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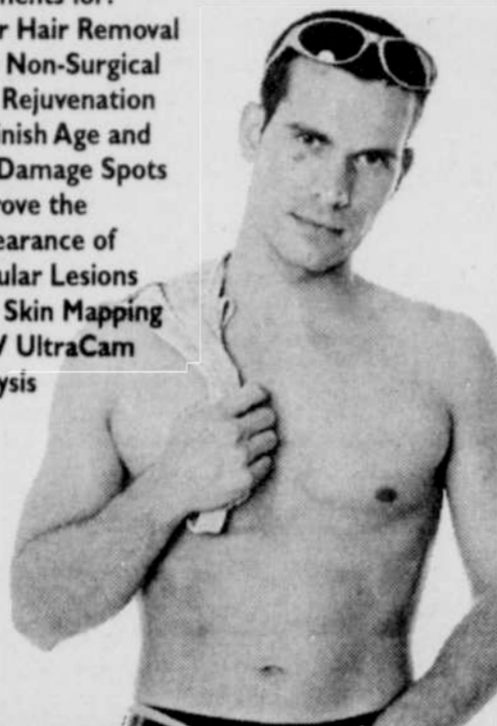
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**NATIONAL news**



Daniel Hernandez and Nevin Cohen filed a historic lawsuit March 5 seeking full marriage for same-sex couples in New York

**CALIFORNIA**

The California Supreme Court ordered a temporary halt March 11 to the issuance of marriage licenses to same-sex couples in San Francisco. More than 3,700 same-sex couples have been married there since Feb. 12, when Mayor Gavin Newsom married Del Martin and Phyllis Lyon, who have been together for more than 50 years. The court said it would hear a case in May or June on the legality of these marriages.

"All that happened today is that matters were put on hold. This ruling hits the 'pause' button, not the 'stop' button," said Jon Davidson of Lambda Legal. "Today is just the beginning of our fight on behalf of these married couples and others who have not yet gotten married. This case will ultimately resolve whether the California Constitution requires that same-sex couples be given the equal right to marry."

San Francisco began issuing marriage licenses to same-sex couples last month when Newsom said the state constitution's guarantees of equality and due process required him to do so. State statutes prohibit recognition of marriage between same-sex couples, but those statutes would have to comply with the constitution to remain valid, and until now California courts had never been asked to consider whether they are constitutional, Lambda Legal said. The court's ruling does not address Newsom's authority as mayor to issue the marriage licenses. Those questions will be argued in the next couple of months.

The National Center for Lesbian Rights, Lambda Legal and the American Civil Liberties Union filed a lawsuit March 12 seeking the right to marry for gay men and lesbians on behalf of six same-sex couples, Our Family Coalition and Equality California.

Five of the six couples had appointments to obtain marriage licenses at San Francisco City Hall, but their appointments were canceled as a result of the California Supreme Court's order March 11 directing San Francisco to stop issuing marriage licenses to same-sex couples. The lawsuit argues that denying same-sex couples the right to marry violates the California Constitution's guarantees of equality, liberty and privacy.

"This is a historic moment," said Kate Kendell, National Center for Lesbian Rights executive director. "It is long past time for California law to fully embrace and protect the relationships of lesbian and gay couples. We are confident that the issues presented in our law-

suit and the real-life stories of these couples will provide the court with compelling justification finally to correct this long-standing injustice."

**NEW YORK**

A historic lawsuit was filed March 5 in New York Supreme Court in Manhattan seeking the right to marry for same-sex couples statewide.

The case, on behalf of a gay couple who have been together for more than five years, argues that denying marriage to same-sex couples violates the state constitution's guarantee of equality for all New Yorkers. The case is the first of its kind to be filed in New York since the Massachusetts Supreme Judicial Court ruled that same-sex couples are entitled to full marriage under that state's constitution.

"This is the whole enchilada. We seek, and intend to win, full marriage for lesbian and gay couples across New York—nothing more and nothing less," said Kevin Cathcart, Lambda Legal executive director. "The protections only marriage provides are uniquely important to gay New Yorkers; these couples have waited long enough. Today's lawsuit is the beginning of the end of marriage discrimination in New York."

The lawsuit was filed two days after New York's attorney general said that state laws referring to "husband" and "wife" should prohibit local officials from issuing marriage licenses to same-sex couples—but he added that those laws raise serious constitutional questions because they exclude gay men and lesbians.

"We're lucky to both have parents who've been happily married for more than 50 years," said plaintiffs Daniel Hernandez, 46, and Nevin Cohen, 42. "When our parents got married, nobody had to ask why—the reason was obvious. Our reason today is just as simple and as clear as our parents' was half a century ago—we love each other."

**NEW JERSEY**

Asbury Park began issuing marriage licenses to same-sex couples March 8, but the City Council voted March 10 to stop accepting applications after New Jersey's attorney general threatened criminal prosecution and other legal action against officials if they continued doing so.

"The attorney general should understand better than anyone that local officials must abide by the state constitution, which mandates that everyone be treated equally," said



Michael Adams

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