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[Back to previous page](#)

Gay marriages begin in Wisconsin after ruling

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MADISON, Wis. — Same-sex couples began getting married in Wisconsin on Friday shortly after a federal judge struck down the state's gay marriage ban and despite confusion over the effect of the ruling.

Clerks in Madison and Milwaukee started marrying same-sex couples shortly after 5 p.m. Friday, a little over an hour after the judge released her ruling.

It didn't take long for those who have been fighting the law for years to start celebrating — and get married.

"I'm still up in the clouds!" Shari Roll said shortly after completing her ceremony marrying Renee Currie just a block from the state Capitol.

Clerks in Milwaukee and Madison began issuing marriage licenses even though Republican Attorney General J.B. Van Hollen said the ruling did not clear the way for weddings to begin. It wasn't immediately known whether marriages were happening elsewhere in Wisconsin.

Van Hollen quickly sought an emergency order in federal court to stop the weddings. He said confusion and uncertainty is resulting and the status quo must be preserved.

In the meantime, Jose Fernando Gutierrez and Matthew Schreck were married outside the county clerk's office in Milwaukee, in what was possibly the first gay marriage in the state. About 45 minutes later, Currie and Roll got married in Madison.

Clerks were keeping their offices open until 9 p.m. in Madison and Milwaukee to issue marriage licenses.

"I have been waiting decades for this day to finally arrive and we won't make loving couples wait longer than they want to get married," said Milwaukee County Executive Chris Abele.

In her ruling, U.S. District Judge Barbara Crabb declared the gay marriage ban unconstitutional. But she



also created confusion by asking the couples who sued to describe exactly what they wanted her to block in the law. She said she would later decide whether to put her underlying decision on hold while it is appealed.

Opponents of the law didn't want to wait. The marriages started, even as Van Hollen said they shouldn't, leading to his request for an emergency order. He also vowed to appeal.

The ACLU filed a lawsuit in February challenging Wisconsin's constitutional ban on gay marriage. The lawsuit alleged Wisconsin's ban violates the plaintiffs' constitutional rights to equal protection and due process, asserting the prohibition deprives gay couples of the legal protections that married couples enjoy simply because of their gender.

Gay rights activists have won 15 consecutive lower court cases since a landmark Supreme Court ruling last summer, with Wisconsin being the latest. Many of those rulings are being appealed.

"This case is not about whether marriages between same-sex couples are consistent or inconsistent with the teachings of a particular religion, whether such marriages are moral or immoral or whether they are something that should be encouraged or discouraged," Crabb wrote in the Wisconsin ruling. "It is not even about whether the plaintiffs in this case are as capable as opposite-sex couples of maintaining a committed and loving relationship or raising a family together.

"Quite simply, this case is about liberty and equality, the two cornerstones of the rights protected by the United States Constitution."

One of the plaintiff couples got the news in Milwaukee, where the gay festival PrideFest opened Friday. Garth Wangemann, 58, and Roy Badger, 56, said they are eager to be married — they have their clothes picked out — but OK with waiting a bit longer.

"We all wanted the day to come where young people (can) now take it for granted, they can marry the person they love," Wangemann said.

Voters amended the Wisconsin Constitution in 2006, to outlaw gay marriage or anything substantially similar. The state has offered a domestic partner registry that affords gay couples a host of legal rights since 2009. The conservative-leaning Wisconsin Supreme Court is weighing whether it violates the constitution.

Republican Gov. Scott Walker, a potential 2016 Republican candidate for president, has long opposed gay marriage. But in recent months he's avoided talking directly about the state's ban, which he supported, saying it's an issue that needs to be decided by the courts and voters.

Walker's likely Democratic challenger in the governor's race, Mary Burke, supports legalizing gay marriage.

Associated Press writers Todd Richmond and Taylor W. Anderson, in Madison, and M.L. Johnson in Milwaukee contributed to this report.

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