

ROBERTA KAPLAN

b. September 29, 1966

MARRIAGE EQUALITY LAWYER

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Roberta A. “Robbie” Kaplan is an attorney who represented Edie Windsor in the Supreme Court case *United States v. Windsor*, a landmark victory for marriage equality.

Kaplan grew up in Cleveland, Ohio. She graduated Phi Beta Kappa from Harvard College and earned her J.D. from Columbia Law School in 1991. She clerked for judges in Massachusetts and New York.

From 1996 until 2017, Kaplan was an attorney at the law firm of Paul, Weiss, Rifkind, Wharton and Garrison. She became a litigation partner in 1999 and successfully represented clients ranging from Citibank to Airbnb. The American Bar Association (ABA) Journal lauded her as “a specialist in emerging law.”

In 2009 Kaplan agreed to represent Edie Windsor free of charge after hearing her story. Windsor and her lifelong partner, Thea Spyer, both U.S. citizens, married legally in Canada. When Spyer died a few years later, Windsor’s inheritance was subject to estate tax, as their marriage was not recognized under U.S. federal law. The estate tax would not have applied to the surviving spouse in a heterosexual marriage.

In the 2013 Windsor decision, the Supreme Court overturned a key provision of the Defense of Marriage Act (DOMA), which held that marriage is solely between a man and a woman. The case laid the groundwork for the 2015 Supreme Court ruling in *Obergefell v. Hodges*, which legalized same-sex marriage nationwide. During an exchange with Chief Justice John Roberts, Kaplan stated, “No other group in recent history has been subjected to popular referenda to take away rights that have already been given, or exclude those rights, the way gay people have.”

Former President Clinton said, “... Windsor was a landmark ruling and the case’s architect, Roberta Kaplan, emerged as a true American hero.” Kaplan wrote about the experience in her book “Then Comes Marriage: *United States v. Windsor* and the Defeat of DOMA.”

In 2013 *The American Lawyer* magazine named Kaplan Litigator of the Year, and Stanford University honored her with a National Public Service Award. In 2015 the *New York Law Journal* presented her with a Lifetime Achievement Award.

In 2017 Kaplan founded her own law firm. She is an adjunct law professor at Columbia Law School.

Kaplan is married to Rachel Lavine. They live in New York City with their son.



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