

GETTING HITCHED

Everything you need to know to get started on your walk to the altar — or to the courtroom. The nitty gritty on marriage here at home.

Anna Campbell and Tex Clark traveled to Sooke Harbor, BC last June to become wife and wife. “We feel a special connection to Canada now,” says Campbell. “All the people were so nice to us, so helpful. We’re very grateful.” The couple notes that being married has a different feel. Campbell says, “Domestic Partnership sounds kind of clinical. I’m proud to say we are married.”

Unfortunately for Clark and Campbell, returning home to Portland after the wedding meant their marriage was legally non-existent. “According to Oregon law,” says Clark, “we’re nothing. We’re just roommates.” Clark, who is a public defender officially employed by the federal government, tried to add her wife to her health insurance plan when they returned home. “Two weeks later I got a letter back telling us ‘no,’ that it was illegal for them to give us benefits.” Recounts Clark, “My request had been declined due to gender and sexual orientation. I grew up in Texas, and I’m familiar with hostility to queer people. But it still made me cry to get that letter.”

Many Portlanders, regardless of sexual orientation, believe that because Oregon has legalized domestic partnerships there is full equality for same-sex couples under the law. In some areas, that’s true. And with the recent electoral decision legalizing same-sex marriage in neighboring Washington, as well as several others states, Oregon LGBTQ couples would seem to have increased options for cementing relationship commitments.

IT’S NOT THAT SIMPLE. (IS IT EVER?)

Each additional state that adds marriage equality, it presses the issue and increases the likelihood of gay marriage on a federal level within a generation. But without federal approval, the state-by-state checkerboard of marriage equality leaves many LGBTQ folks stuck in limbo. Fortunately, Portland is home to many marriage equality activists and attorneys who can help illuminate the labyrinth of bureaucracy that committed couples face.

Looking to get hitched this year? A destination wedding to Canada or a marriage equality state is exciting, but be prepared for the fact that a marriage performed elsewhere is legally naught on Oregon soil. To help navigate the process, *Just Out* talked with several Portland-based attorneys who offer advice to help fill the gaps.

LEGAL IN OREGON: DOMESTIC PARTNERSHIP

According to attorney Marlene Findling, “Domestic Partnership here grants rights and responsibilities that are identical to marriage. This includes things like paying joint state taxes, receiving joint employer benefits, and name changes.” Findling says that registration offers too many benefits to name — many of them seemingly small things, like being able to drive a car your partner has rented.

But almost every one of the perks has a flipside. For instance, family law attorney Beth Allen points out, “If I die today and bequeath my property to my registered Domestic Partner, she isn’t going to have to pay state taxes — but she is going to pay federal taxes.” Findling uses social security as a sobering example: “If you are [heterosexually] married, you’re entitled to your spouse’s social security, but since it’s federal, domestic partners are not. Anything that’s federal, it’s as if you don’t exist.”

Regardless of the paperwork maze, terminology itself can provoke emotions. Allen becomes clearly annoyed by the term ‘register’ and says, “People register to take classes, they register to get a driver’s license. Not to marry!” Former Oregon State Bar President Mark Johnson Roberts agrees. “It doesn’t have the same gravitas, or portability. The whole purpose of the existence of domestic partnership is to deny that gravitas, deny that reality.” The second-class, separate-but-equal status offered by domestic partnerships is something that both lawyers hope to see challenged at the ballot in 2014.

WASHINGTON STATE AND BEYOND: DESTINATION WEDDINGS

Getting married in Washington State is a new option for Oregon couples that previously might have traveled to Canada for a legal marriage. But unless you move to Washington, you will still need to file for a domestic partnership in order to receive any legal recognition of your relationship.

The upside is, Washington included a “recognition” statute in their marriage equality law; same-sex couples married in other legalized jurisdic-