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### Gay Couples 'Optimistic' As Gay Marriage Suit Begins In Connecticut

by 365Gay.com Newscenter Staff

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(New Haven, Connecticut) Eight same-sex couples suing the state of Connecticut for the right to marry said Tuesday as the case opened they are "cautiously optimistic".

The couples filed suit against the Department of Public Health and the town of Madison after they were denied marriage licenses in 2004.

A Superior Court judge in New Haven was told today that the state's marriage laws are unconstitutional because they treat same and opposite-sex couples differently.

The couples are represented by by Gay & Lesbian Advocates & Defenders, the Boston-based group that won marriage equality in Massachusetts.

Most of the arguments are the same as those presented in the Massachusetts case.

GLAD Senior Staff Attorney Bennett Klein argued Tuesday that the refusal to grant marriage licenses to same-sex couples violates the Connecticut Constitution's guarantees of liberty and equality for all of the state's citizens.

All eight couples were in court today.

"I'm pretty hopeful and optimistic," said Jeffrey Busch who attended the court hearing with his partner, Stephen Davis, and son, Elijah.

"Connecticut has done so much to allow us to be a family. I believe the courts will correct this injustice of not allowing us to marry."

Klein also argued that the state's civil unions law, enacted last year, supports same-sex marriage.

If the state is willing to grant same-sex couples all of the legal rights and privileges of marriage, it has no reason to bar them from actually marrying, Klein said.

The state is being defended by Attorney General Richard Blumenthal's office.

Assistant Attorney General Jane Rosenberg defended the laws, telling Judge Patty Jenkins Pittman that there is no fundamental right to marry.

The Family Institute of Connecticut, which opposes gay marriage, has asked to intervene in the case, claiming Blumenthal is not vigorously defending Connecticut's marriage laws.

The state Supreme Court has not yet ruled on whether the group can become part of the case.

Pittman reserved her ruling and did not indicate when it would come down.

Ultimately the whole issue of same-sex marriage is expected to be decided by the high court.

While it could be several years before Connecticut's Supreme Court gets the case, decisions by high courts in other states could come this year.

The Washington state Supreme Court heard arguments on a case challenging Washington's ban on gay marriage last year, and a ruling could come as soon as this week.

The New Jersey Supreme Court heard arguments in a case seeking marriage equality on February 15.

New York State's highest court - the Court of Appeal - will hear oral arguments on the constitutionality of banning same-sex marriage on May 31.

A case involving gay marriage is in a mid level court in California and is expected to reach that state's high court next year.

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