



Lynne Burnett and Robyne O'Mara

## **Affidavit of Robyne O'Mara**



COUNTY OF MADISON )  
 ) ss.  
STATE OF ILLINOIS )

**AFFIDAVIT OF ROBYNE O’MARA**

Robyne O’Mara, having been duly sworn, states as follows:

1. I am one of the Plaintiffs in this lawsuit.
2. I was born on August 24, 1955, and I am 57 years old.
3. I am in a permanent, loving and committed relationship of 32 years with Lynne Burnett, and we wish to marry. Lynne also has provided an affidavit and we will try not to repeat each other.
4. I live with Lynne in Godfrey, Illinois. I was born in and grew up in Caseyville, and have lived in Illinois most of my life. My mother still lives in Caseyville, and my brother and his family live in Collinsville. Although my sister and her family now live in Dallas, our holidays are often spent together. We are very close.
5. I am a registered nurse, and I currently supervise a department in the laboratory at a hospital in Belleville.
6. On September 10, 2011 Lynne and I had a Civil Union in front of our family and friends. We hoped this would provide us recognition equal to married couples. It has failed to do so.
7. On May 23, 2012, I experienced chest pains and Lynne took me to an emergency room. The registrar who admitted me struggled to understand who Lynne was in relation to me. I was lying on a gurney and I could overhear Lynne struggling to explain. Lynne said, “I’m her partner, we have a civil union.” The registrar responded by asking, “Well, who is her closest relative?” (She either had no idea what a civil union

was, or she discounted it.) Lynne explained, “Well, I am.” Then the registrar asked, “Who do we notify in case of an emergency?” and Lynne said, “Well, me!” The woman insisted, “We usually talk to a family member.”

8. The registrar continued to question Lynne about our relationship, including whether we live together and share the same phone number. The exchange was unnecessarily difficult for Lynne, who was really distraught. She had just lost her mother in March and the registrar was negating our relationship at a time when Lynne feared that she was losing me, too.

9. This was one of the worst moments of my life. I was upset and frantic and I could hear all of this happening between Lynne and the hospital staff.

10. This is not our only experience of disrespect for our relationship by people who refuse to treat us as spouses despite our civil union. Even after having been informed of our civil union, my employer has refused my request to place Lynne on my health insurance even though my employer grants spousal health insurance to employees with different-sex spouses.

11. Lynne and I are very connected to my family. They loved Lynne right from the start. We especially cherish our roles as aunts to our nieces and nephews. I want very much to be able to tell my youngest nieces and nephew (16, 4, and 2) that we are legally married. The older, adult niece and nephews are strong supporters of marriage equality. It was confusing for our now 16 year-old niece when she was little. We’ve always been talked about by our family as if we are married but when she came to realize that we were not legally married she didn’t understand why not. It’s awkward to have to explain to children that we’re treated differently by our government. We’ve always

explained to my niece and other family members that we are “married in the heart” and they take that seriously, but they know we are not really married. Our family members are hurt by the thought that Lynne and I are not allowed to be married, and I don’t want them hurt, just as I want to end the hurt that Lynne and I feel as we are confronted every day by our inability to marry.

12. Marriage is what people do. It is the natural end to a commitment. When you fall in love, you don’t run out and have a civil union. A civil union sounds like a contract or an administrative “fix” somehow. You know, “Oh well, there’s a hole in your legal issues so we’ll plug it with a civil union.”

13. A civil union is not as good. It’s not equal. It’s something reserved for people who are regarded as less worthy than others so they will be quiet. I don’t want to be quiet. I want to be married.

14. When you hear the word marriage, the word celebration almost always comes to mind. You celebrate at the beginning and you celebrate it throughout the course of the marriage. It’s been more than 30 wonderful years with Lynne and I’d like to have the next 30 of them as a married couple.

15. Lynne 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 17th day of May, 2012, Lynne and I appeared in person, prepared to tender the \$60 application fee and identification documents, at the office of the Cook County Clerk. We asked for 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 our request on the ground that we are 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.

Roberta (Robyne) O'Mara  
Roberta "Robyne" O'Mara

Sworn to before me this 14 day of March, 2013

Robin Buesking  
Notary Public





Lynne Burnett and Robyne O'Mara

## **Affidavit of Lynne Burnett**





**COUNTY OF MADISON )**  
**STATE OF ILLINOIS )**        **ss.**

**AFFIDAVIT OF LYNNE BURNETT**

Lynne Burnett, having been duly sworn, states as follows:

1. I am one of the Plaintiffs in this lawsuit.
2. I was born on December 23, 1956, and I am 56 years old.
3. I am in a permanent, loving, and committed relationship of 32 years with Robyne O'Mara, and we wish to marry. Robyne also has provided an affidavit.
4. I grew up in Elsah, Illinois and have lived in Illinois virtually all of my life. Currently, I reside with Robyne in Godfrey, Madison County, Illinois. My family has strong Illinois roots, and my mother lived nearby until she passed away last year.
5. I attended Principia College and Southern Illinois University, graduating with a master's degree in counseling, and worked as a child protection worker in St. Louis and a business analyst in the healthcare industry until recently.
6. Growing up, I was well supported by my parents -- I was raised with the expectation that I could be whoever I wanted to be, that I was competent and I could succeed. Also, when I was growing up, one of the values that was important to me was a sense of justice. And I know that the times when I struggled the most growing up were times when I felt there was something unjust going on. If something in the community was going on that was wrong, that really struck a chord in me, so I've always wanted to fight against injustice. To me, not being able to marry the person I love is an injustice.
7. Robyne and I met at a Christmas-in-July party in 1980, and fell in love within a month. We started out when life was fresh, our dreams and aspirations before

us. Now we are thinking of retirement and looking forward to less hurried lives. During these past thirty-two years, we have been, in our hearts, married to each other. Despite living in a culture that traditionally marginalizes same-sex relationships, we have grown stronger together, committed to one another, to our families, to our values and to our community.

8. During the time Robyne and I have been together, we've been at the births of four nephews and nieces and to three college graduations. We've celebrated three weddings with family members and have supported one another as we buried four parents and five grandparents. We've taken a vacation every year, travelling across the United States, Canada and the United Kingdom. I worked full-time while Robyne finished her bachelor's degree, and more recently, she is working while I stay at home. We've seen each other through major illnesses and surgeries. Together we have paid off nine cars and two houses. We have had nine dogs and four cats and fostered many other rescued animals. We have shopped for furniture, painted bedrooms and planted gardens together.

9. It's not been easy having a lesbian relationship. Certainly attitudes have changed in the past three decades, and we are fortunate to have loving family and friends, but we still face discrimination and confusion from people when we try to get recognition that Robyne and I are a family.

10. Robyne and I were happy when Illinois moved closer towards recognizing same-sex relationships by allowing civil unions. We entered into a civil union on September 10, 2011. We had a ceremony and a reception and even went on a honeymoon. Those who attended our ceremony said it felt like a celebration of the years we've been together.

11. However, without the language of marriage, we cannot effectively communicate to others that we are a family. For example, when I was hospitalized in intensive care, hospital staff permitted my blood relatives to visit me, including my mother, but prevented Robyne from seeing me even though we had drawn up a health care power of attorney document designating her as the person authorized to make medical decisions for me, and despite my mother's insistence that Robyne be permitted to see me. I believe that we would have been treated differently by the hospital if we had been married. The hospital and everyone else would be more likely to acknowledge us for what we are to each other – family.

12. Being married is absolutely critical to me because it, in our culture, embraces our relationship. It validates who we are, who we are in relationship to each other and it gives us value. It gives our relationship meaning and it gives us a language to talk about it.

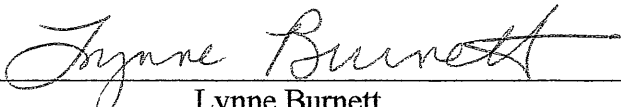
13. Being in a civil union has allowed for our families to formally acknowledge us as a committed couple, however, it still feels like a second class status. In a recent visit to a new healthcare provider, I was completing paperwork with the doctor and she asked if I was married. I mentioned that I was in a civil union with my partner of 32 years and I saw her check off the "single" box. Just like that, 32 years of my life with Robyne were discounted. I really wish that I could have said that I was married.

14. Robyne 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

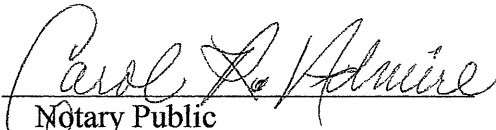
marriage, are not wards under a guardianship, and are not legally married to any other person.

15. On or about the 17th day of May, 2012, Robyne and I appeared in person, prepared to tender the \$60 application fee and identification documents, at the office of the Cook County Clerk. We asked for 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 our request on the ground that we are a same-sex couple.

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

  
Lynne Burnett

Sworn to before me this 18<sup>th</sup> day of March, 2013

  
Notary Public

