

NATIONAL news

The lawsuit asks the court to declare Florida's law banning same-sex marriage unconstitutional. The complaint names six couples, mostly local, who had been turned away by the clerk of the court's office when they attempted to file for a marriage license.

"Key West is a wonderfully accepting place where everyone respects my relationship with my partner. But when Steven and I leave the island, that sense of security disappears. We don't feel comfortable holding hands for fear of being verbally or even physically harassed," said the Rev. Geoff Leonard-Robinson, pastor of Key West's Metropolitan Community Church. "Part of the reason I think people are comfortable demonstrating their bigotry is because our state government fosters it through discriminatory laws."



Prudential Financial has denied medical insurance coverage for retiree Laurel Awishus' spouse, Kathy Adelsheim, even though the couple are legally married

NEW MEXICO

Saying that Prudential Financial's denial of benefits to the spouse of a New Mexico lesbian retiree is baseless and uncharacteristic, Lambda Legal last month formally asked the company to reconsider the decision.

After her marriage in Canada, Laurel Awishus, who worked for the company for 20 years, sought to enroll her partner of nearly 22 years, Kathy Adelsheim, in the medical benefits program offered to the company's retirees and spouses. Prudential Financial offers benefits to the domestic partners of gay and lesbian employees but says it only offers those benefits in retirement if they retired after Jan. 1, 2000. Straight spouses are entitled to benefits regardless of retirement date.

"When Ms. Awishus and her wife married in Canada, they became spouses and are entitled to benefits other spouses enjoy," attorney Brian Chase said. "Prudential Financial's action in this matter is a departure from their treatment of gay and lesbian employees in the past."

Prudential Financial is partly using the Internal Revenue Service's definition of whether the women are married to justify its decision. Lambda Legal says that rationale is flawed because the IRS does not decide who is married.

"One of the reasons I'm in this precarious spot is that 19 years ago I moved with Laurel to New Jersey when the company transferred her," Adelsheim said. "I left a promising career behind—that included benefits. I wasn't treated like a spouse then because we weren't married. Now we're married, and that should be respected."

CALIFORNIA

Ruling from the bench after hearing extensive oral arguments from both sides, Superior Court Judge James L. Warren denied the request of the Proposition 22 Legal Defense and Education Fund to participate as a party in a lawsuit seeking the right of same-sex couples to marry.

Woo vs. Lockyer—filed on behalf of six same-sex couples, Equality California and Our Families Coalition—argues that denying gay men and lesbians the right to marry violates the California Constitution's guarantees of equality, liberty and privacy. Warren held that the Proposition 22 fund did not meet the legal standard for intervention because it had not shown how

its members would be harmed directly by the outcome of the case.

"We are very pleased by the court's ruling," said Shannon Minter, National Center for Lesbian Rights legal director. "This case is about real families who are harmed by being denied the right to marry. The couples who brought this lawsuit are entitled to their day in court without undue interference by an outside group with no direct interest in the case. The court correctly found that merely having a political interest in an issue does not meet the legal standard for intervention."

In a sure sign that supporters of equal marriage rights have momentum on their side, state Sen. Pete Knight, R-Palmdale, author of Proposition 22, California's law designed to prevent recognition of same-sex marriages performed in other states, now says he would "support something short of marriage" for gay and lesbian couples if advocates would give up on equal marriage recognition.

"The fact that Sen. Knight, a man who has spent many years fighting to prevent families headed by lesbian and gay couples from obtaining any legal rights, has shifted his position demonstrates his acknowledgment that most Californians do not support his extreme position," said Geoffrey Kors, Equality California executive director. "His move towards allowing rights and benefits for same-sex couples in exchange for our accepting some form of second-class status for our relationships is a clear sign that he realizes that the march towards equality cannot be stopped."

Just last year, Knight lost a preliminary injunction he filed in a suit to stop California's groundbreaking domestic partner law from going into effect and failed to garner sufficient signatures to put that measure on the ballot in an attempt to overturn it. "The fact that the politician who has been the leader of the movement to deny same-sex couples legal recognition is now willing to accept domestic partnership demonstrates that the entire debate has shifted and that we are heading in the right direction," Kors said. [J]

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