

Move Is Made in Connecticut Courts to Legalize Gay Marriage

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HARTFORD, Aug. 25 - A gay rights group that won a Massachusetts case legalizing gay marriage announced a similar suit in Connecticut on Wednesday, expanding its mission into a state its lead lawyer declared ripe to confront the issue.

"It's about treating people fairly," said Mary L. Bonauto, a lawyer and the civil rights director for Gay and Lesbian Advocates and Defenders, a New England group that was the lead agency in the Massachusetts suit and in an earlier suit in Vermont that led to the nation's first civil unions between gay couples. "And from everything we see, Connecticut's getting ready for that."

Ms. Bonauto, standing in a Hartford hotel among six of the seven Connecticut couples who are plaintiffs in the suit, cited a string of legislative moves in Connecticut that have expanded rights and protections for same-sex couples, including, in 2000, a law making it easier for them to adopt children.

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"This legislature is very educated about the issues," she said, "but they haven't ended this discrimination."

She added: "The issue here is just ripe. The discussion is already happening."

The suit was filed in State Superior Court in New Haven after the seven couples sought and were denied marriage licenses in Madison, a quaint coastal town that Ms. Bonauto said was selected for logistical and symbolic reasons, largely because it is where many couples choose to wed.

The state said it would fight the suit.

"Several statutes and court decisions indicate clearly that the General Assembly has authorized a marriage relationship only between a man and a woman," Attorney General Richard Blumenthal said in a two-paragraph statement.

Polls show that residents of Connecticut, a state generally considered to be liberal on social issues, are evenly split on the question of a state law legalizing gay marriage. But they show support for some form of legal recognition for gay couples. In his statement, Mr. Blumenthal, a popular Democrat who is considered a strong contender for governor in 2006 if he chooses to run, used language suggesting that his defense against the suit would not be a personal crusade against gay rights.

"My office has a duty to defend our statutes against constitutional challenges - as we will do against the legal action filed today," he said.

In May, Mr. Blumenthal issued a delicately worded ruling saying same-sex Connecticut couples could not marry in the state. But it stopped short of saying they would not be legally recognized at home if they married elsewhere.

The suit filed on Wednesday adds a new front for gay rights advocates in the state.

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For years, groups typically sought help through the Democrat-dominated General Assembly, and often received it, at least in doses. The legislature could still confront the gay marriage issue before state courts do so conclusively. Ms. Bonauto said it could take as long as three years for the Connecticut suit to make its way through the courts.

An effort to pass legislation in favor of domestic partnerships failed in committee in 2003, but so did a measure to define marriage as between a man and a woman. This year, in the wake of the Massachusetts decision, gay marriage advocates and supportive lawmakers did not pursue legislation.

"Public opinion is changing this topic so fast that it's way ahead of where the politicians are," said State Representative Michael P. Lawlor, a Democrat from East Haven who is the House chairman of the Judiciary Committee.

Mr. Lawlor, who pushed for legal recognition in 2003, said he expects to do so again when the legislature convenes in January. He said he thought the suit filed on Wednesday would ultimately prevail.

"I think it'll win, but it's like two or three years of legal agony," he said. "It would be much quicker for the legislature to do what Massachusetts has already done, which is let same-sex couples get married."

Another state lawmaker, Representative Lawrence F. Cafero Jr., a Republican from Norwalk who is the deputy House minority leader, said he expected a lawsuit after gay rights advocates declined to push for legislation this year. Mr. Cafero said he thought the legislature was moving toward some form of legal recognition for gay couples, though he opposes gay marriage.

"Will the vote happen?" he said. "Not sure. Might be a year or two too early for it."

Opponents saw the suit as a call to action. Brian S. Brown, executive director of the Family Institute of Connecticut, which opposes gay marriage, said his group would continue to oppose any legalization, and might look for a way to fight the suit in court. "We've known this was going to happen," he said, "and now the battle is engaged."

But Ms. Bonauto and other advocates, bolstered by the Massachusetts decision, said they would settle for nothing less than marriage. The suit claims that gay couples, some who have children or are nearing retirement, are entitled to the state Constitution's equal rights and due process protections.

"Marriage is more than the sum of its legal parts," she said. "When you say you're married, everyone knows you're a family."

Anne Stanback, president of another group in favor of gay marriage, Love Makes a Family Connecticut, said the suit, which her group supports, does not mean it will abandon its legislative efforts.

"It just means that something as important as the right to marry needs to be fought for on all fronts," Ms. Stanback said.

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