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December 21, 2006

Attorney General Stuart J. Rabner
Office of the Attorney General
P.O. Box 080
Trenton, New Jersey 08625

Kenneth H. Zimmerman, Chief Counsel
Office of the Governor
State House, Box 001
Trenton, New Jersey 08625

Re: Recognition of Same-sex Marriages from Other Jurisdictions


Dear Attorney General Rabner and Chief Counsel Zimmerman,

The American Civil Liberties Union of New Jersey has been contacted by numerous New Jersey same-sex couples who were married in Canada or Massachusetts. I write, on their behalf, requesting an official determination as to whether the State of New Jersey and its executive departments recognize those marriages or whether, unlike heterosexual couples married in those jurisdictions, same-sex couples must take affirmative action (such as filing civil union forms) to have their rights recognized.

Given the New Jersey Supreme Court's decision in Lewis v. Harris, 188 N.J. 415 (2006), the State of New Jersey should not place any disability on, or require any affirmative action of, same-sex couples that is not required of similarly-situated heterosexual couples.

As same-sex couples need to know their legal status in order to ensure that their and their children's rights are protected and in order to properly fill out their 2006 New Jersey tax forms, I request a response as soon as possible but no later than **February 1, 2007**.

Sincerely,



Ed Barocas
Legal Director

C: Frank Vespa-Papaleo, Director, Division on Civil Rights
Bradley Abelow, State Treasurer, Department of the Treasury
Dr. Fred M. Jacobs, Commissioner, Department of Health and Senior Services
Kevin M. Ryan, Commissioner, Department of Children and Family Services
Ronald K. Chen, Public Advocate