

MARK LEWIS, et al,  
Plaintiffs,  
v.  
GWENDOLYN L. HARRIS, et al.,  
Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, MERCER COUNTY

DOCKET NO. MER-L-15-03

Before:  
Honorable Linda R. Feinberg, A.J.S.C.

**AFFIDAVIT OF  
CINDY MENEKHIN**

State of New Jersey    )  
                                  : ss.  
County of                 )

Cindy Meneghin, having been duly sworn, states as follows:

1. I am one of the Plaintiffs in this lawsuit, and I submit this affidavit in support of the Plaintiffs' motion for summary judgment.
2. I am in a committed relationship of over 29 years with Maureen Kilian, who has also submitted an affidavit.
3. I am forty-five years old, and I am the director of web services for Montclair State University. In 1973, I met Maureen at De Paul Roman Catholic High School in Wayne, New Jersey. We were both Eucharistic Ministers in our Catholic church. We became high school sweethearts, and have been a committed couple for over 29 years. To this day I can still remember the day when I first saw her on a bleacher in a gymnasium. Now we're growing old

together, and I feel blessed to have her in my life.

4. We were both brought up to value the life goal of settling down by getting married and raising children, and we embraced that dream just as our siblings did. A big part of that dream is to have a wedding, with both families and all the friends there to bear witness to the marital commitment and share in the joy. Also, being married would say something very important about who we are, and our beliefs and values, because the choice to marry is a choice to work hard at commitment and caring for another human being. Those beliefs and values are also a part of our faith. We would have married at the beginning of our committed relationship if we could have.

5. We are very vulnerable because we can be viewed as just “friends” or “roommates.” Once I came down with meningitis, and required emergency care. I was terrified enough as it was. But then as the medical staff were wheeling me into the emergency room, they were blocking Maureen from being with me. For all I knew, once I lost consciousness, I’d be totally alone, with the doctors assuming they could do anything without talking to the person who mattered the most to me. I called out that she was my partner, and did it again, but it wasn’t working. So I finally yelled “she’s my power of attorney,” and that worked. I’ll never forget that feeling of terror on top of terror. It was dehumanizing. Yelling out the name of a legal paper told them that there was some bare legal connection to Maureen, when what I needed to be able to say was the magic word “married,” which would tell them that Maureen was the key person above all others to help me emotionally and otherwise, the person whose presence and access should never be questioned, so I could better handle the plain old terror of a serious illness without the added terror of not having my soul mate involved in the decision-making.

For the hours after my admission, especially when there was a shift change, staff would challenge Maureen's right to be there, so we had to keep re-establishing her importance to me. Without being married, you can be at the mercy of somebody's whim.

6. We loved being aunts to 14 nieces and nephews, and we decided to pursue our dream of having our own children. It took four years of planning, and one big reason was that we wanted to make sure our parents and brothers and sisters were supportive – we wanted to maintain our family ties. On Maureen's side, all seven siblings have lived within 50 miles of their parents, and they are a big part of each other's lives. And I was definitely not going to be the only in-law that broke the 50-mile rule, especially given how much of a support network Maureen's family provides. So we have lived in Butler, New Jersey since 1983, twenty years now, even through the time I worked at Princeton University and commuted three hours a day.

7. We have two children, Josh and Sarah. Josh was born in 1992, and is ten years old. Sarah was born in 1994, and is almost nine years old. I gave birth to Josh, and Maureen gave birth to Sarah, with both children conceived through alternative insemination, with an anonymous donor. I am "mamma" and Maureen is "mommy." Each child's last name is "Kilian-Meneghin," a hyphenation of Maureen's and my last names.

8. Although we did as much advance planning as we could, when our children were born there was no presumption that we were both legal parents. We had to spend a lot of money on cross adoptions, and in the meantime the children's legal status with one parent was up in the air. The process of cross adopting our two children was invasive, putting our family under the microscope even in our own home with the visits by social workers. No matter the outcome of the adoption process, both children were being raised together in our home from birth, but we

had to provide all sorts of highly personal information to show that Sarah's legal parent should be a legal parent for her brother Josh and Josh's legal parent should be a legal parent for his sister Sarah. Each of us is now a legal parent to both children, but our older child's legal status with one parent was up in the air for three years from his birth. The state has recognized our relationships to both of our children, but not the relationship between their parents.

9. Like a lot of parents, we are active in our children's education and after-school activities. We take turns being class moms, and attending PTA meetings. I also was the soccer coach for our son's team. We are active in our church, the Episcopal Church of the Redeemer in Morristown, where our son Josh is an usher and all four of us are members of the soup kitchen team.

10. We live seven blocks from Maureen's father, and every Friday we and the children take grandpa on his errands. Grandpa is an important role model for Josh, along with Josh's cousin Matthew. Sarah's role models include her cousin – and godmother – Kristen.

11. We understood from the beginning that our children have much in common with children in other minority families, and that we had to prepare them in age-appropriate ways for bias and discrimination. They understand that a family is a group of people who live together and love each other. They understand that grownups often choose to become lifetime couples because they love each other, and sometimes those grownups are a man and a woman, or a man and a man, or a woman and a woman, and that when the two grownups in a couple are the same gender they are called gay, or lesbian like us. They know other kids with a dad and a mom, or two moms, or two dads, or one parent. But they also know that their family is a minority family, and that words can be used to hurt them in the same way they are used to hurt

other kids because of something that is different, whether race or religion or clothes or weight or whatever. We teach them that when other kids use words hurtfully, it reflects on those children, not Josh or Sarah. With our discussion and the mantra, “it’s their problem, not mine,” we hope they are equipped to handle these difficult challenges.

12. We are proud that our children are learning the skills to understand and handle the wrong of bias and discrimination from other human beings, including other kids, but we are very concerned about them facing discrimination from our own government, especially the message that their parents’ relationship is unworthy. It is a big problem for a parents’ job of teaching respect for authority when there is this example of disrespect from authority for a parents’ relationship.

13. With the government standing in the way of our getting married, we spend a lot of time explaining our relationship when we should be focusing instead on the more important things that families do. Often the explanations start because of the forms that need to be filled out in our everyday lives: every new form at doctors’ offices, for us or our kids, forms for soccer or dance class or other after-school activities, or forms at the beginning of the school year or at the motor vehicle department, or goodness knows what this week or next. Oftentimes we have to explain our family, either because the form won’t work for our family or because the person taking the form thinks we filled out the form wrong, or just gets confused. If we could just check “spouse,” or “married,” we would instead be focusing on the task at hand, like getting important information or completing errands or helping our kids or each other deal with an anxious medical situation. It may seem like a small example, but this need always to explain is a struggle. We are getting this constant message that our family doesn’t count, or isn’t legitimate,

and that is insulting and very demeaning to us. We work hard enough to be good parents, good employees, and good tax-paying citizens, and we should not have the extra work of explaining ourselves all the time, as if we are unworthy and as if our family is a fraud.

14. In addition to explaining ourselves all the time, we have the difficulty and expense of getting legal documents like powers of attorney to protect our family. And even though we spend all this extra time, money, and energy on lawyers, which we really cannot afford, we still are vulnerable in so many ways. If one of us dies, the one who is left behind with the children has to pay a tax on everything that is considered owned by the one who died, including half the house, all because we are not married. We're not well off, so that means we could lose the house in order to pay the tax on it.

15. The explaining, the difficulties of time, money, and energy spent on lawyers, and being demeaned all the time, is a constant drain. It makes it harder to be the people that our values dictate we should be. It takes away from our ability to do more of the things we believe in, like being active as volunteers in the church and in our community.

16. Maureen and I have lived through a lot together in 29 years, including my bout with cancer. We have shared a lot of joy and pain, big things like raising children and fighting cancer and small things like saving coupons or grocery receipts to get a free turkey at Pathmark. Two people who meet in Las Vegas and get married on the spot have automatic respect for their commitment, but after 29 years of commitment, responsibility, and love, Maureen and I are still considered legal strangers to each other.

17. The last wedding I attended was a very sad event for me. Weddings are such important rituals for us as human beings. Everyone looks at the newly married couple very differently,

because they have made their vows, taking on all sorts of very serious legal obligations.

Everyone knows that we have to treat such a married couple differently, because now they are one instead of two, and that oneness should be helped and respected. That's a very important thing. At this particular wedding everyone was beaming at the couple, and there was so much joy, and I tried as hard as I could to participate in that so the moment was everything it should be for the couple. But I felt so empty in my gut, and such a deep ache in my chest. I get that same feeling at events when the issue of how long people have been married comes up.

Maureen and I might be able to say we've been together for 29 years, but everyone knows we're not married, and we see in their reactions that they think we are less than they are, that our 29 years does not mean that much, that all the hard work and responsibility and love does not mean that much, just because we can't use the word "married."

18. I hereby declare, under penalties of perjury, that the facts stated in this affidavit are personally known to me, and that they are true.

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Cindy Meneghin

Sworn to me this \_\_\_\_\_  
day of September, 2003.

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Notary Public