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AP Associated Press

Gay Couples Challenge Conn. Marriage Laws

By CARA RUBINSKY, Associated Press Writer *Tue Mar 21, 2:44 PM ET*

A lawyer for eight gay couples argued in court Tuesday that Connecticut's marriage laws illegally create a separate class of people based on sexual orientation.

The couples, with the help of the Gay and Lesbian Advocates and Defenders, filed suit in 2004 in an attempt to overturn the state's ban on gay marriage.

Last year, Connecticut approved civil unions for gay couples, which gives them the same legal rights as heterosexual married couples, but that law also defined marriage as existing only between a man and a woman.

Assistant Attorney General Jane Rosenberg defended the laws Tuesday in Superior Court, arguing that there is no fundamental right to marry.

Superior Court Judge Patty Jenkins Pittman did not immediately rule.

Jeffrey Busch of Wilton attended Tuesday's hearing with partner Stephen Davis and son Elijah.

"I'm pretty hopeful and optimistic," he said. "Connecticut has done so much to allow us to be a family. I believe the courts will correct this injustice of not allowing us to marry."

The Family Institute of Connecticut, which opposes gay marriage, has asked to intervene in the case, claiming the state attorney general's office is not vigorously defending Connecticut's marriage laws. The state Supreme Court has not yet ruled on whether that group may become part of the case.

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