

MARK LEWIS, et al.,

Plaintiffs-Appellants,

v.

GWENDOLYN L. HARRIS, et al.,

Defendants-Appellees.

SUPREME COURT OF NEW JERSEY

DOCKET NO. _____

Before:

AFFIDAVIT OF
SARAH LAEL

State of New Jersey)
 : ss.
County of Middlesex)

Sarah Lael, having been duly sworn, states as follows:

1. I am one of the Plaintiffs in this lawsuit, and I submit this affidavit in support of Plaintiffs' Motion in Aid of Litigants' rights. Suyin Lael, with whom I have been in a committed relationship for nineteen years, has also submitted an affidavit.
2. Suyin and I entered a civil union in March 2007. I have mixed feelings about civil unions. We entered one to protect our family and make sure we got the legal benefits it provides, but I have discovered that it is humiliating to be in a separate category from people who are married
3. I am forty-seven years old, and have lived in New Jersey since fourth grade. I am a speech therapist and language specialist at an elementary school.
4. In my previous affidavit in this case, I said that I grew up with the expectation that I

would one day fall in love and get married. I'm lucky to have fallen in love, and to have a wonderful family with children. But I'm denied that part of the future that I looked forward to growing up: getting married. I cannot separate myself from the culture I grew up in, which values marriage so very highly. We hoped that the earlier litigation would result in achieving the security and commitment of getting married. But the civil union we have been provided has failed to do that, because it is a separate status and people have a hard time understanding it.

5. I still see that marriage – not civil union status – is built deep into our culture. That shows when our girls act out weddings, which they love to do. They sometimes have us play the role of the couple getting married, going through the parts of the ceremony that they know so well, even though they are children, including throwing pretend rice at the end. Suyin and I remember the huge importance of marriage from our own childhoods, and as young women, and feel deeply its hold on us to this day. This is especially true now that we are parents, and more fully understand what marriage can mean to the health and well-being of a family.

6. Since we became parents, Suyin and I have wanted to be role models for our children. We try to teach them important values like being respectful, kind, honest, strong, and independent. We want them to take seriously their relationships, love, and parenting. For us, we need to be married to best role-model our values to our children.

7. After the civil union law was passed, we talked about just stopping by the town clerk's office to pick up the paperwork. But our daughters asked when we would have a real wedding and we decided to make our civil union a wedding. But since it isn't quite real, we only invited

Su's mother, brother, aunt and cousin, and my parents, sister and brother-in-law. Our three daughters were ring bearers and flower bearers. Our youngest daughter was so little, she forgot which way to go and ducked under a lectern. The ceremony had all the beauty and mystery of a wedding.

8. Despite our efforts and celebration, our children are acutely aware of the fact that we are not married. They have mentioned to us that a civil union is not the same as a marriage and wonder when we will have a "real" marriage. Their friends at school also do not understand why we have to have a separate status from marriage. Kids at that age understand what it means to be married and even what it means to be divorced, but they do not understand what it means to be in a civil union. One time someone in Zenzali's seventh grade class started presenting information about equality and civil unions in class. When the class started to discuss it, the teacher cut discussion off and explained that not everyone was mature enough to discuss the topic. This happened even though kids at that age obviously understand what a marriage is and what it means. It sent the message to our daughter that there is something illicit, inappropriate, and even shameful about her parents.

9. I know that our status is not equal. I have only to consider how easily I could be denied health coverage by Suyin's employer. I know that we couldn't say "married" and apply for additional insurance through a group plan. I am grateful to work where I do. If I find myself looking for work, I would need to be extra careful to make sure I could get health coverage for Suyin.

10. Soon after the civil union law, we received cautions against relying on the civil union to

guarantee hospital visitation rights. We had already both adopted our daughters, but when we attended a legal workshop, lesbian and gay parents were advised we should all still go through adoption proceedings, despite the civil union, just to be safe.

11. All of this contributes to a feeling that we must be extra-vigilant, because we have only a civil union.

12. It remains difficult to go to other people's weddings and realize that although we would get married in New Jersey if we could, we cannot. It sends a message that our relationship and civil union are not really real or as valuable as other people's relationships. It feels like standing on the outside of something important and looking in. It is heartbreaking that it seems so easy for other people to enter those kinds of relationships, but not us.

13. Despite having a civil union, I still feel that being denied marriage, despite how hard we work to love and support each other and our children, is demeaning and humiliating. People who know us are baffled that we are not married. We repeatedly have to try to explain to clerks that we have a civil union, and that it is supposed to be the same as a marriage. There are a lot of hassles and humiliations that send a message that we are not equal to other couples, including at doctors' offices and at school, where we have to change forms that do not accommodate people in a civil union, and constantly have to explain that we are in a civil union and what that means. When we tell people that we are in a civil union, they often say, "But you aren't married" or give us blank stares. Even when we explain what a civil union is, it seems like people feel they don't have to give us the same consideration or respond to us in the same way that they would to a married couple. I hate saying that we are in a civil union.

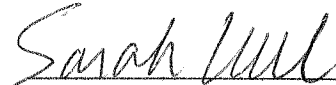
All of this takes a lot of time and energy that we could spend helping the kids with homework or spending other enjoyable time together as a family.

14. These feelings are part of my daily life, as I work and pay taxes and try to be a good mom and good life partner – because of the constant reminders that we are marked as different and inferior.

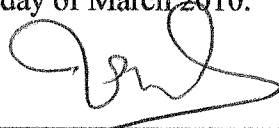
15. We continue to give the best of ourselves to our family. We both work full-time for employers to meet our financial responsibilities, and we both work full-time for our family to be the best parents possible for our three children. Often, we're exhausted. But we want our family to do well and be well. Not being allowed to get married makes all our efforts more difficult.

16. Attached to this affidavit is a true and correct copy of a photograph of my family.

17. I hereby declare, under penalties of perjury, that the facts stated in this affidavit are personally known to me, and that they are true.


Sarah Lael

Sworn to me this 15th
day of March 2010.


Notary Public

