a few nights ago for some drinks because people were in from out of town and we hadn't gotten together in five years or so. And one of my paralegals that had come in that day in 1993 to say how proud she was of me, she says, "Robert, are you seeing anybody?"</p> <p>And I said, "No."</p> <p>And she said, "Why not?"</p> <p>I said, "Oh, with the [unclear] in my life and the gay community I'm in, it's just very, very difficult." And she kept pressing that issue, and I said to her, I said, "You know, you see that guys in the straight world that are in their fifties and sixties, they want to be with a thirty-year-old woman." I said, "You know, the guys that are my contemporaries still have in their mind that they're thirty, and that's who they're looking for." So I said, "It makes it very difficult when you're my age."</p>
<p>END OF RELATIONSHIP</p>	<p>And I thought about it a lot because my ex and I, when we were together for those fourteen years, it was actually a very, very good relationship, and it ended suddenly. I didn't want it to end, but it ended suddenly. When you actually are in something that good, you know how good a relationship could be, and I often think if you got old and you had never been in a relationship, you might be just perfectly fine with everything. But it's harder, in my view, as you're aging when we're in a society where—you know. I mean, I don't know anything about</p>

<p>OLDER FRIENDS</p>	<p>pop culture anymore. I don't watch the reality shows, the award shows, because I don't know what's going on. And it's tough, I recognize that, but it's where we are.</p> <p>That's what I tell Nick and Chris, my friends. I say, "That's where we are now. We're at that point in the life. When we were thirty, we never thought that we'd be there, but now we're here." And we're having to deal with it, this aging issue. I mean, some of it is good for us because we have actually been successful in our lives, relatively speaking, and we can be comfortable and not worry about what some may have to worry about, that they have lived paycheck to paycheck, and they're going to be surviving on Social Security. We don't have to worry about that. But most of it, I think is this fear of loneliness, I think, is the big thing.</p> <p>I had a scare four weeks ago that my friend Chris called that Nick's in the hospital, and in two days he was in the hospital four times, and it wound up being his blood pressure. The doctor had a heart-to-heart with him, and I kept thinking, what would I do if something happened to Nick? Because his partner has never ever learned how to drive a car. He's now sixty, never learned to drive a car, lives in Deerfield. I said I would feel that I'm responsible for him. So all of a sudden these things that we thought we would never have to deal with and think about, here they are.</p> <p>[01:13:29] Fred: Do you find that the Pride Center is sort of like stepping in and providing—</p> <p>[01:13:36] Robert: I think they're trying to. I think Sun Service is trying to, and Sunshine Cathedral through in its outreach is trying to. And I think this is probably the best place to be. When I talk to my friend Tim, who lives in Seattle, who's my same age, he is just—I mean, we actually go on one vacation a year together, which we just went to Australia, and last year we went to Bogotá. We go all over. And we talk a lot when we're on vacation about our lives and things like that, and he tells me how hard it is in Seattle, because it's a very—you know, the IT place and everyone's young. Because I tell him, I said, "Well, can't you try to get involved in this or this?"</p> <p>He goes, "None of that's here." You think Seattle, but none of that's here.</p> <p>I said, well, in South Florida, we can't say—I mean, it's our own fault if we don't reach out, because there's all kinds of opportunities here, if you want to, whether it's Tuesday's Angels or the SAGE Group. They have their book club that</p>
<p>FORT LAUDERDALE LGBT COMMUNITY COMPARED TO SEATTLE</p>	

<p>LGBT MILLENNIALS</p>	<p>meets here. Or the sporting events. You don't have to go and sit at a bar and drink all day.</p> <p>[01:14:46] Fred: What perceptions or thoughts do you have about gay men and lesbians who are late teens, twenties, early thirties, that whole generation, the millennial generation? I mean, how do you read them?</p> <p>[01:15:02] Robert: It's interesting, because I've had a series of interns. When I get my interns from Nova, I never tell them who I want, and three times in eleven years, I've gotten a gay intern, all three. One was Robert LaMarsh [phonetic]. I don't know if you know Robert, but he's very active in the adoption movement now that he's out in his practice. Gregory Bowen [phonetic], who just sat for the bar exam last week, he's been an HIV activist since he was at Florida State University. But to talk to them, their world isn't Anita Bryant, it isn't "HIV is a death sentence." It's a whole different world. But when you think of it, you say that was not that long ago. That's what's kind of—</p> <p>[01:15:51] Fred: Weird.</p> <p>[01:15:51] Robert: —weird. Actually, when I did a presentation to a group at the law school in Florida Coastal College of Law in Jacksonville on being gay and being in the legal practice, it was up until 1982 when the Florida Bar wasn't actively seeking to remove you. I said, "When I was in law school, I started law school in '82, that wasn't that long ago, and it could happen again particularly under the environment we're in right now."</p> <p>And I feel that with some of my—I call "my kids." My current—I have a special assignment that I'm doing now, but I have a twenty-four-year-old attorney from Russia that has an asylum petition pending that Broward House has asked me to assist with, and he has extra issue, and that is the Russian culture issue. I said, gosh, thank God I'm not a parent. I don't know how I would deal with these young people. Because they're very self-assured about—he does feel like he's entitled, but so does Greg, and maybe that's a good thing. Because we came from this very, "Oh, if you'll just give it to me, I'll prove myself to you" point of view, rather than "I deserve it, damn it. Give it to me." So it does have some benefit. But they seem to have no—I mean, they're not worried about whether they're closeted or not.</p> <p>[01:17:29] Fred: But your perception, though, is based primarily here in</p>
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<p>FUTURE OF LGBT COMMUNITY</p>	<p>South Florida?</p> <p>[01:17:33] Robert: Yeah.</p> <p>[01:17:34] Fred: If you were in Jacksonville, it might be—</p> <p>[01:17:36] Robert: Which is why we did—and maybe you saw it, when we did the gay youth exhibit at the museum. And then we had one just before that or just after that from Birmingham, Alabama, about lesbians in the deep South. You have to keep waking people up that the cocoon that we live in isn't—</p> <p>[01:17:59] Fred: Isn't the world.</p> <p>[01:18:01] Robert: I have fourteen nieces and nephews, and one of them that just graduated from college, I'm fairly confident he's gay, for many reasons, and he just won't talk about it to me. And of all my siblings, he is an only child of my sister, so he doesn't have any brothers and sisters, and she's constantly talking about his wedding and this and that and the other. I just feel that he's feeling pressure that maybe if he lived down here he wouldn't feel—but now that he's in New York, you know, growing up in Gainesville is a whole new world. But my perception is here.</p> <p>[01:18:46] Fred: Okay, sort of coming to the end here, and I would like to ask you, first of all, to think if there's anything that you wanted to add, but first also, where do you think in thirty years, forty years, the LGBTQ community is going to be?</p> <p>[01:19:08] Robert: You know, I hear a lot, now that people talk about it, that we're not going to need the organizations, we're not going to need Pride Centers, because we're going to be so integrated into the community. And what made me think of this recently is we had Lea DeLaria. I don't know if you went. And she said something interesting. If you ever go to one of those things they do here, they have the performer and then they have an interview and she does another song and interview. And she was talking about that, and said, "Everybody thinks we're going to all consolidate into one happy mass, but the truth is we will always be different, what we talk about, who we are, our culture, what interests us. So there's always going to be the need to associate with people that we can relate to."</p>
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<p>SOCIAL MEDIA</p>	<p>It's true in the African American community, the Latin community and whatever. We may be far more integrated, which is fine, and we may not worry about losing our jobs, but it may be that just like—and you can see starting now, people don't even—I refer to as the “ho-hum-ization” of being gay in South Florida. It's like I don't know of any—you know, we had to end the Legal Aid program for gay discrimination because there wasn't enough people applying for the representation. [laughs] And that's a good thing. But I think that we'll always have the need to have those people around us, whether it's a lot of—I mean, we're kind of going through it with Stonewall right now because the board is in a year of this vision. Do we really need to make these things available? Is it really going to be worthwhile to the community? One of the things that makes it difficult for us is that so much of what we do is based on the large retirement community here, but I don't think that's going to change. That's weather-driven, a lot of it. [laughs]</p> <p>[01:21:29] Fred: One last question.</p> <p>[01:21:31] Robert: Sure.</p> <p>[01:21:32] Fred: How involved are you in social media or the whole digital—</p> <p>[01:21:37] Robert: Well, I'm on Facebook. I have to be cautious. We have ethnics rules that are governing that. So I can't have any lawyers as friends on Facebook under our ethics rules as judges, but I use it a lot to keep in—it's how my family links together now. I don't do Twitter. I don't do any of that kind of thing. I'm kind of behind the gun a bit because of it, and I kind of laugh, because if I ever need anything, my next-door neighbor has four teenage sons. It's like, “Could one of your twelve-year-olds come over and fix this issue for me? Because I don't know what I'm doing.” But I do kind of—I mean, for my family that's kind of how we keep in touch now.</p> <p>[01:22:19] Fred: Well, let me ask you this. In terms of like with digital skills, if you were a seventeen-year-old, this would rate as a ten, okay, and being totally like unable is zero, where are you at on that scale?</p> <p>[01:22:33] Robert: I think I'm pretty good, but if somebody says to me, “Have you upgraded your blah, blah on the computer,” I don't know what that means. I'm to the point now where I have to</p>
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<p>MATERIAL NOT AVAILABLE ONLINE</p>	<p>take my iPad wherever I travel in the world to keep in touch, and I am on the computer every day.</p> <p>We're actually, related to that, in the education for the state, we're getting ready to end paper for our conferences, and it's very hard because most of the judges are in the later part of their lives, and to tell them you now have to bring a laptop to the conference or print out your own three hundred pages before you come—but as my colleague Jack Tudor [phonetic] says, "That horse has left the barn." I mean, we have to. We have to. We schedule everything through IT at the courthouse. If you want a hearing with me, you get on that computer and ask for it, just like you would make an airline reservation.</p> <p>The area that I think is in danger of losing is the serendipity of having to explore physically now, and what I mean by that is if you're using Netflix and all these other things, it's contemporary stuff. We did an experiment with like some of the DVDs. We have twelve-hundred DVDs. Maybe 10 percent are available online, and there's a perception out there, though, that everything's out there, everything's online. And it troubles me because even our own board at the Stonewall, they keep saying, "Well, why do we need to keep all these here? Can't they just find them online?" I said, "But they're not there." And it's the same with the books. Ninety percent of what we have is out of print and it's not online, and a lot of what we catalog now the Library of Congress hasn't even catalogued, because it's either self-published or for whatever reason some of the publishers don't submit to the Library of Congress anymore. So, anyway, that's my big [unclear].</p> <p>[01:24:46] Fred: Okay. Anything else that you wanted to add or [unclear]?</p> <p>[01:24:49] Robert: I think that's it.</p> <p>[01:24:52] Fred: Well, listen, well, thank you very much.</p> <p>[01:24:53] Robert: Thank you, Fred.</p> <p>[End of interview]</p>
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