

MARK LEWIS, et al.,

Plaintiffs-Appellants,

v.

GWENDOLYN L. HARRIS, et al.,

Defendants-Appellees.

SUPREME COURT OF NEW JERSEY

DOCKET NO. _____

Before:

**AFFIDAVIT OF
MAUREEN KILIAN**

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

Maureen Kilian, 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 the Plaintiffs' Motion in Aid of Litigants' Rights.
2. I am 52 years old, and I am in a committed relationship of 35 years with Cindy Meneghin. Cindy has also submitted an affidavit in support of the motion. Cindy's affidavit contains many facts about our family that I will not repeat here.
3. I am a parish administrator for Christ Church in Pompton Lakes.
4. Cindy and I knew from the beginning, when we were high school sweethearts, that we were meant to spend our lives together. We were so right for each other, and I feel very lucky to have spent more than 30 years building a life and a family with Cindy.
5. Cindy and I entered a civil union on February 24, 2007. We believed it was important to obtain a civil union, because we want to take every legal precaution available to protect our family. We had a service at our church and a big party. There were 300 people at the service and more than 200 people at our party.

6. Since we entered into our civil union, we have found that we spend a lot of time explaining to people what a civil union is and what it means. I know that we would not confront this same confusion and trouble if we could simply say that we were married. This even happens at the most terrible times, such as when Cindy had to go to the emergency room, because the doctor thought she might have appendicitis. I know that she was scared when the people at the hospital did not understand what a civil union was or that it was supposed to provide the same protections as a marriage. We didn't know if they would let me be with her. That scared me, too, and it still does.

8. We got our civil union with the hope that it would give us more protection and recognition of our relationship. But people do not understand the words "civil union" in the same way as they understand "marriage." I oftentimes have to try to explain that a civil union is supposed to have the same meaning and that my relationship with Cindy is as important as the relationship between any married couple. I explained this to the Civil Union Review Commission when I testified, along with Cindy and our children on October 24, 2007. Although I hoped otherwise, I have found that since the time of my testimony, people still do not know what a civil union is and certainly do not understand it as equal to a marriage.

10. The meaning of a legal wedding is obvious to children, too. Our children talked a lot about our civil union before it happened. Our daughter, Sarah, wanted to be able to see us dressed up and to wear her own special outfit. Both of the children now understand that we are in a civil union, although they do not understand why we cannot get married. To them, our relationship shouldn't be treated differently from the relationships of their friends' parents who are married. Because we cannot use the word "married," it makes the children feel like their parents' relationship is deemed less important than the relationships of the parents of their friends.

10. For instance, I am the youngest of seven siblings, and in our family we've had lots of cousins' weddings lately. As they are going through these ceremonies, where Josh has been an usher and Sarah has been a maid of honor or bridesmaid, they've talked with us yet again about why their cousins can get married, and we're not allowed to. It's very fresh in our children's minds. They recall that when we were planning the ceremony for our civil union, we couldn't say "married," and they notice any time we have to fill out forms for them, any time we have to legally notate who we are, that it's different. It bothers them, and they are tired and frustrated about the fact that people who don't even know us are deciding we are not the same as or as good as other people.

7. My affidavit when we began this case included my reflections on all the times of life that are filled with meaning, and of how much marriage is part of those times. There are cards for an engagement, a wedding, an anniversary of a marriage, and cards for the birthdays of husbands and wives, but I have never seen a card for entering a civil union, for the anniversary of a civil union or for the birthday of a civil union partner. The most important person to a deceased in the obituary is a spouse --not a friend or a roommate or a partner. Spouses are automatically included in invitations, or memberships, or other things that arrive in the mail, all reminding me that it is legal spouses who matter the most in people's minds and that, if they think about civil unions at all (which is rare), that's an afterthought.

11. It is still the case, as it was when this lawsuit began, that when I meet someone, like a new co-worker, one of the first things that usually comes up is whether or not they are married, and that reveals something that matters about that person. In conversations with co-workers, neighbors, relatives, grocery store clerks, parents of our children's friends, and so many others, there are constant references to husbands and wives, and all the meaning that goes along with those simple words is a constant flow across one's mind. But instead of simply being able to explain that I am

married to Cindy, I have to explain that she is my partner in a civil union. Many people don't understand what that means. We have to explain that although it isn't a marriage, it's supposed to be the same thing as a marriage. Some people even ask why can't we just get married, and we have to explain that the State of New Jersey just won't let us. I believe that this sends a message that our relationship is less important than the relationships of married people.

12. For me, being married also tells people about your values and your faith, because it is an incredibly important commitment that has a spiritual side. In my faith, the marriage commitment is really important. Different-sex couples whose belief systems place a priority on commitment can, by getting married, show that their actions match the words of their beliefs. Even though we feel the same level of commitment and tried to show that by entering a civil union, it is not the same, in large part because we cannot use the word "marriage," which is the only word that everyone understands to mean that two people want to share this deep commitment.

13. As we have since we began the case, Cindy and I share the dreams of many parents and hope our own children can and will choose marriage for themselves one day, partly because it will mean that someone has chosen to be legally responsible for them, and vice versa, which goes along with caring about and making them happy. In the years that have passed while we have been seeking equal marriage rights, our children have grown past adolescence, and have both self-identified as heterosexual. As parents, we are comforted to know that if either or both choose to enter into a lifelong committed relationship with another person, they will be allowed all the rights, protections and social understanding that comes from legally marrying. But we don't think that comfort and security should be conditioned upon our children having self-identified as heterosexual rather than lesbian or gay.

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

15. I hereby declare, under penalties of perjury, that the facts stated in this affidavit are

personally known to me, and that they are true.

Maureen Kilian
Maureen Kilian

Sworn to me this 16th
day of March, 2010.

Erica J. Stewart
Notary Public

ERICA J. STEWART
NOTARY PUBLIC OF NEW JERSEY
Commission Expires **6/27/2010**