

MARK LEWIS, et al.,

Plaintiffs-Appellants,

v.

GWENDOLYN L. HARRIS, et al.,

Defendants-Appellees.

SUPREME COURT OF NEW JERSEY

DOCKET NO. 58,389  
CIVIL ACTION

**AFFIDAVIT OF  
SUYIN LAEL**

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

Suyin Lael, 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 50 years old, and was born in Phillipsburg, New Jersey. I am an administrator for a non-profit corporation.
3. I feel fortunate to be in a loving relationship with my lifetime partner, Sarah Lael. We have been a committed couple for 19 years. Sarah has also submitted an affidavit.
4. Sarah and I entered a civil union in March 2007. We feel we were promised it would be equal, but it's not.
5. We together have adopted three children: Zenzali, who is 12; Tenaj, 11; and Danica, 9, and we are each their legal parents.

6. In April of 2002, we legally changed our last names, and the last name of our daughter, Zenzali, to Lael. We decided to do this before she entered kindergarten because, since we couldn't get married, we wanted to add another signal for teachers and administrators that they should deal with both of us as parents and treat our daughter's family as a family. We then gave the same last name to Tenaj and Danica when we adopted them the next year. It would be best to be able to say the simple and easily recognized words "we're married," instead of fretting over all the different ways to signal or declare that our family should be treated as if the two of us were married. Unfortunately, our civil union has not given us that security.

7. For the last five years we have lived in South Brunswick, New Jersey.

8. As we discussed at the beginning of this litigation, with three children who are African-American, we confront challenges of racism that have confronted parents for a very long time. Children are part of what makes life worth living, and bigotry cannot be allowed to harm them or deny us that treasured part of life. Our job as parents is to make our children understand that bias is not about who they are, but instead is about who the biased people are. It is already challenging to raise a family composed of members of minority groups who may face discrimination, and dealing with these issues is even more difficult when our government sends a message that our family is not as worthwhile as other families. It also makes it hard to explain to our children and to others that our relationship, which is the foundation of our family, should be respected as much as any other couple's relationship.

9. With three children, visits to doctors' offices are pretty common. Years after we got a civil union, it is still difficult for people to understand that we are all part of the same family.

With our kids watching, we have to explain that we are in a civil union with each other and both parents of our daughters, which we would not have to do if we could just say “we’re married.” Those few words that everybody knows so well make an enormous difference—a difference our civil union has not made. We also get those endless forms at these offices, and our kids watch as we do the familiar scratching off of words on the forms that don’t match our family, like “single” versus “married,” with no acknowledgement of a civil union. Our children understand the messages of disrespect and unworthiness from these forms.

10. We remain, as we were when we began this case, an authentic family, loving and supporting each other, experiencing together all the important things in life, including birthdays, anniversaries, holidays with our extended families, serious illnesses, school plays, family video nights, and those small but all-important times together driving in the car or having meals at home or telling bedtime stories. But the two parents in this family do not know which box to check on a form, which might say “married” or “single” but not “civil union,” and cannot just say the two words that contain so much meaning, to tell the world in a way it understands about all those important things in our lives: “we’re married.”

11. We also face troubles at work, where we have to choose our battles and constantly figure out if a fight is worth having for the benefits. For instance, I tried to obtain supplemental disability insurance with hospital coverage for Sarah as part of my employer’s plan, but I was told that while I could get coverage for our children, they did not recognize civil unions, because they have offices in New Jersey and Pennsylvania and follow Pennsylvania law only. They said this even though the employee handbook says they should follow the policy and laws of each

state. We were able to obtain primary insurance through Sarah's union, but only after we explained what a civil union is and that it should be treated the same as a marriage. At one point I had to have a medical procedure, and it worried me that someone would say I wasn't covered for it. We also worry about what would happen if we changed employers or had to deal with another company.

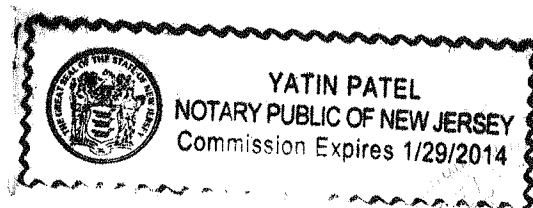
12. Attached to this affidavit is a true and correct copy of a photograph of my family.

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

  
Suyin Lael

Sworn to me this 15<sup>th</sup>  
day of March 2010.

  
Notary Public





Lael Family