

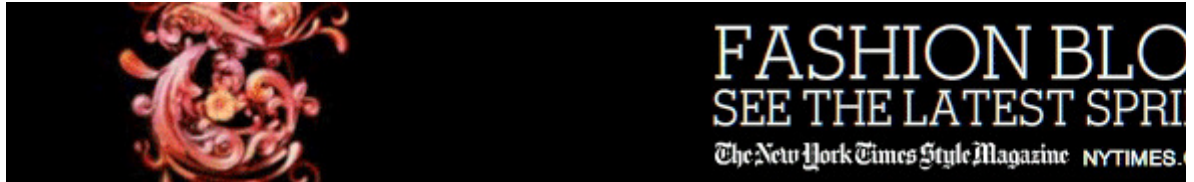
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Gay Couples Say Civil Unions Aren't Enough

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Civil unions require constant “haggling, litigation and explanation,” said Evan Wolfson, the founder of a New York-based advocacy group called Freedom to Marry. Being married, he said, means “you don’t have to fumble for documents. You don’t have to hire an attorney, and you don’t have to consult a dictionary. You’re married. You know what it means, and everyone else knows what it means.”

Multimedia



Same-Sex Unions in Connecticut

Barbara Upton and Suzanne Rogers, who live in Avon and snapped up a civil union license the day it became available, carry proof of their reciprocal ties wherever they go. Ms. Rogers, a 62-year-old nurse, said the frustrations begin with trying to describe themselves: “We’re civilized? We’re unionized? Whatever. That’s part of the problem. Nobody really understands it, and that includes me.”

For Jean Csvihinka, 48, who works at a bank in Milford, getting a civil union meant paying tax on an additional \$6,000 a year. Ms. Csvihinka said that adding her partner, Gina Bonfietti, 43, a self-employed piano technician, to her health insurance obligated her to pay a federal tax on the value of the additional coverage that married couples would not owe, and that since the civil union she has also had to pay tax on her daughters’ coverage even though the girls were on her plan, tax-free, before. She said she was told that “it’s a systems issue.”

Experts blame some of these problems on the disconnect between state taxes, which civil union couples can file jointly, and federal taxes, which they cannot because of the 1996

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Defense of Marriage Act that defines marriage as between a man and a woman. Some employers provide people in same-sex partnerships with two W-2 forms, one that includes the imputed income for the extra health-care coverage for federal purposes and one that does not.

Maureen M. Murphy, a New Haven lawyer who has represented same-sex couples for 15 years, said it often takes civil union couples two or three times as long to prepare their taxes, because they need to fill out a dummy joint federal return in order to calculate figures they need for their Connecticut joint filing. “Believe me, we’ve run all-day continuing legal education seminars on this,” Ms. Murphy said.

One pair of plaintiffs in the case before the Supreme Court, Janet Peck and Carol Conklin, refused to get a civil union because, as Ms. Peck put it, they give “gays and lesbians an impossible choice between those rights that everybody needs and our own self-respect and dignity.” On a more practical level, the couple complained to the court that not being able to marry could jeopardize their “priority seats and access” to [University of Connecticut](#) women’s basketball games, among the most coveted rights or benefits a state resident might seek. Ms. Peck’s name is on the tickets, and should she die, the university allows them to be passed only to a spouse. Mike Enright, a spokesman for the university’s athletic program, said the Huskies “follow current state regulations,” suggesting that if the couple obtained a civil union they could transfer the tickets.

Amy Pear, a 39-year-old police captain in Middletown, said she was reminded again this month of her own murky legal status when she returned home from an overseas trip with June Lockert, 46, her better half for the last 14 years.

Arriving at Kennedy International Airport, the couple were asked whether they were one household. Captain Pear said she explained that they were, in Connecticut, because of their civil union. She said the customs officer sent them back to be processed separately since the federal government took a different view, and remarked “Welcome home” as she passed.

Captain Pear said she has also been unable to get a firm answer from Middletown officials as to whether Ms. Lockert would get survivor benefits if she died in the line of duty. “Unfortunately, a lot of people don’t know how civil unions will work because it’s not marriage,” Captain Pear said. “You ask does this apply or not, and they say maybe.”

Debra Milardo, Middletown’s personnel director, said the city would provide the same benefits to a gay partner in a civil union as to an officer’s husband or wife, but that such a partner would likely face federal taxes a married person would not. “That is something no municipality has any jurisdiction over,” Ms. Milardo said. “A federal tax burden is a federal tax burden. We can’t circumvent that in any shape or form.”

Michael Limone, 35, and Brad Eaton, 36, celebrated their civil union last year in a big tent

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in their Stamford backyard, exchanging vows that included the line from [Thornton Wilder](#)'s "Our Town" about how "people are meant to go through life two by two." But the couple said their status can lead to awkward, inappropriate conversations in doctor's offices or at job interviews.

Asked whether he was married when he took a job as a teacher in Beacon Falls, Mr. Limone said he felt compelled to explain that he was in a civil union. "I'm sitting across from this person and now I've got to come out to this person," he said of the encounter.

Jeffrey Busch, a lawyer who is also a plaintiff in the case, said that he and his partner, Stephen Davis, reluctantly obtained a civil union for the sake of their son, Eli. "It was an awful experience," Mr. Busch said. "In order to get those rights, we had to make a public declaration of inferiority.

"Being in a civil union is not the same as married," he said. "If it was, they would call it marriage. I don't know anybody who would give up their marriage for a civil union."

Eli, who was conceived with the help of a surrogate, is now 5. When his kindergarten class was playing "Farmer in the Dell" recently, Eli grabbed the hand of another boy while his friends sang, "the farmer takes a wife."

Knowing that Eli has two fathers, the other children quickly adjusted, singing "the two dads take a child" instead.

"Without missing a beat," Mr. Busch noted proudly.

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