



Wisconsin Supreme Court Dismisses Challenge To Domestic Partnership Registry

Committed Couples Can Continue To Enjoy Limited Protections
Offered By Registry

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MADISON, WI – The American Civil Liberties Union today applauded a decision by the Wisconsin Supreme Court to dismiss a challenge to the state's recently-enacted domestic partnership registry. The Court also rejected a request from board members of Wisconsin Family Action that the registry be declared unconstitutional and put indefinitely on hold. The ACLU represents five same-sex couples who asked to be allowed to participate in the case.

"The registry certainly doesn't offer anywhere close to the protections that marriage would, but we're grateful that the couples we represented can at least hang onto the limited legal protections it gives them, such as the ability to visit each other in the hospital," said John Knight, a senior staff attorney with the ACLU LGBT Project.

Board members of Wisconsin Family Action had asked the Wisconsin Supreme Court to strike down the domestic partner law as inconsistent with the amendment to the state constitution that bans same-sex couples from marriage. The dismissal of the case by the Wisconsin Supreme Court means that these petitioners may not begin their case in the Wisconsin Supreme Court but may re-file their case in a circuit court (lower court), where both sides will be able to have a trial and present evidence to support their cases.

"The Wisconsin Supreme Court did the right thing rejecting this premature and ill-defined challenge. If the petitioners want to deprive thousands of families of some very basic protections, they should not be allowed to short-circuit the legal process of proving their case to a trial judge," said Larry Dupuis, Legal Director of the ACLU of Wisconsin. "We're certain that if we end up having to deal with these arguments in a trial, we'll be able to show how the limited protections offered by the domestic partnership registry in no way violate the marriage ban."

The five couples represented by the ACLU had asked the court to let them join the lawsuit so that they could help defend the law. That motion was denied as moot, since the lawsuit was dismissed. Fair Wisconsin, an LGBT advocacy organization whose members include same-sex couples who have registered as domestic partners under the new law, also sought to intervene in the lawsuit to help defend the law.

In addition to Dupuis and Knight, the legal team representing the couples includes Linda Hansen, David Froiland, Jason Plowman, Daniel Manna and David Goroff of Foley & Lardner, LLP.

Additional information about the ACLU's motion, including bios and photographs of the couples, the legal documents filed and a fact sheet containing some of the comments made by the anti-gay activists seeking to strike the law, is available at <http://www.aclu.org/lgbt-rights/appling-v-doyle-case-profile>.

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