

Lambda Legal's Safety Scale: Respect for Same-Sex Couples' Relationships in the United States

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Are you and your same-sex spouse or partner thinking about traveling or moving to another state but worried about whether your relationship will be respected? Or have you joined the growing movement to encourage employers and organizations, when choosing the site for a meeting, to try to avoid locales that require or promote discrimination against same-sex couples?

We've prepared some information you can use to start your assessment. A next step is to review other facts about a state, such as whether it has other anti-LGBT constitutional amendments or laws. You can find more information about same-sex family relationships, protections for children with same-sex parents and prohibitions against discrimination based on sexual orientation, gender identity/expression or HIV status at <http://www.lambdalegal.org>.

Also, remember that the less legal safety you have in a state, the more urgent it is to take the steps to protect yourself and your loved ones by getting your life-planning documents in order, such as a health care proxy or medical advance directive, and a will or trust (and, yes, these are precautions all same-sex couples should take in any event). Get informed with Lambda Legal's life-planning toolkit at www.lambdalegal.org/takethepower.

Lastly, keep in mind that some cities have passed laws to reduce the harm caused by their state's discrimination. If an organization you belong to already has decided to site a conference in a legally unsafe and discriminatory state, you can ask the host city to explain whether and why same-sex couples can feel safe within that city's borders. Consider the approach taken by the American Political Science Association, described at http://www.apsanet.org/content_54401.cfm.

↑
More Safe

Legal Respect for Relationships

↓
Less Safe

EQUAL TREATMENT

Licenses Same-Sex Couples to Marry

Connecticut	New York	Vermont
Iowa	New Hampshire	District of Columbia
Massachusetts		

SECOND CLASS

Provides Protections of Marriage with a Label of Inferiority Such as Civil Union or Domestic Partnership

Illinois	New Jersey	Washington
Maryland	New Mexico	Rhode Island*

Respects Same-Sex Couples' Out-of-State Marriages

* Law suggests respect but not confirmed by courts or official policy.

Constitution Bars Same-Sex Couples from Marriage; State Provides Protections of Marriage with a Label of Inferiority Such as Domestic Partnership or Civil Union

California**	Nevada	Oregon
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** State respects CA marriages of same-sex couples celebrated in 2008 and out-of-state marriages celebrated before 11/5/08.

THIRD CLASS

Offers Same-Sex Couples Some Protections Through A Lesser Legal Status

Colorado	Maine	Wisconsin
Hawaii	Maryland	

FOURTH CLASS

Bars Same-Sex Couples From Marriage and Does Not Offer A Lesser Status to Recognize Those Couples

Delaware	North Carolina	West Virginia
Indiana	Pennsylvania	Wyoming
Minnesota	Rhode Island	Puerto Rico

LOWEST CLASS

Constitution Bars Same-Sex Couples from Marriage and State Does Not Offer A Lesser Status to Those Couples

Alaska	Mississippi	Montana
Arizona	Missouri	Tennessee

Constitution Bars Same-Sex Couples from Marriage and Might Be Read to Cause More Harm to Those Couples

Alabama	Kentucky	Oklahoma
Arkansas	Louisiana	South Carolina
Florida	Michigan	South Dakota
Georgia	Nebraska	Texas
Idaho	North Dakota	Utah
Kansas	Ohio	Virginia