

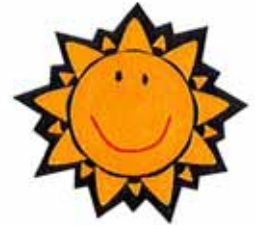
"All the Truth
That's Fit to Print"

Legal News & Information for Modern Consumers

*"If we don't change direction soon, we'll end up where we're going."
- Irwin Corey*

Summer 2006

Welcome to summertime and all the sun and fun available to your family! And speaking of family, Washington's highest court splashed the headlines recently by answering a topical question being asked around the country: can gay people marry each other? In a 5-4 vote, our Supreme Court said no.



State Supreme Court Opinion Un- derscores Historical View of Marriage

The Supreme Court in *Andersen v. King County* upheld a ban on gay marriage and affirmed that marriage is the union of one man and one woman. The case, brought by multiple gay and lesbian couples, challenged the State's 1998 Defense of Marriage Act (DOMA) that banned same-sex marriages. The plaintiffs argued that DOMA violated the Washington State Constitution's privileges and immunities clause (which requires that any benefit granted to one group must be granted equally to all), the equal rights amendment and due process of law.

The majority of the court, however, concluded that DOMA is constitutional because it furthers legitimate state interests. Spe-

cifically, "limiting marriage to opposite-sex couples furthers procreation, essential to survival of the human race, and furthers the well-being of children by encouraging families where children are reared



in homes headed by the children's biological parents." Moreover, the court stated that DOMA does not violate the state constitution's equal rights amendment because "DOMA treats both sexes the same; neither a man nor a woman may marry a person of the same sex." Huh?



Dissenting Justices Contend Gay and Lesbian Couples Do Not Possess the Same Right that All Heterosexual Washington Residents Enjoy—the Right To Marry the Person of One's Choice

Unlike most court opinions, this one is particularly good reading (we are talking about sex) with passionate debate about a core institution in our society, a review of legal discrimination (they used to mixing races in the liberty inter-choosing one's partner. Yet even the majority Madsen, con- "given the clear by same-sex evidenced in Legislature may want to re-examine the impact of the marriage laws on all citizens of this state." In fact, rumors are already swirling about a new gay-marriage bill being introduced in the legislature. Opponents of gay marriage, on the other hand, are not passively celebrating their win. Justice Chambers, who dissented and found DOMA unconstitutional, faces re-election later this year and was unopposed before the Supreme Court's ruling; he now faces a challenger, apparently due to his judicial leanings on the subject. Same-sex marriages, however, are illegal virtually everywhere in the Union and only one state, Massachusetts, allows gays to legally wed. This steamy topic will simmer for now



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**Top 5 Summertime Water
Safety Tips**



1. When swimming, watch out for the dangerous "too's"—too tired, too cold, too far from safety, too much sun, too much strenuous activity;

2. Never swim alone;

3. Always use a feet-first entry into the water until you are assured there are no hazards underwater;

4. Wear a brightly colored swim cap when swimming in open water and be accompanied by a boat; and

5. If your home, or the home you are visiting, has a pool or spa, ensure that all children who can't swim cannot access the water areas or insist they wear life jackets at all times.

That's it for now, enjoy the weather and the moment!

A handwritten signature in black ink, appearing to read "Ken Selander".

