



Northwest Women's Law Center

Advancing legal rights for women

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**WASHINGTON STATE SUPREME COURT DENIES MARRIAGE TO GAY
AND LESBIAN COUPLES**

Court Says Defense of Marriage Act Constitutional and Defers to Legislature

SEATTLE, Wash. – July 26, 2006 – Today the Washington State Supreme Court issued a decision denying equality and fairness to gay and lesbian couples and their families.

The Court's decision today stated that the state's Defense of Marriage Act of 1998 (DOMA), which forbids the issuance of marriage licenses to same-sex couples, does not violate the Washington Constitution. The Court's plurality opinion by Justice Barbara Madsen held that the state had articulated a rational basis for prohibiting marriage to lesbian and gay couples: furthering procreation and encouraging families in which children are raised in homes headed by the children's biological parents.

"Equality is a fundamental principle in our society. The Court's refusal to affirm our clients' right to be treated the same as all loving, committed couples is not only sad, it is wrong. And it is definitely not the end of this issue," said Lisa M. Stone, Executive Director of the Northwest Women's Law Center, which, along with Lambda Legal, represents the plaintiffs. "The plurality simply refused to recognize that prohibiting our clients from marrying will not make a difference to opposite sex couples and their families. Our clients and all LGBT families lose by this decision - and no one gains. Now our efforts will focus on the state Legislature and on the fair-minded people of this state to secure equality for all Washington families."

"We are saddened that the Court has said that my 28-year committed relationship and my children, grandchildren and great-grandchildren aren't entitled to the same legal protections and obligations as other Washington families," said plaintiff Beth Reis. Reis and her partner, Barbara Steele, have four children, 11 grandchildren and two great-grandsons.

Eight couples sued King County in March 2004 for refusing to issue them marriage licenses, challenging the constitutionality of the state's Defense of Marriage Act (DOMA), passed in 1998. The case, Andersen et al. v. King County, was consolidated with Castle et al. v. State, the Thurston County case in which 11 plaintiff couples sued Washington state. Judges at the trial

courts ruled in favor of the plaintiffs in both cases, recognizing the right of gay and lesbian couples to marry. The Supreme Court heard oral arguments in the case in March 2005.

To obtain a copy of the court's opinion, please visit:

<http://www.courts.wa.gov/opinions/>

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