



Tim Rice and Don Julian

Affidavit of Don Julian

**IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, CHANCERY DIVISION**

JAMES DARBY and PATRICK BOVA, *et al.*,

Plaintiffs,

v.

DAVID ORR, in his official capacity as Cook County
Clerk,

Defendant.

TANYA LAZARO and ELIZABETH "LIZ" MATOS,
et al.,

Plaintiffs,

v.

DAVID ORR, in his official capacity as Cook County
Clerk,

Defendant.

STATE OF ILLINOIS, *ex rel.* Lisa Madigan, Attorney
General of the State of Illinois,

Intervenor,

CHRISTIE WEBB, in her official capacity as Tazewell
County Clerk, and KERRY HIRTZEL, in his official
capacity as Effingham County Clerk, DANIEL S.
KUHN, in his official capacity as Putnam County
Clerk, PATRICIA LYCAN, in her official capacity as
Crawford County Clerk, BRENDA BRITTON, in her
official capacity as Clay County Clerk,

Intervenors.

Case No. 12 CH 19718
The Honorable Judge
Sophia Hall

Case No. 12 CH 19719
The Honorable Judge
Sophia Hall

**AFFIDAVIT OF
DON JULIAN**

COUNTY OF UNION)
)
STATE OF ILLINOIS) ss.

AFFIDAVIT OF DON JULIAN

Don Julian, having been duly sworn, states as follows:

1. I am one of the Plaintiffs in this lawsuit.
2. I was born on December 1, 1960, and I am 52 years old.
3. I am in a permanent, loving, and committed relationship of 18 years with Tim Rice, and we wish to marry. Tim also has provided an affidavit and we will try not to repeat each other.
4. I was born in Mount Vernon, Illinois. I currently reside with Tim in Alto Pass, Union County, Illinois.
5. I served in the United States Army for six years.
6. I have a master's degree from Southern Illinois University and have worked as a Clinical Services Supervisor for the Department of Juvenile Justice in Murphysboro, Illinois for the past 13 years.
7. On August 14, 2011, 15 years after our pastor blessed us in a holy union ceremony, the same pastor united us in a civil union. We celebrated at a local inn attended by 150 guests, including the village mayor and many family members and long time friends.
8. Tim and I felt honored when the village historian and curator of the local museum asked us to submit photographs for inclusion in the village archives as a record of the first civil union in the Village of Cobden and Union County.

9. Many people, however, do not understand what the novel status of civil union means, and we continually have to explain what it is and the significance of our relationship to others, which underscores to us that our status is inferior to married couples.

10. Being able to marry would mean that we are not second class citizens anymore. Having legal recognition would help me to stand up to everyone and say that I am somebody -- I am somebody who matters -- I am someone who deserves equal dignity.

11. I often feel fear that we won't be recognized as a family in a medical emergency. Ever since Tim suffered a seizure, I've feared that doctors or emergency medical technicians won't be willing to take information from me about Tim's medical history, and that I will be shut out and kept from being with him, or from learning information about his condition.

12. Recently, Tim had a cardiac episode. He was in the emergency room for a big part of the day. Tim's doctor was very nice but just didn't understand what a civil union was, or what Tim and I mean to each other. Tim told the doctor several times that I was his partner and that we are in a civil union, but every time the doctor came in, he kept asking, "Can I talk in front of him?" He just didn't seem to understand. Tim's blood pressure went up as he had to explain our relationship multiple times, which was particularly worrying given his condition.

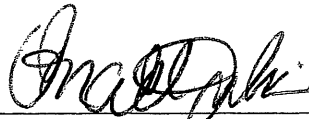
13. Being able in any situation to say "this is my husband" or "we are married" would simplify our effort to find the right words to say who we are to each other when we have to explain our relationship to the outside world.

14. In addition, being a part of a faith community means that I have responsibility to help those around me. Inequality in marriage hurts Tim and me, but it hurts other families, too. Bringing this lawsuit not only helps me to fulfill my love and responsibility to Tim, but it helps me fulfill that responsibility that I feel I have to others around me as well.

15. Tim and I are both over the age of 18, have the capacity to contract, are not within the degrees of consanguinity or affinity prohibited by law for a legal marriage, are not wards under a guardianship, and are not legally married to any other person.

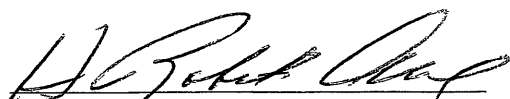
16. On or about the 25th day of May, 2012, Tim and I appeared in person, prepared to tender the \$60 application fee and identification documents, at the office of the Cook County Clerk to request an application for a marriage license so that we could marry each other in the State of Illinois. An employee of the Cook County Clerk denied them an application, stating, "We can't give a marriage license to a same-sex couple."

17. I hereby declare, under penalties of perjury, that the facts stated in this affidavit are personally known to me, and that they are true.

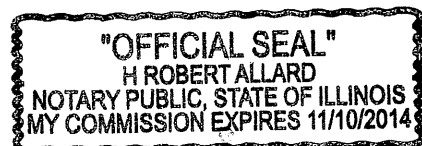


Don Julian

Sworn to before me this 14th day of March, 2013



Notary Public





Tim Rice and Don Julian

Affidavit of Tim Rice

**IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, CHANCERY DIVISION**

JAMES DARBY and PATRICK BOVA, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 12 CH 19718
)	The Honorable Judge
)	Sophia Hall
DAVID ORR, in his official capacity as Cook County Clerk,)	
)	
Defendant.)	
)	
<hr/>		
TANYA LAZARO and ELIZABETH "LIZ" MATOS, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 12 CH 19719
)	The Honorable Judge
)	Sophia Hall
DAVID ORR, in his official capacity as Cook County Clerk,)	
)	
Defendant.)	
)	
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STATE OF ILLINOIS, <i>ex rel.</i> Lisa Madigan, Attorney General of the State of Illinois,)	
)	
Intervenor,)	AFFIDAVIT OF
)	TIM RICE
CHRISTIE WEBB, in her official capacity as Tazewell County Clerk, and KERRY HIRTZEL, in his official capacity as Effingham County Clerk, DANIEL S. KUHN, in his official capacity as Putnam County Clerk, PATRICIA LYCAN, in her official capacity as Crawford County Clerk, BRENDA BRITTON, in her official capacity as Clay County Clerk,)	
)	
Intervenors.)	
)	

COUNTY OF UNION)
)
STATE OF ILLINOIS) ss.

AFFIDAVIT OF TIM RICE

Tim Rice, having been duly sworn, states as follows:

1. I am one of the Plaintiffs in this lawsuit.
2. I was born on September 14, 1961, and I am 51 years old.
3. I am in a permanent, loving, and committed relationship of 18 years with Don Julian, and we wish to marry. Don also has provided an affidavit and we will try not to repeat each other.
4. I was born in Western Kentucky. I’ve lived in Illinois since Don and I bought our farm in 1995. We currently live in Alto Pass, Union County, Illinois.
5. I am a graduate of Southern Illinois University, and am a social worker employed as a Child Welfare Advanced Specialist for the Department of Children and Family Services.
6. The day that Don and I entered a civil union was, and remains, one of the most significant events in our relationship. I feel joy that the law finally recognizes our relationship. However, I also feel disappointment that our civil union has not resulted in respect for our relationship in numerous contexts. For example, state employment applications and state tax forms continue to offer “married, single, widowed, divorced” as the descriptors for existing relationships. It’s the same with bank loan applications, insurance policy applications, and other things. We are no longer single, but claiming to be “married” doesn’t feel right either at this point. Also, it has been awkward telling people about our union. Straight couples have a wedding and get married. Gay couples

have a civil union and get "Unioned?" "Civilized?" "Hitched?" None of these sound appropriate.

7. Don and I are both over the age of 18, have the capacity to contract, are not within the degrees of consanguinity or affinity prohibited by law for a legal marriage, are not wards under a guardianship, and are not legally married to any other person.

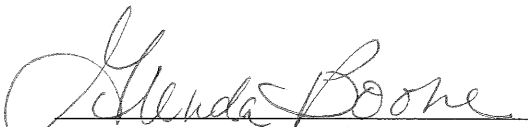
8. On or about the 25th day of May, 2012, Don and I appeared in person, prepared to tender the \$60 application fee and identification documents, at the office of the Cook County Clerk to request an application for a marriage license so that we could marry each other in the State of Illinois. An employee of the Cook County Clerk denied us an application, stating, "We can't give a marriage license to a same-sex couple."

9. I hereby declare, under penalties of perjury, that the facts stated in this affidavit are personally known to me, and that they are true.



Tim Rice

Sworn to before me this 18th day of March, 2013



Notary Public

