



N.Y. gay couples plan to dash to altar by way of Calif.

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by Andrea Stone

Jeff Friedman and Andrew Zwerin were high school sweethearts on Long Island. After college and graduate school, they returned to New York to Rockville Centre. When they adopted Joshua, now 4, Friedman quit his job as a lawyer to be a stay-at-home dad.

Despite deep roots in New York, they will fly to Los Angeles this month to plan what Friedman, 40, says will be "a traditional Jewish wedding" under a *chuppa*, or canopy, at a cousin's home on Oct. 11.

"We've waited 23 years," says Zwerin, 39. "We're not about to shortcut the pomp and circumstances."

More than 12,000 same-sex couples from New York are expected to marry in California within the next three years, says a report today by UCLA's Williams Institute, which studies sexual orientation issues.

Unlike a projected 55,000 gay couples from other states whose marriages will be mostly symbolic, New Yorkers expect to have legal standing on matters such as inheritance and taxes.

That's because after California's Supreme Court last month overturned a ban on same-sex marriage, New York Gov. David Paterson instructed state agencies to recognize all marriages, including those of gay couples, legally performed in other jurisdictions.

Those include Canada, Spain, Belgium, the Netherlands, South Africa and nearby Massachusetts, the first state to legalize same-sex marriage — but only for residents and those from states where it isn't illegal.

Gay rights advocates are unsure whether New York's unique situation will allow residents to marry in Massachusetts, but California looks clear — at least until November, when Californians will vote on whether to amend the state constitution to outlaw same-sex marriage.

"If it sounds weird, it is weird. That's the limbo people are living in," says Alan Van Capelle, executive director of Empire State Pride Agenda, a New York gay rights group. "This is an important remedy but not a permanent solution to the lack of marriage equality."

County clerks in California will begin issuing same-sex marriage licenses to residents and non-residents at 5 p.m. next Monday.

Inga Sarda-Sorensen says she and her partner, Jennie Talley, 54, were so "absolutely thrilled" by the California decision that they asked their Episcopal minister to officiate at a September wedding near Thousand Oaks, where Talley's family lives. The couple, who in 2004 were rejected for a marriage license in Manhattan, said they would have married without their home state's recognition but now that they have it, "that even further solidified our decision," said Sarda-Sorensen, 43, a spokeswoman for the National Gay and Lesbian Task Force.

Friedman says he and Zwerin "always considered ourselves married." They thought about moving to Massachusetts when its top court decided in 2004 that gays have a right to marry but decided to stay near their aging parents. They might have gone to Canada like thousands of other New York couples since gay marriage became legal there in 2003, "but it felt kind of strange to have to leave the country to secure our rights," says Zwerin, an information-technology manager.

Unless the governor's directive falls to a legal challenge filed last week by the Arizona-based Alliance Defense Fund, a conservative Christian group, more than 1,300 New York statutes and regulations will soon treat partners in gay unions the same as heterosexual spouses.

For Steve Foster, the change means he can add his partner of seven years, Russell Saray, as a co-owner of his Manhattan apartment without paying huge fees to his mortgage company. "If something happens to me, there will be no question about ... inheritance rights," says Foster, 60, a foundation executive. The couple plan to wed at the Marin County Courthouse on June 18.

Others are waiting until June 30, when New York state agencies report to Paterson on how they will implement the changes, Van Capelle says. "A lot of New Yorkers want to hear what exactly they're getting before they book their trips," he says.

Some wonder what their marriage license will be worth if Californians vote down same-sex unions.

"If something happens that the legality is changed later on, then we'll deal with that later," says William Walker, a Brooklyn legal assistant considering San Francisco's Golden Gate Park for an August wedding to Jeffrey Dreibratt.

Richard Burns, executive director of the Lesbian, Gay, Bisexual & Transgender Community Center in New York's Greenwich Village, notes that Paterson's order applies only to executive agencies under his authority, not the courts. Among the unresolved legal questions: If a couple decides to divorce, could they do it in a New York court? Or would they have to split in California, which requires couples to live in the state for six months before filing for divorce?

For Dan Whitman, 35, and Robert Bartley, 45, of Manhattan, a California marriage license isn't about commitment. They vowed that to one another in a ceremony in Florida nearly a decade ago. It's not about romance. Whitman says nothing will match when he proposed to Bartley on a Hudson River pier at sunset.

"This is about rights, about having legal protection," says Whitman, who will wed in a quick ceremony in Los Angeles later this month during a business trip. "We don't need another anniversary to celebrate."