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A GAY & LESBIAN NEWSLETTER ON COUPLING

COUPLES

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Do you know Wendel?

When it comes to marriage manuals, you can't do much better than reading *Wendel*, the creation of cartoonist Howard Cruse. Long serialized in *The Advocate*, *Wendel's* gone on to find a new home in books. His and Ollie's constant battles with intimacy and relationship can be utterly inspiring. The most accessible form of *Wendel* is *Wendel on the Rebound* by Howard Cruse, St. Martin's Press, 1989. From *The Big Gay Book* by John Preston, Plume, 1991. ▼

A Gay Wedding Ring

A wedding usually calls for a ring. A plain gold band is always permissible, but Pride Products has an option. The joined male symbols are one of the many high-quality products of gay jewelry this gay, lesbian, feminist company provides. For their catalogue write Pride Products, 3349 Orchid Trail, Calabasas, CA 91302, Tel 818-710-9292 Fax 818-716-6276. From *The Big Gay Book* by John Preston, Plume, 1991. ▼

Holiday Tradition

The challenge of creating your own holiday traditions can bring you closer

by Sherwood Hughes with contributions from Kenneth Osherow



In most traditional families, holidays are spent together—Mom, Dad, brothers and sisters, nieces and nephews—but for same-sex families, holidays are often spent apart or with friends. When holidays are spent apart, couples need to create their own traditions to elevate the feelings of resentment and abandonment. Even if some of you might go home to “Mom and Dad” during the holidays, make sure you and your partner create your own traditions.

With some of the couples I spoke with, it was only through practicing their own traditions that they felt a new sense of family. “Tradition promotes a family base on which to build from. Once you have decided on what your tradition will be, follow it and have the best time you can” was what one couple told me as I prepared this article. Read on, you may get some good ideas.

▼ Autumn

Daniel Mathews, up in New Hampshire, really gets into the seasonal festivities. According to Daniel, “I love Christmas, don't get me wrong, but there is something about the fall which really affects my emotions. I generally grab my partner away from his computer (he's a definite computer nerd) and we spend the day enjoying the crisp air and clear blue skies so common up in the New England this time of year. We usually hit at least a half dozen farms during this yearly outing. There is one particular farm I like where we pick our own apples: Macintosh, Cortlands and Red Delicious. We fill a huge bag with 20lbs of apples and always get more than we really need. If you come to our house during October you will surely leave with at least a dozen apples and a recipe for grandma's apple pie.

Apples aren't the only things we pick. Have you ever been in a pumpkin patch? It is an absolutely wonderful experience. Each pumpkin has its' own special characteristics and personality and

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News notes...

For lesbian couples—A study and dissertation are being conducted at the City University of New York. The author is interested in long-term lesbian couples (at least 2 years), and has a questionnaire that only takes 40 minutes to fill out. The study is completely confidential. Contact Deborah Melamed, M.S., 718-398-2248.

Tennis—Martina Navratilova has finally had her day in court in a suit brought against her by her former lover, Judy Nelson. Nelson says the suit is not about money, but about the heart. Evidently a dispute over a book about Navratilova's affair with Nelson is keeping the two from settling this much publicized case.

The trial has been plagued by accusations from both women. And on September 13th, Judge Harry Hopkins ordered lawyers for both sides to turn in closing arguments by October 7th. Judge Hopkins will set a trial date by Thanksgiving.

Adoption—According to the *Washington Blade* two women have become the first gay couple in the country to successfully adopt each other's children. The two children will hold their mothers last names, hyphenated.

Same-sex Marriages—A Hawaii judge rejected a suit filed by three gay couples to force the state to recognize same-sex marriages according to the *Honolulu Advertiser*.

According to the couples' attorney, Dan Foley, the decision will be appealed to the state Supreme Court. It
see News Notes on page 3

we generally end up buying for co-workers and neighbors a pumpkin too. Of course we buy several for around our own home and we generally like to get at least one huge pumpkin for outside our front door and several smaller ones for the kitchen, livingroom and den."

"Our day in the country doesn't end with pumpkins, however, as we pick up some traditional Indian Corn to decorate the house and at least two dozen gourds with their many strange shapes and bright colors. We generally put all the gourds in a huge basket in the livingroom. As far as we're concerned you cannot overdo your autumn shopping spree. The gourds, the pumpkins, the indian corn the mums—they seem to last forever, and many will be at their best even as Thanksgiving creeps up. We fill ourselves with delicious wood pressed cider and start eating pumpkin pie long before the Thanksgiving meal. This is our tradition, our ritual—gourds, cider and a day in the country."

▼ Thanksgiving is for all faiths

First off, invite another couple or two over to share in the food and fun. Susan and Lisa of Tampa, Florida told me they have two other couples over every year. They plan a menu in advance and then ask the other couples which of the planned dishes they would like to bring. Thanksgiving for them is an entire days event. A leisurely drive in the late morning and frisbee or touch football at the local park in the afternoon. When the weather doesn't permit, they play Nintendo! Each year they swap who stays at home to oversee the cooking. The other dishes are prepared in the afternoon as the turkey cooks. The feast is ready by early evening and a game of Trivial Pursuit follows. The atmosphere is relaxed. Susan told me, "this is the closest I've had to a family since I left home for college. The Thanksgiving holiday is very important to me since Lisa goes to her parents for Christmas and most of my friends have gone home too; going to see my parents simply isn't an option."

I spoke to Tom Burke and Larry Kaplan from New York and they told me that Thanksgiving is very important to

them. Tom goes home for Christmas and Larry to his parents for Chanukah. Thanksgiving is usually "mass mayhem" at their home. Friends, whether couples or not, are all welcome for their traditional turkey dinner. Tom spends a good deal of time "sprucing the house up" with seasonal decoration and Larry takes care of the scheduling, food shopping and cooking.

"For twenty people to show up for Thanksgiving dinner is not unheard of, in fact I am already planning how much food we'll need. The only rule we have is bring something to eat!" said Larry, who was quick to point out that this kind of "holiday celebration" may seem more like a party than a "family gathering". It still makes him feel like the "mother of the household." Anyone who they feel has drunk too much sleeps on the livingroom floor.

When I interviewed David Tobin in Ohio (Avi his lover was out of town and couldn't be part of the interview) feels that "creating a mood" is very important. Their neighbors come over every Thanksgiving. "They have a standing invitation every year" said David. They have a traditional dinner, play cards and talk about what they have accomplished during the past year. David added, "our neighbors are a gay couple too. We've become very good friends with them. They pick up our mail and watch our house while were away, and vice versa. We usually go away for a long weekend together every year, so on Thanksgiving we have a lot of memories to talk about, and pictures to look at." Although their Thanksgiving is more quiet then Larry and Tom's, David told me "the tradition, the yearly ceremony is extremely important. This is something we can count on every autumn, no matter what's happening."

▼ Christmas and Chanukah

David and Avi feel that Christmas and Chanukah are more important than Thanksgiving. This family has a prolonged December holiday season. The eight days of Chanukah, and the two days of Christmas (Eve & Day) are all planned out in advance. They put up the Christmas

tree as close to Chanukah as possible. On the first night of Chanukah they light the candles together and tell stories about their childhood and how they used to celebrate it with their families. They try to make the holidays a time of sharing and reunite their relationship for the upcoming year. (Ken and I do much the same—my mother refers to our Christmas tree as the Chanukah bush!) On Christmas Eve they read Charles Dickens *A Christmas Carol* and have a typical Christmas feast and exchange more presents. They usually light a fire, dim all but the Christmas tree lights and drink warm cider or eggnog. Christmas Day is spent visiting two elderly companions with gifts and food. As David pointed out, “the elderly man we visit has nobody left in the world. We really enjoy his dry sense of humor and although we don’t have a lot of money to give to charities, I feel this is our way of giving each year.”

“Neither Avi or I have a family that we can see during the holiday, so creating our own holiday ceremonies is very important to us.” David also points out that religion really doesn’t have to have anything to do with holidays. “Avi is more religious than I, but decorating the house,

cooking, and buying presents, although very commercialized nowadays, really helps give us another purpose and reason for being. I try to make it as special as I can.”

Susan and Lisa have tried very hard to make Christmas for just the two of them. Since Susan spends Christmas Eve and Christmas Day alone, they celebrate Christmas on the 22nd or 23rd together. Susan freely admits “Christmas is a difficult time for me. Lisa can’t take me to her parents so I usually order out Chinese food and read. If it wasn’t for our own Christmas, I would be really depressed.” Susan and Lisa spend a great deal of time shopping for the perfect gifts, and the house is decked out from cellar to attic. We usually wind the garland up three flights of stairs, and we have a candle in every window of the house. On the front door we have a huge wreath with miniature pine-cones and a bright red ribbon. We don’t have a fireplace, but we snuggle in front of the Christmas tree and listen to the Candle-Light carols from the choir of Trinity Church. The decoration, the mood and presents combine to create a wonderful holiday filled with tradition. ▼

FIRST STEPS

Child Care & Custody

by Maureen H. Monks



So, you and your partner have decided to raise a child together? You have figured out how you are going to get a baby (adoption, artificial insemination, co-parenting with another couple, for example). You may have even picked out the child’s name and worked out who is going to change the diapers. But shouldn’t some of this or all of this be in writing? Perhaps it should

be notarized with a few “heretofores” and “wherebys” thrown in for good measure?

Many couples request their lawyers to draw up such child care and custody agreements. As many are aware, only the biological mother and father are granted legal rights and obligations concerning children. Lesbian and gay couples define their rights and obligations between each other in such documents as property agreements, durable powers of attorney and wills. But are documents concerning our children advisable? Is an agreement necessary?

In most, if not all, states a “contract” concerning the care and support of any child is not enforceable unless the terms are determined by a judge to be in the child’s best

News notes...

appears the judge used information taken from a column by right-wing syndicated columnist Cal Thomas. Thomas believes, and so stated in this column, that gays can change their ways.

Additionally, the suit argues the Hawaiian State Department of Health violated the defendants rights under the state constitution: a couples’ right to privacy, equal protection under the law and due process.

Write a letter—to Ann Landers and tell her what you think of this: Landers recently offered advice to a troubled father. The father felt his 15 year old son was getting too close to another young man. The father was worried about the amount of time the boys spent together and the frequent sleep over parties.

Ann’s advice implied the boy might be gay, and that this gayness would be undesirable (she used words like “unsavory” and “too much togetherness”).

Remind Ann that teens need support not rash advise that can only inflame already worried parents. Write to: *Chicago Tribune*, 435 North Michigan Blvd., Chicago, IL 60611 or call 312-222-3232.

Court—Gregory McLain of Florida is poised to enter court and fight an estate battle with his deceased lover’s mother, Rosaline Katz. The estimated estate of \$500,000 is being contested because Katz was left nothing in the will.

Mark Burman, Gregory’s lover, died in August due to complications from AIDS.

Anniversaries...

On November 5, 1991. Peter Fitzpatrick and Orien will celebrate their first year together. Peter writes "And what a year it was! It is the happiest year I think I ever had. Orien has been a godsend and I am grateful for every day we spend together. We love each other totally, with all of our heart and soul and we look forward to spending many, many more wonderful years together!"

Congrats—Keep it up! [ED]

A Happy Anniversary to Tom MacLaney and Tom Giese of Royal Oak, Michigan, on November 23rd—14 years together! Tom MacLaney writes, "A lot of work, but it's been worth it!"

Congrats from COUPLES! [ED]

Let Us Know...

If you have anniversaries, please send them as early as possible. Also, "You knew you were a couple when..." responses, local news briefs, articles, or story ideas, things of interest to couples etc... Forward them to: *COUPLES*, TWT Press, P.O. Box 253, Braintree, MA 02184. Please include your name, address and telephone number for verification if necessary. If you need to reach us quickly call 617-770-3156 and follow the instructions for leaving voice mail or sending a fax.

All issues mailed discreetly. If you have friends that are interested in *COUPLES*, forward their name and address and we will gladly send them a free issue.

We love getting mail from our readers. Drop us a note and let us know what you think so far. How can we make *COUPLES* better for you? We look forward to hearing from you soon. ▼

interest. But even if you are sure that you have the best arrangement for your child, running into court is ill advised. Even in states like Massachusetts where sexual preference alone cannot be sufficient grounds to remove children from their home, lesbian and gay parents are still vulnerable to custody challenges by the state or other biological relatives. And, as of this writing, no state has yet fully recognized a non-biological co-parent's rights to care for, visit or even support their children.

But there are some clear advantages to having a written agreement. Weighing them with the disadvantages, along with legal advice in your state, may help you decide if a child care and custody agreement is right for you.

You also have a choice about who is part of the contract: 2-way agreement between you and your partner; a 3-way agreement between you and your partner and the other biological parent; or a 4-way agreement between you two and the other biological parent and her/his partner. (Important: if any one in your child care agreement is legally married, you should seek legal advice on how that affects your rights; in many states, laws affecting children of married persons differ from those affecting children of legally single persons.)

▼ Advantages of Having an Agreement

- **Future Enforceability**—Although some or all of the terms of your contract may not be binding now, laws and the people who interpret them change. Agreeing now on the terms when you are in harmony can go a long way in the future when a dispute might arise.

- **Evidence of Intent**—Even though the terms of the contract may not be enforceable in a dispute, the contract itself can provide strong evidence of the parties original intentions. This will make it more difficult for any party to conveniently "re-write history" later on. For example, a sperm donor father who signed an agreement stating that the child would live with his co-mothers, would be hard pressed to prove that when he donated his sperm, he really thought he would have his child share half the time with him.

- **Recognition**—Especially for the non-biological co-parent, a written agreement is one of the few formal ways to attempt to recognize both members of a lesbian or gay couple as equally important parents.

- **Paper Trail**—Your agreement can be one of many documents which help demonstrate the non-biological co-parent's relationship to a child in the event of a custody or guardianship suit filed by a third party petition. For example, the biological or adoptive parent should include in her/his will, a provision naming the surviving co-parent as legal guardian of the child. A biological relative (most commonly a grand parent) of the child has the right to challenge the guardianship and attempt to prove to a judge that it is against the child's best interest. However, a detailed care and custody agreement, along with other evidence, can help support the co-parent's status as parent-in-fact, thereby helping to support the defense that the child's best interest lies in remaining in the custody of her or his co-mom or co-dad.

- **Issue Resolution**—Gay and lesbian couples, especially during long searches/ attempts to get children, sometimes have not planned out all the contingencies. Thinking through all the "worst case scenarios" with an attorney is rough; but your family may be better off for it in the long run. Having a clear list of responsibilities can help provide piece of mind. Including a provision naming a mutually-agreed upon mediator in the event of a dispute can help reduce the fear of a messy and expensive court battle.

▼ Disadvantages of Having an Agreement

- **Evidence of Paternity/Maternity**—A man who is donating sperm, with or without a doctor, in a state without an artificial insemination statute, is considered a full legal father. Despite what you may put in the agreement, the agreement provides

evidence of paternity, helping a future suit for support brought by the other biological parent or the state on the child's behalf.

• **Non-enforceability**—The agreement may never be worth the paper it is printed on or the price in legal fees. Although you lose the above advantages, every penny counts when a child is about to arrive.

• **Privacy**—Some people prefer to have no documentation detailing their private decisions and relationships. This obviously would be more of a concern for persons who feel they must remain "in the closet."

▼ Summary

Regardless of your decision whether to write an agreement or not, you should get legal advice from an attorney in your state. In addition to child and custody agreements, there are other documents your attorney can familiarize you with. ▼

Maureen H. Monks is in private practice with the Women's Law Collective in Cambridge, Massachusetts. The practice concentrates in domestic relations—divorce, custody, support for straight, lesbian and gay parents. For this year and last, Ms. Monks has been the co-chair of the Massachusetts Lesbian and Gay Bar Association. She can be reached at 617-492-5110.

GAY MARRIAGE

by Craig R. Dean

Leading The Way



My lover, Patrick Gill, and I filed for a marriage license with the District of Columbia. We did so because the mayor of Washington, Sharon Pratt

Dixon, said during her campaign that she favored legalizing same-sex marriage and that "society is a changing place and it (gay marriage) is something we should accept." So, based upon her campaign promise, Patrick and I filed for a marriage license after Ms. Dixon was elected mayor. Yet, the District government denied us the right to marry because we are a gay male couple.

As a result, we filed a lawsuit alleging two-fold discrimination: 1) violation of the District's gender-neutral marriage law, and 2) violation of the District's Human Rights Act, which explicitly prohibits discrimination based on sexual orientation. The Human Rights Act mandates that "every individual shall have an equal opportunity to participate fully in the economic, cultural, and intellectual

life of the District and to have an equal opportunity to participate in all aspects of life." The Act further states that the intent behind this legislation is to "end discrimination (in D.C.) for any reason... including sexual orientation."

What good are such gay rights laws in D.C., New York, or anywhere else, if they are not used?

We are taking the lead. The main reason that we are demanding equality for gay relationships is because it is the right thing to do. Otherwise, if we did not demand our rights, we would be agreeing with the dysfunctional fears of homophobes.

It has been tough, but our love for each other gives us the strength to carry on this battle for what we know is just. We do not believe our love is of any less magnitude or importance than that of any other couple in a long-term committed relationship. For that reason we want the legal recognition of our upcoming holy union ceremony which would be offered without question if one of us were female (or vice versa for lesbians). We demand the

Gay Alumni...

The social goals of gay alumni associations go beyond academic organizing. Two lovers who are both alumni of the University of Illinois successfully fought to have the announcement of their relationship printed in the marriage columns of their university's *Alumni News*. They've been joined by other gay male couples to fight the cost of membership to the larger alumni organization, demanding the right to pay the same \$25 fee that heterosexual couples pay, rather than two separate \$20 individual memberships. While these types of battles might not seem important, they are the kinds of activities that force the establishment to be conscious of gay issues.

If you went to college, what does your school's alumni organization have to say about announcements concerning your life or the fees they charge you, as opposed to those they charge heterosexual marrieds? The best way to find out is to ask.

The University of Illinois GALA members give these suggestions, if you want to have your relationship with your lover mentioned:

- Have both partners sign the announcement.
- Use a substitute word for married such as "united".
- Send your notice registered mail, so there's not argument about whether or not it arrived at the proper office.

John Preston is the former editor of *The Advocate*, a co-founder of the first gay community health center in the United States, and an official for several national gay rights organizations. From *The Big Gay Book, A Man's Survival Guide to the 90's*, by John Preston, Plume Publishing, 1991. ▼

Register...

The Human Rights Campaign Fund has come up with an innovative system through which gays and lesbians can register their families. The Human Rights Campaign Fund has established The Lesbian and Gay National Family Registry. The Registry is a centralized record of lesbian and gay families in the United States. It broadly interprets family as a person's primary affectional and support system of close relationships. It may include any number of adults and children.

When you register, your family will receive a certificate as a symbol of your commitment. Just as important, your registration will become part of the organization's database, a way to quantify for lawmakers and policy developers just how important our native family systems are to us. You can be part of this program and still be anonymous; your information will be stored in the database in a confidential record system for statistical purposes only.

If you're willing and able to be more public, the Registry is also putting together a photo album of gay and lesbian families that will be used to educate legislators and the public.

The cost is a donation to cover the expense of the Registry. There's no fixed sum, participants are asked to contribute what they can afford, as little as \$5 or more, as their means allow.

Besides becoming familiar with and a part of the registry, you can inquire about the HRCF's other important campaigns.

For more information contact: Human Rights Campaign Fund, Lesbian and Gay National Family Registry, 1012 14th Street NW Suite 607, Washington, DC 20005 or call 202-628-4160. ▼

same rights and benefits that are automatically bestowed upon heterosexual couples. These rights and benefits protect and reinforce relationships. Yet these rights are denied to us for only one reason—because we are queer!

Married couples have many significant rights that unmarried couples, even "domestic partners"—cannot have. For instance: married couples have the automatic right to be on each other's health insurance, disability and life insurance policies, as well as each other's pension plans. Married couples get special tax preferences for exemptions, deductions and refunds. As a matter of right, married couples are also able to own real and personal property jointly, and to protect their property from each other's creditors. Spouses automatically inherit property and have rights of survivorship. While for same sex couples, the family is the next of kin, for married couples a spouse is the next of kin in case of death or medical emergencies, and spouses may therefore make important decisions for their partners. Last, and certainly not least, in light of the AIDS crisis, a spouse can make financial decisions in the case of a

partner's incapacity. Need we be reminded about the plight of Karen Thompson and Sharon Kowalski?

In the District of Columbia alone there are more than 100 *automatic* marriage-based rights. In D.C., heterosexuals can meet each other tonight in a bar, and have more rights through marriage within days than Patrick and I are able to obtain after five years of being together. This is an *incredible* act of multiple discrimination against gays and lesbians. It is outrageous, and we are doing something about it.

As far as we can tell, coverage of our fight represents the first time the media has been willing to consistently portray a gay issue in a positive manner to so broad an audience.

A non-profit corporation, the Equal Marriage Rights Fund, is funding Craig and Patrick's legal battle. EMRF is also a national clearinghouse for gay and lesbian marriage rights information. If you would like to support equality of choice for same sex couples, or wish more information, please write to: EMRF, P.O. Box 18707, 2001 M Street, N.W., Washington, D.C. 20036. ▼

LAW SCHOOL

UPDATE

A recent article by Ken Myers in *The National Law Journal* reports that the Iowa University School of Law appears to be the first law school in the nation to hire both members of an openly homosexual couple.

Both Patricia Cain and Jean C. Love, who have been together for seven years and have been searching for permanent appointments at the same law school since they met, have this past fall joined the Iowa University staff. Professors Cain and Love say they believe they are the first acknowledged homosexual couple to be hired on the faculty of any law school in the country. ▼

This item submitted by a *Couples* Subscriber—Yes, send us your news notes!

Several readers called us regarding the address of the Dallas Gay Alliance Credit Union so they could apply for the worlds first gay Mastercard™. We overlooked printing their address when we ran the information a few months ago. To contact them write: Dallas Gay Alliance Credit Union, 4012-B Ceder Springs, Dallas TX 75219. ▼

The IGTA (International Gay Travel Association) has a new address and phone number: P.O. Box 4974, key West, FL 33040. 800-448-8550, voice mailbox 305-296-6633. I contacted them in regard to travel in the Boston area. *Couples* recommends to supplement their list with additional gay and lesbian travel guides available at your local G/L bookstores. ▼

SECULAR NOTES

Holy Unions Approved

From the *More Light Update*

With a minimum of discussion, the Presbyterian General Assembly approved "same sex unions" performed by Presbyterian Ministers in Presbyterian Churches as long as the ceremony is not determined to be "the same as a marriage ceremony." We're not sure most commissioners actually knew what was going on; certainly, the press seemed to have missed it entirely. Here's what happened:

There has been some controversy over whether Presbyterian Ministers may perform lesbian and gay holy unions in Presbyterian Churches. So the Presbytery requested an "interpretation regarding use of church facilities, and whether a minister is in violation of the *Book of Order* with regard to same sex unions." The Advisory Committee on the Presbyterian Constitution rendered the decision requested, in rather law-like language, quoting the *Book of Order* to say that a "Christian marriage" is a "covenant through which a man and a woman are called to live out together before God their lives of discipleship." Adding special emphasis to "a man and a woman," they proceeded to say that if the "same sex ceremony were considered to be the equivalent of a marriage ceremony between two persons of the same sex, it would not be sanctioned under the *Book of Order*." Therefore, if the ceremony is not the same as a "Christian marriage," it may be performed at the discretion of the minister and session.

Even if one considers a marriage between a man and a woman and a holy union between two men or two women to be spiritually equivalent, there are some obvious differences. To name only two, a so-called Christian marriage is always, at least in the United States, and in the Presbyterian Church (USA), sanctioned by the state; holy unions so far do not have such sanction in most cases.

Second, there is the obvious difference in the gender of the primary participants. Whether the holy union between two men or two women will ever be or ought to be "the equivalent of a marriage ceremony" remains to be explored.

While the chapter of Presbyterians for Lesbians and Gay Concerns (PLGC) would of course prefer a positive affirmation of lesbian and gay relationships, it is pleased that the General Assembly has handed the responsibility for exploring such affirmation to local congregations and Ministers. ▼

The More Light Update, PLGC, Editor James D. Anderson, P.O. Box 38, New Brunswick, N.J. 08903.

Coping...

Even relationships with the best intentions go wrong. Domestic violence is a reality in the gay world, just as it is in the heterosexual majority. If you or someone you know is in an abusive relationship, get help. More and more organizations are working in our community to deal with domestic violence.

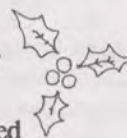
Lambda Project Oasis is a model program designed to aid gay men and women who are victims of domestic abuse. Trained counselors are available to talk with you about your problems and the different ways in which you can work towards resolving them. The services are free. Call 718-447-5577, in the New York City area for more information.

There is a worthwhile brochure, *Behind Closed Doors: Battering and Abuse in Relationships, Information for Gay Men*, published by The New York City Gay and Lesbian Anti Violence Project, 208 W. 13th St., New York, NY 10011 Office 212-807-6761. They also offer a hotline service at 212-807-0197.

For additional information see *Couples Newsletter* (May, June and Aug. of 1991) for an informative series of articles on domestic violence. See the last page on how to order these back issues. ▼

Next Month...

- Kissing Cousins
- Christmas Primer
- Mail Bag
- Socially Registered
- Cooks Corner
- Relationship Myths
- Stonewall Riots



MOVING???

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Giving Your Lover Legal Rights of Next of Kin

by Ralph White

Imagine being in pain and under sedation and having a sister, brother, or parent you haven't seen in years take over, simply by virtue of blood ties. If you are unable to make a life-saving or life-taking decision for yourself, you want someone who is close to you and knows your personal wishes to make it for you, not some stranger, who may lay claim as kin but who has frowned upon your gay lifestyle and has little use for "that person" you live with.

Medical personnel in hospitals are equally insensitive when one's gay partner is ill or dying. No matter how long two men may have been living together they are still not considered related. When a gay man is seriously ill or in intensive care, hospital rules limit visitation to family, and their partner may be barred at a time when they are needed most. The torture of the intrusion and separation

from a loved one can devastate the patient, who has little energy to fight for his or her personal relationship. The partner, caught in an awkward situation, feels helpless and full of remorse because his or her hands are tied legally and socially.

There is a way to avoid this problem. Gays and lesbians might be protected by a "Durable Power of Attorney" that is, giving power of attorney to one's partner in case of an incapacitating illness. A hospital too, needs protection; they need a Power of Attorney before they can allow someone to act on your behalf in case of incapacity. If you have no kin nearby who will help you and with whom you feel comfortable, then this is another reason you need this protection.

If this interests you, you can do it quickly and easily and with no expense. There is also an affidavit of intent (a limited power of attorney that gives someone the right to act on your behalf only while you are in the hospital or incapacitated). The Power of Attorney gives the appointed the ability to act for you in an unlimited way, including to use your money, sign contracts, transact all business, etc.

All these forms have been extracted from reliable sources and are good in any state. If you would like a copy of these

forms, simply send \$0.50 (to cover the cost of copying) add a self-addressed stamped long envelope to: Ralph E. White, 428 N. 31st St., Philadelphia, PA 19104. To use them simply insert the name of the person you intend to act for you, and then sign them in the presence of a notary. ▼

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Related Books: *A Legal Guide for Gay and Lesbian Couples* by attorneys Hayden Curry and Denis Clifford, Nolo Press, Berkeley, CA. This fun to read and very informative guide covers legal situations unique to gay and lesbian couples. Contained in the book are actual documents and contracts which can be used to fit your particular circumstance. Also available, *The Spousal Equivalent Handbook-A Legal and Financial Guide to Living Together*, by Attorney Johnette Duff, and Accountant George G. Truitt. If you have trouble finding either of these books, call us at TWT Press, 617-770-3156 and we'll arrange to have them sent to you for a nominal charge. ▼

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