

Nomination of **Paul Southwick** for Best LGBT Lawyers Under Forty, Class of 2013

Davis Wright Tremaine associate Paul Southwick, 29, has combined outstanding legal skills with a passion for advancing LGBT rights. There is no better example than his recent, and ongoing, pro bono representation of Domain Javier, a transgender student wrongfully expelled from California Baptist University.

Ms. Javier, who was born male but has identified as female for as long as she can remember, was admitted to CBU in 2011 with plans to study nursing, and received an academic scholarship. But just weeks before school was to begin, the University suspended her eligibility and excluded her from campus. The University also questioned Ms. Javier's about her appearance on the MTV documentary series, *True Life*, where she had discussed the stigma faced by people who are transgender. The University ultimately expelled her, contending she committed fraud by stating she was female on her application.

Southwick, who is based in Portland, Ore., has filed a civil rights lawsuit on her behalf in California's Riverside County Superior Court. The complaint states that the university breached its contract with Ms. Javier, and also violated California's Unruh Civil Rights Act, which prohibits businesses from discriminating based on gender identity. The University immediately brought a demurrer to dismiss the suit, arguing that, as a religious institution, it was not bound by the restrictions of the Unruh Act. But Southwick prevailed at the hearing, and the case is proceeding.

Southwick's suit has received national attention, and the judge's ruling has been called "enormously significant" by Suzanne Goldberg, director of the Center for Gender and Sexuality Law at Columbia University's law school.

This is by no means the first time this young litigator has been recognized for notable achievements in the courtroom.

Two years ago, Southwick argued and won a pro bono case before the Oregon State Supreme Court, and was publicly praised later by Chief Justice Paul De Muniz for his skillful arguments. Southwick took the case on referral from the newly formed Oregon Pro Bono Appellate Program. He successfully argued that his client should be able to file a malpractice claim against the attorneys he hired to represent him in a post-conviction relief proceeding. The Court of Appeals had previously affirmed the trial court's ruling that in order to file such a claim, a convict first needed to be exonerated of the underlying offense. Southwick drafted the appellate brief and argued before the justices, obtaining a favorable opinion that allowed his client's malpractice action to proceed at trial court.

Chief Justice De Muniz later singled out Southwick for praise in public remarks at an Oregon Bar Association event at which Davis Wright Tremaine was honored with the association's Pro Bono Challenge Award.

Southwick was also a key player in one of the biggest civil actions in recent Portland history. He was part of DWT's team representing a group of Sikh Dharma ministers in a \$50 million lawsuit

seeking to recover misappropriated assets associated with a nationally known natural foods empire. The case culminated in a four-week bench trial, after which the judge ruled in favor of Davis Wright's client on every point.

As he builds his legal career, Southwick is also deploying his persuasive skills, and devoting countless hours, to another important cause: convincing his alma mater, George Fox University, a Christian institution in Oregon, to adopt policies more tolerant and supportive of LGBT students.

Southwick is the co-founder of [OneGeorgeFox](#), a group of LGBTQ, and LGBTQ-friendly, George Fox alumni. Through events, regular meetings with university officials, and social networking, the group has sought to persuade the George Fox administration to change its rules forbidding homosexual relationships, permit an LGBTQ student group, and allow speakers on campus who would offer a positive message about being gay.

Southwick has already had significant success. The University agreed to allow two speakers chosen by OneGeorgeFox to participate in a panel discussion on faith and sexuality in November, the first time that an affirming message about homosexuality had been officially allowed on campus. Additionally, last year, upon discovering that an opponent of the movement had bought up URLs that included the names OneGeorgeFox, OneWheaton, and others related to LGBT alumni groups from Christian colleges, Southwick challenged the cybersquatter, who ultimately relinquished the Web addresses.

In addition to his behind-the-scenes work, Southwick has frequently been the public face of OneGeorgeFox. He was a guest last year on a popular Oregon Public Broadcasting radio show called Think Out Loud, where he described his own experience as a George Fox student experiencing same-sex attraction, and the two years he spent, at the behest of his pastor, seeking to be "re-educated." Southwick has also been interviewed by *Willamette Week*, *Inside Higher Ed*, and other publications, and published a column on The Huffington Post entitled ["Is There Hope for Queer Students at Conservative Christian Colleges?"](#)

Social media is a critical component of the campaign, and Southwick has launched a video project on Facebook called ["On God's Campus: Voices from the Queer Underground,"](#) which presents weekly interviews with current and former students at Christian institutions around the country. They talk about what it means to be gay and Christian, why they chose to go a Christian school where no gay relationships are recognized, and why they stay. Southwick's goal is to complete 100 interviews, launch a full-scale website and produce a book.

Southwick has already been recognized as a "Queer Hero" by the Gay & Lesbian Archives of the Pacific Northwest (GLAPN) and Portland's LGBTQ Community Center. We think he is an excellent candidate for recognition by the National LGBT Bar Association as well.

Mark Fefer
Marketing Communications
Davis Wright Tremaine
markfefer@dwt.com