

AASP – Equal Rights Campaign

Legislative Advocacy Affiliate of the American Association for Single People

March 9, 1999

State of Michigan
House of Representatives
Committee on Constitutional Law and Ethics

Re: Opposition to HB 4258
An Act to Repeal Civil Rights Protections of Unmarried Adults

Dear Chairman and Committee Members:

The Equal Rights Campaign of the American Association for Single People urges you to vote no on HB 4258.

As you can see from the attached analysis of the bill by Spectrum Institute, HB 4258 will have a negative impact on existing civil rights protections of hundreds of thousands of Michigan residents. The author and cosponsors of the bill may not be aware of just how broad their bill is, or that it would adversely affect thousands of couples living in valid common law marriages.

The purpose of AASP — Equal Rights Campaign is to protect the rights of single people and domestic partners with or without children. We are shocked that Republican legislators would attempt to strip unmarried adults of their civil rights if they choose to live with a person of the opposite sex out of wedlock.

Perhaps these legislators do not realize that HB 4258 will harm the majority of adults in Michigan. Reliable studies show that a majority of adults will cohabit at one time or another. Cohabitation is now an ordinary part of the marital decision-making process for most adults, and it is an ongoing family structure for many others.

Although there are probably some Democrats and Republicans who are willing to impose their personal religious beliefs on the entire population of Michigan, we trust that moderate legislators of both parties support the principle of separation of church and state and will oppose HB 4258.

Respectfully submitted:



THOMAS F. COLEMAN
Executive Director and Legal Counsel

HOUSE BILL 4258

Analysis by Spectrum Institute¹

Current Law

The Elliot Larsen Civil Rights Act prohibits discrimination in employment, housing, public accommodations, public services, and education. The act forbids businesses from discriminating against employees, tenants, and consumers on the basis of personal characteristics such as race, religion, color, sex, disability, and marital status.

The term “marital status” was interpreted in 1983 to protect unmarried couples from discrimination. *Whitman v. Mercy Memorial Hospital*, 128 Mich.App. 155, 339 N.W.2d 730 (1983). Thus, for more than 15 years, an unmarried man and woman have had the right to live together without fear of losing their civil rights.

In 1988, the Court of Appeals ruled that a divorced parent does not forfeit his civil right to visitation with his child merely because the parent is cohabiting with a person of the opposite sex. *Snyder v. Snyder*, 170 Mich.App. 801, 429 N.W.2d 234 (1988). The fact that the custodial parent believes that such cohabitation is “immoral” does not override the cohabiting parent’s civil rights.

The Michigan Supreme Court recently reaffirmed this longstanding rule of law that the civil rights of cohabiting couples are protected from discrimination. *McCready v. Hoffius*, 459 Mich. 131, 586 N.W.2d 723 (1998).

Demographics

According to the 1990 Census figures, about 3 million unmarried adults live in Michigan. Single, divorced, and widowed persons account for more than 40% of the adult population in the state.

Over 800,000 of these unmarried persons live alone. Nearly 300,000 of the multiple-person households in the state contain one or more unrelated persons.

¹Spectrum Institute is the research and policy division of the American Association for Single People.

More than 66% of unmarried couples are persons of the opposite-sex. Nearly 40% of these male-female unmarried couples are raising children.

More than 350,000 households are comprised of a single parent raising his or her minor children.

Nearly 16,000 seniors in Michigan are living together out of wedlock.

About 45% of the households in Michigan do not contain a married couple.

The University of Wisconsin Center for Demography and Ecology reports that more than half of the people who have married in recent years cohabited together beforehand. According to Professor Larry Bumpass who heads the nationally renowned Wisconsin Center and who is the nations' leading authority on the subject of unmarried cohabitation, the majority of people who marry now cohabit together beforehand. Bumpass has concluded that cohabitation is now an integral part of the marital decision-making process for most people.

Effects of HB 4258

House Bill 4258 would redefine the term "marital status" in section 103 of the Elliott-Larsen Civil Rights Act. Section 103 is the definitional section of the Act and governs all of its provisions.

Currently, the term "marital status" includes the status of individuals as married, separated, divorced, widowed, or single. It also includes the status of couples as cohabitants.

HB 4258 would redefine the term "marital status" to exclude a man and a woman who are cohabiting. Unmarried individuals who are not cohabiting in an opposite-sex relationship and married couples would remain covered by the term "marital status."

Since the definitions in section 103 govern all provisions in the Act, the new definition of "marital status" would affect the sections providing civil rights protections in employment, housing, public accommodations, public services, and education.

Employment

Under current law, an employer may not discriminate on the basis of marital status. Since existing law protects unmarried cohabiting couples from discrimination, an employer may not currently refuse to hire an applicant because he or she is cohabiting with a person of the opposite sex outside of wedlock. HB 4258 would authorize such discrimination.

Under current law, an employer may not fire an employee when the employer learns that the employee is cohabiting out of wedlock. If enacted, HB 4258 would authorize the employer to terminate an employee who is cohabiting.

Under current law, an employer may not refuse to promote an otherwise qualified employee merely because the employee is cohabiting out of wedlock. If enacted, HB 4258 would allow an employer to impose employment policies that preclude cohabiting employees from getting a promotion.

Housing

Under current law, a landlord may not refuse to rent to unmarried cohabiting couples. If HB 4258 is enacted, housing discrimination against such couples would be allowed. For example, if the owner of a 100 unit apartment building (who had no objection to unmarried cohabitation) were to sell the building, the new owner could tell unmarried renters either to get rid of their unmarried partners or vacate the premises. The fact that many of these couples may have children in the household would make no difference. As a result, children also would be victimized when landlords refuse to rent to, or decide to evict, unmarried couples.

Under current law, marital status discrimination is illegal in the sale of housing. As a result, sellers, brokers, and real estate agents are prohibited from discriminating against unmarried cohabiting couples. HB 4258 would change that and would authorize such discrimination in real estate transactions.

Public Accommodations

Under current law, businesses may not discriminate against unmarried consumers who are cohabiting out of wedlock.

For example, a hospital may not impose restrictions on an unmarried patient who is cohabiting out of wedlock if such restrictions are not imposed on a married patient. In *Whitman v. Mercy Memorial Hospital, supra*, the Court of Appeal ruled that it was a violation of the Elliot-Larsen Act when a hospital refused to allow an unmarried man to be present in the delivery room for the birth of his child despite the fact that the birth mother wanted her partner to participate in the delivery process. HB 4258 would reverse the *Whitman* decision and would legalize such discrimination.

HB 4258 would allow all other public accommodations to refuse to do business with unmarried cohabiting couples or to impose restrictions on such unmarried consumers that are not imposed on married couples.

Education and Public Services

Because of the sweeping nature of HB 4258, unmarried cohabiting couples could be discriminated against by educational institutions or by government agencies in the delivery of public services.

Same-Sex Couples

Gay and lesbian couples may not legally marry in Michigan. Furthermore, due to the enactment of the Defense of Marriage Act last year, even if another state were to legalize same-sex marriages there, Michigan would not recognize such a marriage. As a result, two people of the same sex could never be considered as a “husband and wife” or “lawfully married” under Michigan law unless the Defense of Marriage Act were repealed or declared unconstitutional.

The current protections of the “marital status” provisions of the Elliott-Larsen Act apply to any two people of either sex, whether married or not. The only class of people who would be excluded from the civil rights protections of current law, if HB 4258 were enacted, would be two people of the opposite sex who are cohabiting together. As a result, if HB 4258 were to become law, two people of the same sex who are living together would continue be protected from marital status discrimination while two people of the opposite sex who are cohabiting would not be protected.

Effect on Married Couples

Prior to 1957, Michigan recognized common law marriages as valid. A common law marriage is a relationship between a man and a woman who are cohabiting as man and wife even though they have not participated in a religious or civil marriage ceremony. Common law spouses were entitled to the same legal rights and protections as couples who had a ceremonial marriage. *Grammas v. Kettle*, 306 Mich. 308, 10 N.W.2d 895 (1943).

The Michigan Legislature abolished common law marriage in 1957. MCLA 551.2, MSA 25.2. However, common law marriages that were entered into in Michigan prior to 1957 remain valid after that date.

Also, under Michigan law, if a couple has legally entered into a common law marriage in another state that recognizes such marriages (and 12 states still do), if the couple moves to Michigan or visits Michigan, their common law marriage remains valid in this state. *In re Brack's Estate*, 121 Mich.App. 585, 329 N.W.2d 432 (1982).

As a result, there are thousands of couples in Michigan who are common law spouses and whose marriages are legally valid even though they do not have a marriage certificate to prove they are married. The civil rights of these married couples are placed in jeopardy by HR 4258.

Business owners who wish to discriminate against unmarried cohabiting couples may choose to demand that an employee, tenant, or consumer provide proof of the marriage. Those who have a marriage certificate issued by the state will have such proof. Married couples who are common law spouses will not have a formal certificate to authenticate the validity of their marriage. As a result, they may suffer discrimination in employment, housing, public accommodations, public services, or education even though they are legally married.

Conclusion

If enacted, HB 4258 would strip 3 million unmarried adults in Michigan of their civil rights protections if they were to cohabit out of wedlock. HB 4258 would require unmarried adults to choose between cohabitation and civil rights protections. If they choose cohabitation, then business owners and government agencies would be permitted to discriminate against cohabiting opposite-sex couples and their children.

HB 4258 also would adversely affect thousands of seniors and people with disabilities who often cohabit rather than marry due to the “marriage penalties” built into pension plans and government benefits programs.

HB 4258 would also penalize the majority of adults in Michigan who have chosen to cohabit as a part of the marital decision-making process.

If HB 4258 were enacted, the only unmarried couples who would continue to be protected by the marital status provisions of the Elliot-Larsen Civil Rights Act would be gay and lesbian domestic partners.

Dated: March 8, 1999

Prepared by:

Spectrum Institute
Research and Policy Division
American Association for Single People



Bringing lifetimes of experience and leadership to serve all generations.

March 14, 1995

Mr. Thomas Coleman, Executive Director
Family Diversity Project
Spectrum Institute
P.O. Box 65756
Los Angeles, CA 90065

Dear Mr. Coleman:

You will be pleased to know that the Women's Initiative's research report on midlife and older people who live in nontraditional households is just about ready for production and publication. As I near completion of this research project, I just wanted to thank you once again for sharing your expertise with us.

As you know, we found that more than 5 million midlife and older persons live in nontraditional households with extended families, partners, roommates, grandchildren, live-in employees, and in many other sorts of arrangements. We also found that individuals living in such households are often treated less favorably under public policies than traditional families.

Your organization is the only one we found that has extensively documented the treatment of nontraditional families under public policy. We found the studies in which Spectrum Institute participated to be well-researched and well-written, and we relied on several of them in our research report. Please keep up the fine work you do to document and advocate for diversity in family and living arrangements.

Sincerely,

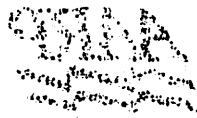
A handwritten signature in cursive script, appearing to read "Deborah Chalfie".

Deborah Chalfie
Women's Initiative

American Association of Retired Persons 601 E Street, N.W., Washington, D.C. 20049 (202) 434-2277

Eugene I. Lehrmann *President*

Horace B. Deets *Executive Director*



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10-11-68

Mr. Tolson
Mr. DeLoach
Mr. Mohr
Mr. Bishop
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

Dear Mr. Tolson:

It is requested that you be placed on the list of individuals who are to be notified in the event of a nuclear attack. This is a very important matter and your cooperation is appreciated. The list will be used for the purpose of notifying you in the event of a nuclear attack. It is requested that you return this card to the appropriate office as soon as possible.

It is requested that you be placed on the list of individuals who are to be notified in the event of a nuclear attack. This is a very important matter and your cooperation is appreciated. The list will be used for the purpose of notifying you in the event of a nuclear attack. It is requested that you return this card to the appropriate office as soon as possible.

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Very truly yours,
John Edgar Hoover
Director

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July 18, 1996

Mr. Thomas F. Coleman
Executive Director
Spectrum Institute
P.O. Box 65756
Los Angeles, CA. 90065

Dear Mr. Coleman:

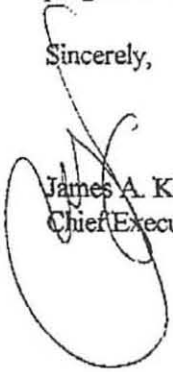
On behalf of all of us here at BENCOM, we would once again like to take this opportunity to thank you for your support as a member of our faculty. We just received the attendee ratings of the conference, and clearly your participation was very well received.

The attendees at your session rated your presentation, content and handout material very high. For content/quality, a rating of 4 from a possible 5 was received; a score of 5 for handout material and 4 for speaker delivery. These are very high marks! Congratulations.

We also heard a lot of comments from attendees, that this session was one of the best, as it brought to light issues that were too many to discuss. BENCOM's objective is to EDUCATE, and your session met this objective head on.

Again, thanks for taking the time and we hope you will want to join the BENCOM faculty again at future programs. BENCOM II is sure to triple in size based on the favorable comments we have received.

Sincerely,



James A. Kinder
Chief Executive Officer

10:15 a.m. -
11:15 a.m.

Grand Ballroom F

GENERAL SESSION #5

"Will Domestic Partner Benefits Be In Your Future?"

The issues have been raised and the industry is taking a position. Coverage for a Domestic Partner is being done with many qualifications. Get the how, when, and why to update your company when your employees are in need.

Speaker: Thomas F. Coleman
President, Spectrum Institute



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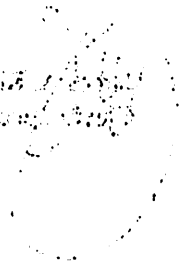
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Family Service America

May 5, 1989

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Jan Severson
Vice Chairman
Charles S. McNeer
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Hon. Judge Sharon J. Bell
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Gunter Borris
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Geneva B. Johnson
President and
Chief Executive Officer

Mr. Thomas F. Coleman
P. O. Box 65756
Los Angeles, CA 90065

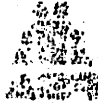
Dear Mr. Coleman:

Just a note to say that I was well pleased with the Amici Curiae brief on Braschi vs. Stahl Associates, and with your excellent representation of the FSA position. We hope it helps to retain flexibility in family definition.

Very truly yours,

Robert M. Rice, Ph.D.
Executive Vice President

RMR/sbb



STATE OF TEXAS

OFFICE OF THE ATTORNEY GENERAL

THE STATE BAR OF TEXAS
THE TEXAS ASSOCIATION OF
JUDGES
THE TEXAS ASSOCIATION OF
ATTORNEYS AT LAW

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James A. Kinder

* also serves as a Director

January 29, 1997

Thomas F. Coleman
President
Spectrum Institute
P.O. Box 65756
Los Angeles, CA 90065

Dear Mr. Coleman:

On behalf of the Self-Insurance Institute of America, Inc., we would like to express our appreciation for your agreeing to participate in our Eighth Annual MGU/Excess Insurers Executive Forum and Seventh Annual Third Party Administrator Executive Forum. The forums will be held March 18-20, 1997, at the Omni Severin Hotel, Indianapolis, Indiana. We are very fortunate to be able to draw on your professional expertise for the benefit of our attendees.

We have scheduled you to address the group on the following day and subject matter:

MGU Forum - General Session #5

Domestic Partnering - A Risk Question

Date/Time: Wednesday, March 19, 1997 9:45 a.m. - 10:45 a.m.

TPA Forum - General Session #4

Are Domestic Partner Benefits in Your Clients' Future?

Date/Time: Wednesday, March 19, 1997 2:00 p.m. - 3:15 p.m.

A copy of the Forum draft has been enclosed for your review. The final program and actual brochures are being printed and should be out in the mail soon.

Corporate Office - 17300 Redhill Avenue, Suite 100, Irvine, California 92614, Phone (714) 261-2553, Fax (714) 261-2594
Legislative Office - 2000 K Street, N.W., Suite 401, Washington, D.C. 20006, Phone (202) 463-8161, Fax (202) 463-8155
Direct All Correspondence To: P.O. Box 18466, Santa Ana, California 92735-0466

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL 55

Affiliated with:
AFL-CIO
CALIFORNIA LABOR FEDERATION
CENTRAL LABOR COUNCIL
OF ALAMEDA COUNTY
INTERNATIONAL ASSOCIATION
OF FIRE FIGHTERS
CALIFORNIA
PROFESSIONAL FIREFIGHTERS



STEVE SPLENDORIO, *President*
JAMES E. SMITH, *Vice President*
DENNIS J. RAINERO, *Secretary-Treasurer*

414 - 13th Street, Suite 300
OAKLAND, CA 94612
(510) 834-9672
FAX (510) 834-0812

May 13, 1998

Thomas F. Coleman
Executive Director
Spectrum Institute
P.O. Box 65756
Los Angeles CA 90065

Dear Tom:

Local 55 is deeply grateful for the extraordinary efforts that you and the Spectrum Institute put forth for our union member Al Edwards. It was only through those efforts which you made on behalf of Edwards that convinced the City Council to extend health benefits to all domestic partners of employees regardless of gender. Thank you again.

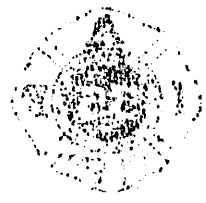
Sincerely,

Steve Splendorio
Steve Splendorio
President, Local 55

cc: Edwards
Holsberry



INTERNATIONAL ASSOCIATION OF FIRE ENGINEERS



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California Legislature
Senate Rules Committee

DAVID ROBERTI
Chairman

MEMBERS
WILLIAM A. CRAVEN
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HENRY J. MELLO
NICHOLAS C. PETRIS
CLIFF BERG
EXECUTIVE OFFICER

January 18, 1991

Ms. Thomas F. Coleman
P. O. Box 65756
Los Angeles, CA 90065

Dear Ms. Coleman:

With the conclusion of the work of the Joint Select Task Force on the Changing Family, which has sunsetted, the Senate Rules Committee would like to extend our deepest thanks and appreciation on behalf of the people of California for your dedicated and thoughtful service.

If I may be of assistance in the future, please don't hesitate to call on me.

Sincerely,

DAVID ROBERTI

DR:nmjm

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Senate Rules Committee



ALVIN KARPIS
et al.

January 18, 1935

Mr. Thomas W. Colahan
1400 Broadway
New York 10, N.Y.

Dear Mr. Colahan:

With your cooperation and the aid of the Police Department of New York City, the Bureau of Investigation has been able to identify the person who is believed to be the author of the letterhead note which was received by the Bureau on January 15, 1935, and which was captioned "Alvin Karpis".

It is my hope that you will be able to identify the person who is believed to be the author of the letterhead note.

Sincerely,

DAVID W. KEENE

Director

Municipality
of
Anchorage



P.O. Box 196650
Anchorage, Alaska 99519-6650
Telephone: (907) 843-4545

Rick Mystrom, Mayor

OFFICE OF THE MUNICIPAL ATTORNEY

November 30, 1995

Thomas F. Coleman
P.O. Box 65756
Los Angeles, California 90065

Re: *Kevin Thomas et al., v. Anchorage Equal Rights Commission, the Municipality of Anchorage, and Paula Haley in her official capacity as the Executive Director of the Alaska State Commission on Human Rights, Case No. A95-0274-CI (HRH) (U.S. District Court, Alaska)*

Dear Mr. Coleman:

Thank you very much for the assistance you have provided the Municipality of Anchorage in its defense of its anti-marital discrimination ordinance concerning renting of residential housing. This lawsuit is critical because it is filed in U.S. District Court in Alaska, the only state which has thus far provided a Supreme Court opinion vindicating the rights of governments to bar discrimination against unmarried couples based on a claim of free exercise of religion. The materials you have provided and the conversations we have had have been invaluable to the Municipality in this litigation.

I will keep you posted on the developments in this case.

Sincerely,

CJ Groh

Cliff John Groh
Assistant Municipal Attorney

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OFFICE OF THE
ATTORNEY GENERAL
STATE OF MISSISSIPPI



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CITY OF ATLANTA

BILL CAMPBELL
MAYOR

Suite 4100
City Hall Tower
68 Mitchell Street, S.W.
Atlanta, Georgia 30335-0332
(404) 330-6400
FAX (404) 658-6894

DEPARTMENT OF LAW
Clifford E. Hardwick, IV
City Attorney

January 17, 1995

Thomas F. Coleman, Executive Director
Spectrum Institute
P. O. Box 65756
Los Angeles, CA 90065

Dear Mr. Coleman:

As we patiently await the Georgia Supreme Court's decision regarding the legality of the City of Atlanta's Domestic Partnership legislation, let me again thank you for your wonderful Amicus Brief written on the City's behalf. While we in the City Attorney's office are confronted with Home Rule issues regularly, applying the concept of Home Rule to the Domestic Partnership ordinances was a novel and extremely challenging project for us. The legal issues were difficult, and there were no attorneys in the office with experience in this area to whom the lawyers assigned to the case could turn for guidance.

As the attorney primarily responsible for writing the City's appeal briefs, I can tell you that your participation in our case and your Amicus Brief helped our office in a number of significant ways. First, the City's appeal briefs were confined to legal analysis only. Your brief was able to address facts about alternative living arrangements and other domestic partnership policies which provided a context and justified the need for the City's legislation. Second, your legal analysis was excellent. Your brief was a tremendous aid to me while writing my Reply Brief in that it clarified legal problems which I had been struggling to work through. Your brief and your comments also helped my colleague in his preparation for oral argument. Lastly, I believe that your brief will be an invaluable resource for the Court in determining the outcome of the case.



CITY OF ATLANTA

OFFICE OF THE CITY CLERK
100 N. W. CORNER
CITY HALL

OFFICE OF THE CITY CLERK
100 N. W. CORNER
CITY HALL
ATLANTA, GEORGIA

OFFICE OF THE CITY CLERK
100 N. W. CORNER
CITY HALL

1951

1951

At a meeting held on the 10th day of October, 1951, the Board of Commissioners of the City of Atlanta, Georgia, met in regular session at the City Hall, Atlanta, Georgia, and the following resolution was adopted:

Resolved, That the City of Atlanta, Georgia, do hereby certify that the following is a true and correct copy of the resolution of the Board of Commissioners of the City of Atlanta, Georgia, passed on the 10th day of October, 1951:

Thomas F. Coleman
Spectrum Institute
January 17, 1995
Page Two

While I do not know how the Court will rule, I can say without a doubt that your participation in our case greatly enhanced our chances of victory. I know that you spent numerous hours working on the case, and I am sincerely grateful. I hope that you continue to provide your services to other cities and counties who will unfortunately be faced with similar legal challenges to their domestic partnership legislation. Your participation is a great benefit to those of us working to overcome these legal challenges.

Sincerely,



Robin Joy Shahar, Esq.
Assistant City Attorney

RJS:ljb

UNITED STATES OF AMERICA
DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20535

TO: SAC, NEW YORK (100-100000) (P)
FROM: SAC, PHOENIX (100-100000) (P)
SUBJECT: [REDACTED]
RE: [REDACTED]

PHOENIX

Robert J. [REDACTED]
Assistant City Attorney

PHOENIX

BIOGRAPHICAL INFORMATION ON THOMAS F. COLEMAN

EXECUTIVE DIRECTOR, AMERICAN ASSOCIATION FOR SINGLE PEOPLE
LEGAL COUNSEL, SPECTRUM INSTITUTE

Thomas F. Coleman has been practicing law since 1973. During that time, he has become a national authority on marital status discrimination, singles' rights, family diversity, and domestic partnership issues.

Over the years, Mr. Coleman has appeared on national television broadcasts to discuss discrimination against single persons and unmarried couples. He has been a guest on **ABC Nightline**, the **Today Show**, and **Fox News Network's O'Riley Report**. He has also been interviewed on national news programs, such as **CBS Evening News**, **ABC World News**, and **CNN News**.

Mr. Coleman has been quoted as a legal expert on the topics of singles rights and family diversity by journalists writing for major newspapers such as the **Los Angeles Times**, **San Francisco Chronicle**, **New York Times**, and the **Philadelphia Inquirer**.

Mr. Coleman has achieved numerous legal and political accomplishments and has conducted several policy studies for government officials.

In 1998, the **Michigan Supreme Court** ruled that the state civil rights law prohibiting marital status discrimination protected unmarried couples from housing bias. The court rejected a landlord's argument that he should be exempt from the fair housing law because of his religious beliefs against unmarried cohabitation. Mr. Coleman filed an *amicus curiae* brief in the case on behalf of AASP.

In 1998, Mr. Coleman was successful in convincing two California cities, **Santa Barbara and Oakland**, to discontinue a gender restriction in their same-sex domestic partnership benefits programs, and to open the plans up to all domestic partners regardless of gender. He was also consulted

by the **Detroit** city council which accepted his advice and passed the most inclusive "extended family" employee benefits program of any municipality in the nation. The plan allows each employee to choose one adult household member to receive benefits: either a spouse, a domestic partner of either sex, or a dependent blood relative.

In 1997, Mr. Coleman was invited to testify as an expert witness before the **California Assembly Judiciary Committee** and the **Senate Insurance Committee** on domestic partner benefits. He also conducted an informational briefing for the **Philadelphia City Council** on legislative options for protecting domestic partners.

In 1997, Mr. Coleman was invited by the **Self-Insurance Institute of America** to conduct a seminar on domestic partnership benefits for 130 insurance company executives who came to Indianapolis from all parts of the nation. In 1996, he conducted a similar seminar for the **National Employee Benefits and Worker's Compensation Institute** at a national conference in Anaheim.

In 1996, Mr. Coleman drafted a comprehensive domestic partnership act at the request of the Chairperson of the **Hawaii Commission on Sexual Orientation and the Law**. The draft was the basis for a bill (SB 3113) passed that year by the **Hawaii Senate**. The Senate Judiciary Committee invited Mr. Coleman to testify as an expert on legal issues involved in domestic partnership legislation. He was consulted by legislative leaders again in 1997.

Over the years, Mr. Coleman has represented clients and has filed *amicus curiae* briefs in numerous test cases before various appellate courts.

In 1996, he won a victory for tenants when

the **California Supreme Court** refused to give a landlord a "religious" exemption from state civil rights laws prohibiting marital status discrimination. He filed a brief in a similar case in the **Illinois Court of Appeals**. He was consulted by government attorneys fighting housing discrimination against unmarried couples in **Alaska** and **Massachusetts**.

In 1995, Mr. Coleman filed an *amicus curiae* brief in the **Alaska Supreme Court** in a case involving marital status discrimination in employment. In 1997, the court ruled that it was illegal for the state to refuse to provide health benefits to domestic partners of university employees.

In 1994, Mr. Coleman filed an *amicus curiae* brief in the **Georgia Supreme Court** on behalf of a local union representing employees of the City of Atlanta. The brief defended the reasonableness and legality of two domestic partnership ordinances enacted by the city. In March 1995, the Supreme Court by a 5 to 2 vote upheld the registry for domestic partners. In 1997, the Supreme Court upheld the city's health benefits plan for domestic partners.

In 1994, Mr. Coleman filed an *amicus curiae* brief in the **Michigan Supreme Court** seeking to invalidate the "gross indecency" statute as unconstitutionally vague and an infringement on the right of privacy of consenting adults. The court redefined the statute to apply to public sexual conduct, sex by force, and sex with minors. However, it sidestepped the issue of consenting adult sex in private.

In 1993, Mr. Coleman won a major victory for employees in the **California Court of Appeal**. In *Delaney v. Superior Fast Freight*, the appellate court ruled that private employers are prohibited from discriminating against employees or applicants on the basis of sexual orientation.

In 1989, Mr. Coleman filed an *amicus curiae* brief in the landmark case of *Braschi v. Stall Associates* (1989) 74 N.Y. 201. The **New York Court of Appeals** (the state's highest court) ruled the term "family" was not necessarily limited to relationships based on blood, marriage, or adoption. The court

concluded that unmarried partners who live together on a long-term basis may be considered a family in some legal contexts. The *Braschi* decision has been cited as precedent in numerous lawsuits by workers who have been denied employment benefits for their unmarried partners.

Mr. Coleman has also participated in both government and privately-sponsored policy studies dealing with the right of personal privacy, freedom from violence, family diversity, and discrimination on the basis of marital status and sexual orientation.

In 1994, Mr. Coleman was selected by the **American Association of Retired Persons** to serve on a round table focusing on nontraditional households. This resulted in a report by AARP in 1995 entitled "The Real Golden Girls: The Prevalence and Policy Treatment of Midlife and Older People Living in Nontraditional Households."

In 1993, Mr. Coleman wrote a report for **California Insurance Commissioner's Anti-Discrimination Task Force**. It proposed ways to end discrimination against unmarried insurance consumers.

In 1991, Mr. Coleman was consulted by the **Bureau of National Affairs** for its special report series on *Work & Family*. He provided demographics and background information for Special Report #38, "Recognizing Non-Traditional Families."

In 1990, Mr. Coleman worked with the **Secretary of State** to implement a system in which family associations may register with the State of California. Registrations systems like this have been used by companies for employee benefit programs that provide coverage to employees with domestic partners. This novel registration system was cited by Hewitt Associates in a research paper entitled "Domestic Partners and Employee Benefits." Hundreds of same-sex and opposite couples (many with children) have registered under this de-facto family registration system.

In 1989, the **City of West Hollywood**

retained Mr. Coleman as a consultant on domestic partnership issues. He advised the city council on how the city could strengthen its ordinance protecting domestic partners from discrimination.

In 1989, Mr. Coleman conducted a seminar for faculty and staff at the **University of Southern California** on "Employee Benefits and the Changing Family."

In 1989, the **Los Angeles City Attorney** appointed Mr. Coleman to serve as chairperson of the **Consumer Task Force on Marital Status Discrimination**. The task force issued its final report in May 1990. The report documented widespread discrimination by businesses on the basis of sexual orientation and marital status. It made numerous recommendations to eliminate discriminatory practices. Many have been implemented.

From 1987 to 1990, Mr. Coleman served as a member of the **California Legislature's Joint Select Task Force on the Changing Family**. After many public hearings and ongoing research, the task force issued a series of reports to the Legislature. One aspect of the study involved work-and-family issues. The Task Force recommended ways to eliminate discrimination on the basis of sexual orientation and marital status from employee benefits programs. Other recommendations were made to eliminate discrimination against domestic partners. A bill to establish a domestic partner registry with the Secretary of State and to give limited benefits to domestic partners was passed by the Legislature in 1994 but subsequently vetoed by the Governor. A similar bill (AB 54) has been reintroduced.

In 1986, Mr. Coleman became a special consultant to the **Los Angeles City Task Force on Family Diversity**. After two years of research and public hearings, the task force issued its final report in May 1988. Major portions of the report focused on sexual orientation and marital status discrimination in employment, housing, and insurance. For several years, Mr. Coleman worked with city council members, the city administrative officer, the city attorney, the personnel department and several unions to develop a system granting sick leave and bereavement leave to a city employee if his or her unmarried partner were to become ill or die. In

1994, the city council voted to extend health and dental benefits to all city employees who have domestic partners.

In 1985, Mr. Coleman became an adjunct professor at the **University of Southern California Law Center**. For several years he taught a class on "*Rights of Domestic Partners*." The class focused on constitutional issues, court cases, and statutes that either discriminate against unmarried couples or provide them with protection from discrimination.

In 1981, Mr. Coleman was appointed to serve as Executive Director of the **Governor's Commission on Personal Privacy**. After two years of public hearings and research, the Commission issued its final report to the Governor and the Legislature. Much of the report focused on the privacy rights of seniors, people with disabilities, unmarried couples, and gays and lesbians. Mr. Coleman was the author of the final report of the Privacy Commission.

In 1979, Mr. Coleman convinced the **California Supreme Court** to protect the First Amendment right of one adult to ask another to engage in private sexual conduct, without fear of arrest under the sexual solicitation law.

In 1972, as a representative to the **American Bar Association**, Law Student Division, Mr. Coleman convinced that body to adopt a resolution known as the "Single Persons Bill of Rights," which he authored. The resolution called for passage of civil rights laws prohibiting marital status discrimination in employment, housing, and public accommodations.

Mr. Coleman graduated, *cum laude*, from Loyola University of Los Angeles School of Law in 1973. He received his bachelor of arts degree from Wayne State University in Detroit, Michigan in 1970.

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