

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  
MAUREEN KILIAN**

State of New Jersey    )  
                                      : ss.  
County of                    )

Maureen Kilian, 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 forty-five years old, and I am in a committed relationship of 29 years with Cindy Meneghin. Cindy has also submitted an affidavit in support of the motion for summary judgment. Cindy's affidavit contains many facts about our family that I will not repeat here.
3. I am a church administrator for Christ Church in Pompton Lakes.
4. Cindy and I knew from the beginning, when we were high school sweethearts, that we were meant to spend our lives together. We were so right, and I feel very lucky to have spent almost thirty years building a life and a family with Cindy.
5. As parents of Josh and Sarah, Cindy and I preferred that one of us continue to stay at home full-time until Sarah was at least through kindergarten. I could have been a stay-at-home mom if we had been married, because we'd have family health insurance through Cindy's

workplace, and could afford to have me stay at home. We can't afford private insurance. So I took a job in order to ensure the family had full health care coverage. It fills me with anger that because the government won't let us get married we lost the choice available to other parents to have one parent stay at home until all the children are at least through kindergarten. Twenty-eight years together should be enough to prove that we are as worthy of marriage as everyone else.

6. I have six brothers and sisters, and we were raised to believe strongly in the dream of getting married. In my parents' house, on the wall along the stairs going up to the second floor, there are pictures. Each time one of the children got married, their wedding photo would go up on the wall. That had great meaning for all of us, mom and dad and all us siblings, as did the wedding ceremony at which we could all join in to be a part of creating a new family within the family. Mom died without ever being a part of a legal wedding ceremony for Cindy and me. I'm thankful she got to see both our children before she died, but she did not see us get married, or have the joy and peace that would have brought to her.

7. The meaning of a legal wedding is obvious to children, too. Our son Josh is old enough to understand that we are not allowed to get married. He wants the laws to change so he can be both the ring bearer and the best man at our wedding. Our daughter Sarah has a Barbie doll with a wedding dress, and she told me one day that she wanted to see our wedding dresses. She was very excited about how this important symbol had already played a role in her life. I had to explain that her parents are not allowed to get married.

8. When I meet someone, like a new co-worker, one of the first things that usually comes up is whether or not they are married, and that reveals something that matters about that person. In

conversations with co-workers, neighbors, relatives, grocery store clerks, parents of our children's friends, and so many others, there are constant references to husbands and wives, and all the meaning that goes along with those simple words is a constant flow across one's mind. There are so many parts of everyday life in which marriage makes a difference, and if you can't be part of it then you always have that feeling of being a second class citizen, even when you try just as hard to play by the rules and pay the same taxes as everyone else.

9. When I think of all the times of life that are filled with meaning, I think of how much marriage is part of those times. There are cards for an engagement, a wedding, an anniversary of a marriage, and cards for the birthdays of husbands and wives. The most important person to a deceased in the obituary is a spouse – a spouse and not a friend or a roommate or a partner. Spouses are automatically included in invitations, or memberships, or other things that arrive in the mail, all reminding me that it is legal spouses that matter the most.

10. For me, being married also tells people about your values and your faith, because it is an incredibly important commitment that has a spiritual side. In my faith, the marriage commitment is really important. Straight couples whose belief systems place a priority on commitment can, by getting married, show that their actions match the words of their beliefs.

11. Cindy and I share the dreams of many parents and hope our own children can and will choose marriage for themselves one day, partly because it will mean that someone has chosen to be legally responsible for them, and vice versa, which goes along with caring about and making them happy. If our children are heterosexual, we will know that they can marry if they decide it is right for them. But if they are not heterosexual, and things are the same as now under the law, then they will enter adolescence knowing that they cannot have the dream shared by so many of

getting married one day. As a parent, I find that shameful: it sends a message of unworthiness to the young people of this state that is terribly destructive.

12. Although we are absolute strangers as a legal matter in terms of marriage, Cindy and I still have the law as a constant presence in our lives. We had to spend extra time and money to get legal documents that would increase the chance that our relationship would be respected in times of illness or death, although we can never be sure. When Cindy was on her way to the emergency room with meningitis, we had terrifying moments when the staff were at first barring me from her side, and she was calling out that I was her partner, and nothing worked until Cindy screamed out that I was her power of attorney. That fear, the fear that at the very moment when family means the most, I was nothing, our years and years together worth nothing, was terrible and humiliating. I am certain of the blinding outrage that married couples I know would feel if told that their relationship meant nothing at a time of crisis, when their job is to give love and support. That is the same outrage I feel, on top of the fear and humiliation. From a gurney, suffering and scared as she was, Cindy should not have to be screaming about a power of attorney in order to know that I can be there for her, especially when she is too ill to take care of herself. And many people do not have or know about powers of attorney.

13. Not being able to marry and say we are married, and all the hassles and expense and worries that result, takes a real toll on us. It saps us of energy that we feel like we should put elsewhere, such as doing more at our church or otherwise. We can't fully be the people we would like to be.

14. On June 17, 2002, Cindy and I went to the office of the Registrar of Vital Statistics in Butler, which is the appropriate marriage licensing office for where we reside. We requested a marriage

license. At the time we made our request, each of us was over the age of eighteen, not married, and not adjudicated mentally incompetent or infected with a venereal disease in a communicable phase, and we were accompanied by a witness over the age of eighteen and were prepared to tender the fee of twenty-eight dollars (\$28). The clerk responded to our request by informing us that the office was not sure if they could give us an application, and that they would consult with the state office and call us the next day. On June 18, 2002, the clerk called and stated that "Same-sex marriage is prohibited in the State of New Jersey."

15. Attached to this affidavit is a true and correct copy of a photograph of my family.

16. 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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Maureen Kilian

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

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Notary Public