



DEPUTY DIRECTOR
OF EDUCATION AND
PUBLIC AFFAIRS

NOTES FROM THE FRONTLINE

DES MOINES, FRIDAY, APRIL 3, 9:15 AM

Camilla Taylor, Senior Staff Attorney, purposefully strides into the press room. Cameras shutter, lights flash. She is barely to the microphone when she can contain herself no longer: "We won. Not only that, but it's unanimous."

Yes, we had won a unanimous decision from the Iowa Supreme Court, which confirmed the trial court's ruling: the state constitution guarantees marriage equality for same-sex couples. The journey there — in the courts and out in the Iowa fields — was a long one filled with the hope, sweat and tears of our clients, our attorneys, our community educators and our partners. But now here we were — joyful and victorious.

Just two days prior, however, we were more or less in the dark — hopeful, but without any certainty.

NEW YORK, WEDNESDAY, APRIL 1, 10 PM

I'm driving home from dinner and I get a phone call. *Work calling this late?* It's Lisa Hardaway, Lambda Legal's Media Relations Director.

"Hector, this is no April Fool's Day joke," she says. "The rumor mill has begun in earnest and some think the Iowa marriage ruling will be coming down on Friday."

I nearly have to pull over. Rumors often circulate about when decisions in high profile cases will come but no one really knows anything for sure until the announcement is public. The next 48 hours will be action-packed as we put into motion all that we've prepared in the last four years. In 2005, we filed *Varnum v. Brien* on behalf of six same-sex couples seeking the freedom to marry in Iowa. Little did we know how transformative the decision would be for America's heartland and the impact it would have on the entire country.



Plaintiff Ingrid Olson and Hector Vargas share an embrace after the press conference.

NEW YORK, THURSDAY, APRIL 2, 3:00 PM

Lisa and I are in a taxi on the way to the airport for our flight to Des Moines. Lisa had kept a packed suitcase in the office for the last few weeks, knowing that we would only have 24 hours official notice of a forthcoming decision. Our day-of-decision plans move forward: emails alerting our membership and key partners need to be sent, a press conference and day-of-decision rallies need to be finalized. There is much to do and less than 24 hours for all of it to come together.

As we leave New York, a van departs Chicago with staff from our Midwest Regional Office, including Camilla, who has been the architect of the Iowa marriage case. Two other attorneys who have played key roles in the case—co-counsel Denny Johnson, the former Iowa Solicitor General, and Ken Upton, Senior Supervising Staff Attorney from our South Central Regional Office in Dallas, are in the air headed to Des Moines.

Lisa and I talk over one another in the taxi as we rush to complete what work we can before we board. We had sent a press advisory earlier in the day so she's talking to reporters and finalizing media plans. I'm getting updates from Matt Fender, Lambda Legal's community educator in Des Moines, and talking and emailing with key national partners.

DES MOINES, THURSDAY, APRIL 2, 8:30 PM

Lisa and I, veteran business travelers, grab fast food for dinner on our way to the historic Hotel Fort Des Moines, our home away from home. As we enter the hotel, we run into Camilla and other staff members and share hugs and greetings. Everyone is nervous and excited about what lies ahead.

We meet with our plaintiff couples, most of whom have been able to rearrange their schedules to be in Des Moines (Bill Musser and Otter Dreaming are the exceptions, both traveling for work). The plaintiffs are, like us, nervous and excited. They've been waiting for this day for years. There is a lot of talk about whether any of them will be able to sleep. That doesn't seem to be much of a concern for Jamison, Reva's and Ingrid's two-and-half-year-old son. He's as cool as a cucumber and in his PJs waiting for us to end the meeting so he can get to bed.

Lisa explains that the press conference will begin at around 9:15 the next morning. We've reserved a private waiting room for the plaintiffs and we're asking them not to answer or use their phones to get news updates. We want to be sure that Camilla, their attorney, is able to announce the Supreme Court ruling directly to the plaintiffs at the press conference. After the decision is announced, they will be able to share their reactions with reporters, whatever the decision might be.

10:15 PM

The night isn't over. We have one final meeting that includes Carolyn Jenison and Brad Clark of One Iowa, the state's largest LGBT advocacy organization. We've been working side by side with One Iowa on public education efforts for the last four years and the day of decision is no different.

We walk through our plans one more time. Press conference in the morning. Check. Rallies across the state in the afternoon and through the weekend. Check. Evening reception (hopefully, a celebration) in Des Moines. Check. Everything seems set. Now, all we need is a decision.

Though every moment waiting for the decision feels like eternity, it actually comes about six months earlier than we expected. Back in 2007, when the Iowa District Court ruled denying same-sex couples access to marriage unconstitutional, the opposition appealed and moved for a "stay" on the decision the next day, which was granted. In the short period beforehand, one young couple, Tim and Sean McQuillen, were married. The stay set the stage for the Iowa Supreme Court to hear oral argument in the case in December 2008. In the meantime, we had been working with One Iowa on media and public education efforts to prepare Iowans for a marriage equality victory, incorporating everything we've learned from our recent marriage equality cases into our plans in Iowa.

FRIDAY, APRIL 3, 8:30 AM

As reporters and camera crew set up, I carefully monitor my BlackBerry for any news. The first news is not so good: the Iowa Supreme Court website is down—perhaps too many people trying to access it at once. We've planned for this, and a runner is already at the Supreme Court building trying to pick up a hard copy of the opinion.

8:42 AM

An email arrives from Jenny Pizer, Lambda Legal's Marriage Project Director. The subject line is all I need to know: WE WON—



Plaintiffs (clockwise): Dadvid Twombly and Larry Hoch with the BarbouRoske family; Tim and Sean McQuillen; Chuck Swaggerty and Jason Morgan; Reva and Ingrid's son, Jamison.

UNANIMOUS DECISION AFFIRMING, EFFECTIVE IN 21 DAYS.

It's hard to stifle my reaction. Inside I'm overjoyed but I don't want reporters to know that I know, and I certainly don't want the plaintiffs to learn anything from me.

I'm about to burst. Lisa comes back from the law offices across the street where the attorneys have gathered to quickly analyze the decision before the press conference. I walk Lisa out of the press conference room and ask her to check her email. We privately share about 15 seconds of "wows," then we know we have to put our poker faces back on and get to work.

8:50 AM

I make another announcement to the press corps gathered that at about 9:15 the plaintiffs will arrive. I tell them that the plaintiffs do not know the decision, and ask the reporters to please allow our attorneys to reveal the decision to their clients. The room is starting to fill, not just with reporters but with friends and supporters.

9:02 AM

As the first group of plaintiffs arrives and sits down, a hush falls over the room. The second group arrives and the anticipation builds.

They sit in reserved seats in the front of the room. Kate and Trish Varnum, the named plaintiffs in the lawsuit, are there. Retired teachers David Twombly and Larry Hoch sit in the very front row. Reva Evans and Ingrid Olson are joined by their son, Jamison. Jen and Dawn BarbouRouske make it a family affair too; with them are daughters McKinley and Breeanna, along with Jen's mother. Chuck Swaggerty and Jason Morgan drove the farthest, almost three hours, to be there. Sean and Tim, the only gay couple to marry in Iowa, take their seats too.



Camilla Taylor, Senior Staff Attorney

9:15 AM

Camilla announces our victory. Cheers and applause fill the room. From the back, I know that each of the couples is celebrating in their own way, but I only see Kate and Trish. They are face to face, holding each other, with the biggest smiles imaginable and tears of joy streaming down their cheeks.

The unanimous decision is simple, clear and powerful. "The exclusion of gay and lesbian people from the institution of civil marriage does not substantially further any important governmental objective," the decision reads. "The legislature has excluded a historically disfavored class of persons from a supreme important civil institution without a constitutionally sufficient justification."

The rest of the press conference is a bit of a blur, but Tim and Sean have two of the funnier and more poignant remarks from the press conference. Tim points out that most of the couples "seem like they've been together longer than we've been alive." Sean says simply, "Welcome to married life."

After the press conference and interviews end, a man in his late 50s, approaches me. He's attending the meeting across the hall from our press conference. I don't know him and haven't engaged him in any conversation. "I never thought I'd live to see the day that Iowa would get this right," he says.

Good wishes have been following us all day. At lunch, our server is excited to be with our party and congratulates our plaintiffs. Before she lists today's specials, she quips: "The good news today is that you can now get married. The bad news is, I'm off the market."

The Lambda Legal team is about to fan across the state for our rallies. Matt and the entire One Iowa staff have been hard at work preparing for rallies in several different cities and we, along with some of the plaintiffs, are scheduled to speak at five of them: Jim Bennett, our Midwest Regional Director, in Davenport; Ken with clients Jen and Dawn in Iowa City; staffers Cheryl Angelaccio and Graciela Gonzalez joining Kate and Trish at the Peoples Unitarian Universalist Church in Cedar Rapids; Camilla, Denny and David and Larry in Des Moines with more than 1,000 participants (one who holds a sign saying "Cornfed and ready to wed!"); and me, along with Reva and Ingrid, in Council Bluffs.

Late that night, Lambda Legal staff members meet back in Des Moines. We are exhausted, but still ecstatic about the day's events. We are humbled at having the privilege of participating in such a groundbreaking achievement for LGBT equality. It is the first-ever unanimous decision on marriage, and the first marriage equality victory in the Midwest. Thousands of Iowans joined us in celebration, and couples would begin to marry in just three weeks.

As Lisa and I head back to the airport Saturday morning, we decide to stop at one of our favorite breakfast spots in Des Moines. The last time we ate here, a day or two after the case was argued before the Supreme Court, one of the owners told us how he was excited about the possibility of marriage in Iowa. Although he and his partner had already done the "ceremony thing," they would, of course, want to be married under Iowa law. It takes him a minute but then he recognizes us and who we are. We get a big hug, and the pancakes are on him. **L**