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Two Flagstaff couples join same-sex lawsuit

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Two Flagstaff couples have joined a federal class-action lawsuit seeking to overturn Arizona's ban on same-sex marriage.

An amended complaint filed in U.S. District Court by two Flagstaff attorneys Monday added Meagan and Natalie Metz, Renee Kaminski and Robin Reece to a lawsuit asking the federal courts to declare Arizona's laws against same-sex marriage unconstitutional.

The Metzses, who are legally married in the state of Washington, filed an application in Coconino County Superior Court for an Arizona marriage license so their marriage would be recognized in this state. That application was denied under a law passed by the Arizona Legislature in 1996 that made same-sex marriages the only exception to a state law recognizing legal marriages performed outside Arizona as valid.

Kaminski and Reece, who are not currently married, applied for a marriage license in Flagstaff and were also denied.

In response to those denials, Ryan J. Stevens of the Griffen & Stevens law firm and attorney Mik Jordahl have named Coconino County Clerk of the Superior Court Deborah Young as a defendant in the amended lawsuit.

"We're honored to bring Flagstaff into this major federal civil rights case of statewide, and national, importance," Stevens said.

The Metzses, Kaminski and Reece joined five other same-sex couples from Pima, Pinal and Maricopa Counties who were named as plaintiffs in the case, which was filed in U.S. District Court by a group of Phoenix attorneys last month.

"We're excited to have joined a team of exceptional lawyers and plaintiffs who are pursuing marriage equality in Arizona. It is an important civil rights issue that Mik Jordahl and I have been working on in Flagstaff for quite some time," Stevens said.

In 1996, the Arizona Legislature approved a state law declaring same-sex marriages "void and prohibited." A state appeals court upheld that law as constitutional seven years later. In 2008, Arizona voters amended the state Constitution to include an additional ban on same-sex marriage.

Attorneys in the legal challenge to Arizona's same-sex marriage ban allege that such laws violate same-sex couples' constitutional rights to equal protection and due process. The plaintiffs contend that they should be able to receive benefits associated with marriage, such as filing joint tax returns, spousal survivorship rights and the ability to make medical decisions for each other.

The complaint cites several prominent U.S. Supreme Court cases, including *United States v. Windsor*, which was decided in June 2013. In that case, the Supreme Court struck down the part of

the federal Defense of Marriage Act that denied federal marital benefits to same-sex couples who were legally married in states that permitted such marriages.

Lawsuits like the one challenging Arizona's same-sex marriage ban have also been filed in several other states.

Attorneys for the Flagstaff plaintiffs are prepared to take the issue all the way to the nation's highest court.

"Maybe the Arizona case will be the one that goes to the Supreme Court," Stevens said. "For now, we will pursue it like it's the most important one in the country. Our plaintiffs deserve nothing less."

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