



Same - Sex Marriage.

The legal issues surrounding same-sex marriage in the United States are complicated by the nation's federal system of government. The Defense of Marriage Act does not prevent individual states from defining marriage as they see fit, hence different states have very different legislation in place regarding the issue of same – sex marriage.

The right to marry was first extended to same-sex couples by a United States jurisdiction on November 18, 2003, in Massachusetts by a state Supreme Judicial Court ruling. Since then, same-sex marriage is now legal in Massachusetts since November 18th, 2003, in Connecticut since October 10th, 2008, in Iowa since April 27th, 2009 and in Vermont since September 1st, 2009. Same-sex marriages are to be recognized in Maine from September 14th, 2009, and in New Hampshire starting on January 1st, 2010.

Canada and the U.S. have a history of respecting marriages contracted in either country. This has raised a number of legal challenges, as Canada legalised same -sex marriages nationwide in 2003. Canada has no citizenship or residency requirement to receive a marriage certificate, so immediately after the June 2003 legalisation of same-sex marriage in Ontario, a number of same -sex American couples went to the province in order to get married.

A recent poll on April 30th, 2009 by ABC News/Washington Post found growing support for allowing same sex couples to marry in the United States. 49% of the people voted for allowing same -sex marriages and 46% opposed it, while those with no opinion on the matter was at 5%. In addition, 53% of those surveyed believe that gay marriages performed in other states should be legal in their states. It would seem that support for allowing same sex couples to marry is slowly, but steadily rising.

Some people that stop short of upholding same-sex marriage, would accept civil unions. Civil unions provide same-sex couples the legal rights of marriage but have a different name.

Civil Unions

The formalities for entering a civil union and the benefits and responsibilities of the parties tend to be similar if not identical to those relating to marriage. Various names are used for similar relationships in other countries, (see our download called same -sex unions around the world).

The term civil union was first applied in the US in the state of Vermont.

States with civil unions.

Connecticut

In 2005, the Connecticut legislature became the first in the country to enact civil unions without a court order. It was signed into law and took effect on October 1st, 2005. However, gay rights groups, pushing for further recognition introduced a bill to provide for same-sex marriage and filed a lawsuit seeking to overturn the ban on same-sex marriage in the state. On October 10th, 2008, the Supreme Court of Connecticut ruled that civil unions were discriminatory and the state must allow same-sex marriage under the equal protection clause in its constitution.

New Hampshire

On April 4th, 2007 the New Hampshire House of Representatives passed a civil unions bill. The bill is designed to grant partners in same-sex civil unions with the same "rights, responsibilities and obligations" as married couples in the state of New Hampshire. The bill was signed into law on May 31st, 2007, making New Hampshire "the first state to embrace same-sex unions without a court order or the threat of one".

New Jersey

The Civil Union Act in New Jersey took effect on February 19th 2007. Gay rights groups, however, have stated their dissatisfaction with the law and are continuing to push for same-sex marriage.

Vermont

Civil unions have been legal in Vermont since a 2000 Vermont Supreme Court ruling that required the state to recognize same-sex couples on a par with heterosexual couples.

The debates are still ongoing in many states. Wikipedia has more information on this subject.

http://en.wikipedia.org/wiki/Same-sex_unions_in_the_United_States#Civil_unions