



Peggy Burton and Donna O'Crowly

## **Affidavit of Donna O'Crowly**

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

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

Plaintiffs,

v.

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

Defendant.

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Case No. 12 CH 19718  
The Honorable Judge  
Sophia Hall

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

Plaintiffs,

v.

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

Defendant.

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Case No. 12 CH 19719  
The Honorable Judge  
Sophia Hall

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

Intervenor,

**AFFIDAVIT OF  
DONNA O'CROWLY**

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.

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COUNTY OF MCLEAN    )  
                                  )  
STATE OF ILLINOIS    )        ss.

**AFFIDAVIT OF DONNA O’CROWLY**

Donna O’Crowly, having been duly sworn, states as follows:

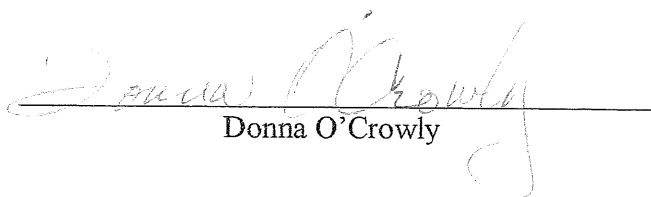
1.           I am one of the Plaintiffs in this lawsuit.
2.           I was born on March 9, 1946, and I am 67 years old.
3.           I am in a permanent, loving and committed relationship of 37 years with Peggy Burton, and we wish to marry. Peggy also has provided an affidavit and we will try not to repeat each other.
4.           I grew up in Salem, Oregon. Peggy and I came to Bloomington, Illinois in 1981 after I received a promotion at State Farm and we have lived here ever since. Peggy and I entered into a civil union on July 23, 2011.
5.           Since our civil union, Peggy and I have found it frustrating to explain our novel status to others, including at a medical clinic just prior to Peggy’s first knee replacement surgery, when we struggled to fill out forms that asked solely whether she was married or single, but did not contain a reference to civil unions. In November, Peggy had a second knee replacement surgery. We encountered this problem again. A hospital staff member decided finally that he would describe us as married since, in his words, “People get that.” However, there is no guarantee that others would do the same thing. I felt anxious both times that Peggy was in the hospital, not just for her health, but also because I feared that I would not be allowed to be there for her if something unexpected were to happen.

6. Peggy and I want to be able to take care of each other in old age. We want to be able to make decisions for each other. We don't want to get stalled at a hospital at some point because some administrator doesn't understand what a Civil Union is. I want to be able to say "I'm the spouse" and have people treat us as a married couple.

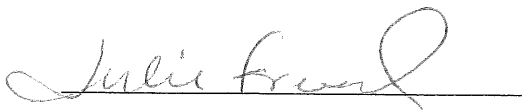
7. Peggy and I are both over the age of 18, have the capacity to contract, are not within the degrees of consanguinity or affinity prohibited by law for a legal marriage, are not wards under a guardianship, and are not legally married to any other person.

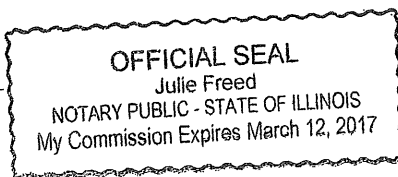
8. On or about the 22nd day of May, 2012, Peggy and I appeared in person, prepared to tender the \$60 application fee and identification documents, at the office of the Cook County Clerk to request an application for a marriage license so that we could marry each other in the state of Illinois. An employee of the Cook County Clerk denied us an application because, "Marriage is for different-sex couples only."

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.

  
Donna O'Crowly

Sworn to before me this 21<sup>st</sup> day of March, 2013





Notary Public



Peggy Burton and Donna O'Crowly

## **Affidavit of Peggy Burton**

**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.

Case No. 12 CH 19718  
The Honorable Judge  
Sophia Hall

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

Plaintiffs,

v.

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

Defendant.

Case No. 12 CH 19719  
The Honorable Judge  
Sophia Hall

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

Intervenor,

**AFFIDAVIT OF  
PEGGY BURTON**

CHRISTIE WEBB, in her official capacity as Tazewell  
County Clerk, and KERRY HIRTZEL, in his official  
capacity as Effingham County Clerk, DANIEL S.  
KUHNS, 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 MCLEAN )  
 )  
STATE OF ILLINOIS ) ss.

**AFFIDAVIT OF PEGGY BURTON**

Peggy Burton, having been duly sworn, states as follows:

1. I am one of the Plaintiffs in this lawsuit.
2. I was born on October 25, 1946, and I am 66 years old.
3. I am in a permanent, loving, and committed relationship of 37 years with Donna O’Crowly, and we wish to marry. Donna also has provided an affidavit, and we will try not to repeat the things the other has said.
4. Currently I reside with Donna in Bloomington, McLean County, Illinois.
5. I grew up on a small farm in Montana. My first career was as a school teacher in Oregon. I taught earth science, biology, business math, and consumer education. I was fired when the principal learned of my sexual orientation. Eventually, I won a discrimination lawsuit against the school district, but was not reinstated at my prior workplace because too much time had passed.
6. Donna and I met while playing in a softball league together. We had many common friends and common interests so we enjoyed going to movies, dinner parties, family card games, and traveling to the beautiful Oregon coast for golf and fun outings. We fell in love and moved in together and have been with each other ever since.
7. I moved to Illinois with Donna to take a job with State Farm in health programming and then business analytics for many years before retiring.



8. Donna and I spend our free time in retirement as community volunteers, reading, and golfing. We also enjoy movies, playing computer games and taking “senior professional” classes at Illinois State University.

9. Donna and I entered into a civil union on July 23, 2011. The inability to celebrate my 36-year committed relationship with Donna as a marriage diminishes my sense of self-worth. I have wanted to say that I am married to Donna the entire time that we've been together. Civil unions are rarely an option on important forms that we oftentimes find ourselves needing to complete. There is never a designation for our legal relationship and this is depressing and serves to remind me our relationship is not really recognized or valued in the community the way marriages are.


10. I recently needed to get surgery on a knee. When completing paperwork before surgery, I was asked what my relationship status was and when it didn't fit into either “married” or “single”, the hospital staff went ahead and put us down as “married”. However, I was afraid that once someone in a clerical capacity, rather than a support capacity, saw that it is two women that they would undo that indication.

11. To me, marriage is a deep-rooted value of love and commitment. Marriage is not just about all the legal protections; it's about two people who love each other, want to take care of each other and be a family. This is what Donna and I mean to each other, and what we want for the rest of our lives.

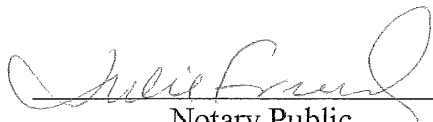
12. Donna and I are both over the age of 18, have the capacity to contract, are not within the degrees of consanguinity or affinity prohibited by law for a legal marriage, are not wards under a guardianship, and are not legally married to any other person.

13. On or about the 22nd day of May, 2012, Donna 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 because, "Marriage is for different-sex couples only."

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

  
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Peggy Burton

Sworn to before me this 21<sup>st</sup> day of March, 2013

  
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Notary Public

