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REFLECTIONS ON THE 20TH ANNIVERSARY OF THE 1995 HCBA REPORT

Jerry Burg[†]

Re-reading the 1995 study brought back a deluge of memories and feelings—working on this project was my first opportunity to find any serious support amongst my peers. It was great to read the names of the coauthors and recall how much it meant to me to have their support back then—they helped me get through my own professional coming out more than some of them even know. By the end of 1995, I had been fired by the firm where I was working, which led to an eighteen-month-long sexual orientation discrimination lawsuit against that firm. There I was, barely out of the closet, a divorced father of two little girls, talking on the news about getting fired for being gay (allegedly!). My worst fears had come true. I would not have had the guts to bring that suit, I would not have gotten through it, and I would not have landed on my feet without the support of many of the coauthors. What an amazing group of people!

The report was very hard to revisit. I do not often recall the difficult events that occurred in the first five years of my career, but I sure did when I re-read the report—I felt a nausea-laden sense of anxiety that used to be the emotional place I lived in every day during that time. At the same time, I was struck by how brave we were for writing the things we did, and I remembered instances in

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years since when other lawyers mentioned to me that they had read the report and that it delivered a necessary wake-up call. Participating in this project had a deeply personal impact on me, and for that reason alone, I am probably the worst coauthor to comment on any broad impact achieved by the report. Re-reading it made me feel good about playing a part in dragging homophobia out of the closet and challenging the profession to acknowledge the problem. Revisiting the report gave me the chance to reflect back with gratitude on the satisfying career I managed to build with the help of a wonderfully supportive community. So, thank you, for giving me the opportunity to remember that it was a damn powerful experience to work with these coauthors and draw confidence from their wisdom and courage.

Joni M. Thome[†]

Thinking back to the development of the study and discussing how we would gather information makes me feel like it all happened a lifetime ago. At that time, just a few of us were willing to be known as the people to have initiated the study and to have our names publicized. Most of us were people that had chosen legal advocacy on behalf of LGBT people through nonprofit organizations as a part of our careers and, for us, the decision had been made long before 1995. A common characteristic for each of us, though, was that we had simply decided that one way to effect positive change in the legal community was to just be good lawyers out about our sexual orientation to the community—we wanted others to be safe and secure in doing the same. That could only be achieved through sharing the reality, which was that there were few venues in the Minnesota legal community where legal professionals did feel safe being out. At the same time, the secrecy, or “cloak and dagger” nature of the interviews, was necessary to protect the participants—no names, closed doors, sworn to never reveal the subjects.

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Looking back now and knowing where many of those brave lawyers and law students are today, it all feels surreal. We are partners in law firms, politicians, and sponsors of LGBT events. We are founders, board members, volunteers, and CLE presenters on LGBT issues for organizations across Minnesota and on a national level. We are leaders in the Minnesota State Bar Association and the American Bar Association. The accomplishments of our community go on and on, and the world has changed immensely these last twenty years, more than we could ever have imagined.

I am proud and honored to have had the opportunity to work with many of the subjects of the study over the years. I continue to have a deep bond and sense of pride with those with whom I worked to make the study a public reality all those years ago. I believe the point was made and well taken.