

NJ Civil Union Bill Passes

December 20, 2006

by Bob Roehr

New Jersey created civil unions for same-sex couples in legislation passed on Dec. 14. It is the functional equivalent of marriage and will come into effect 60 days after Governor Jon Corzine signs it, something that he has pledged to do.

In October, the New Jersey Supreme Court unanimously ruled that same-sex couples must be granted the equal rights and responsibilities of marriage. But four of the seven justices left it up to the legislature as to how that should be implemented.

Gay rights advocates argued for a simple change in the law to grant full marriage equality under that word. But legislators chose a different path. In just 10 days, from introduction through brief hearings, they rushed through the civil unions measure.

New Jersey will become the third state to grant civil unions to same-sex couples, following the lead of Vermont in 2000 and Connecticut in 2005. A series of expansions of domestic partnership laws in California have granted most of the benefits and responsibilities of marriage to gay couples. However, Massachusetts remains the only jurisdiction to fully embrace marriage equality for gay couples.

Steven Goldstein, chairman of Garden State Equality, the New Jersey group that pushed for marriage, says they are planning a rally for the day the act takes effect, "to pre-empt the idea that this is a day for celebration" for the gay community.

He found hope in the fact that so many legislators were willing to support the marriage option, and expects that they will pass full marriage equality within a year or two.

"Although same-sex couples in New Jersey are better off today than yesterday, they are still not equal to other couples," said David Buckel, an attorney with Lambda Legal who heads the Marriage Project and led the appeal before the New Jersey Supreme Court.

"Their relationships will likely continue to be disrespected," he said. "By passing a law that marks same-sex couples as inferior, the government has paved the way for others to discriminate against them. Just as we saw happen with couples whose domestic partnerships were not recognized, so too are we likely to see similar hardships for couples in civil unions."

Lambda Legal will monitor the situation and will help couples as those problems arise.

"It's both a disappointing day and a great day," said Matt Foreman, executive director of the National Gay and Lesbian Task Force. "On the one hand, purely for political expediency, New Jersey's political leaders crammed through the legislature an inherently unequal civil union.