

NY Lets Stand Foreign Same-Sex “Marriage” Recognition

by Susan Brinkmann
Staff Writer

(May 8, 2008) Same-sex marriage may have come one step closer to reality in New York when a New York Court of Appeals declined to hear a challenge to a case that required the state to recognize a same-sex “marriage” contracted outside the state.

The May 7 ruling let stand an earlier decision that Monroe Community College must extend health care benefits to Lisa Ann Golden due to her legally contracted Canadian “marriage” to a Monroe employee, Patricia Martinez.

The case was dismissed in August 2006 by State Supreme Court Justice Harold Galloway because New York law “currently defines marriage as limited to the union of one man and one woman,” he said. This decision was overturned, however, when appellate judges argued that the state should legally recognize contracted homosexual “marriages” until the New York legislature explicitly prohibits their recognition.

Some proponents of same-sex marriage are already celebrating. “Today is a great day for fairness in New York State,” the executive director of the New York Civil Liberties Union, Donna Lieberman, told the New York Sun. “Now we need to work toward a New York where you don't have to cross state or county lines to get married.”

Other proponents are more cautious, such as Alan Van Capelle, Executive Director of Empire State Pride Agenda. “Despite today's good news, the state of marriage for same-sex couples in New York is still unsettled,” he said.

“Until a law is passed by the New York State Legislature, there will always be the possibility that another court decision could undo *Martinez v. County of Monroe* and strip away from otherwise legally married same-sex couples all of the 1324 state-based rights and responsibilities that come with a marriage license in New York.”

However, attorneys for the Alliance Defense Fund, who are involved in the appeal to deny recognition of the Martinez-Golden “marriage” and several other similar cases pending throughout the state, say the final word has not yet been heard on this issue.

“The government should promote and encourage strong families. New York’s marriage laws do that; recognizing same-sex ‘marriages’ performed in foreign countries does not,” said ADF Senior Legal Counsel Brian Raum in a press release.

“Foreign marriage laws should never trump New York’s public policy on marriage, which does not recognize unions between members of the same sex. Marriage is under attack because certain special interest groups are trying to reduce it to little more than a benefits system for emotionally attached couples without regard for the ramifications.”

ADF attorneys are engaged in several other appeals involving the extension of taxpayer-funded benefits normally reserved for married couples to state employees involved in same-sex “marriages” that are otherwise illegal in New York:

“Any of these cases may find their way to New York’s high court. Until that happens, the issue will not be definitely resolved,” Raum explained. “These lawsuits are in different appellate divisions than the one declined by the New York high court Tuesday; therefore, they are not bound by that poorly reasoned appellate decision.”

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Understand the impact of same-sex marriage on society and families. See “Same Sex Marriage: An Effort in Futility” with Mary Jo Anderson available [here](#)

Women of Grace Study Questions:

1) Did you know that an international Charter for the Rights of the Family exists and was written by the Pontifical Council for the Family? View it at <http://www.wf-f.org/Charter.html>

2) What are the Church’s main arguments against same-sex “marriages?” (See No. 6-9 in the “Considerations Regarding Proposals To Give Legal Recognition to Unions Between Homosexual Persons” available here: <http://www.catholicculture.org/library/view.cfm?recnum=4747>)

3) What does the Church expect of Catholic lawmakers in regard to same-sex “marriages?” (See No. 10 in the same article)