

# Law lets couples unite as corporation

By Elizabeth Groat  
The Associated Press

law was approved by voters last month amid controversy.

SAN FRANCISCO — Traditional and non-traditional families, including gay, lesbian and unmarried couples, now can use an innovative interpretation of a 60-year-old state law to register their unions.

"Of course I'm opposed to however they set up domestic partners (since) their ultimate aim is to change the marriage laws," said the Rev. Charles McIlhenny of the First Orthodox Presbyterian Church in San Francisco.

Although the registration does not confer any legal rights, it allows two or more people to officially declare themselves an unincorporated, non-profit association with the word "family" in the title.

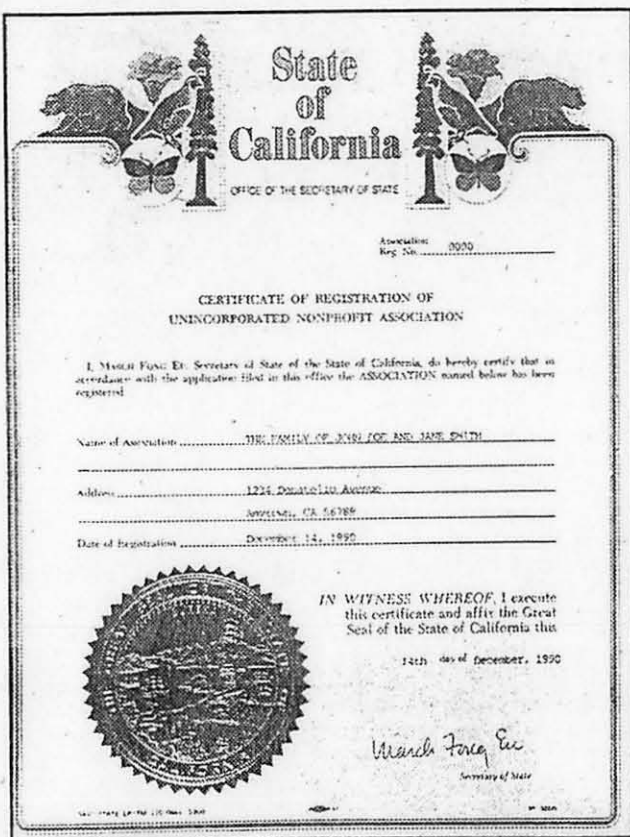
"Once the state government legislates the definition of the nuclear family or creates a family that will vie with the nuclear family, then you essentially destroy the essential building blocks of a family," he said.

"What we're seeing here is a creative use of a longstanding division of law," said Tony Miller, chief deputy secretary of state. "People are gathering together, forming an association, calling it a family and registering it with the secretary of state."

Several other municipalities in California allow registration of domestic partners, including Berkeley and Laguna Beach. In San Mateo, county employees can register their domestic partner for all benefits except health insurance. The new San Francisco ordinance carries no specific rights.

Registration costs \$10, and the association receives a colorful certificate with a gold state seal.

The idea to use an existing law to register unions was conceived by Los Angeles attorney Thomas F. Coleman, former executive director of the California Commission on Personal Privacy that was convened in 1980 by former Gov. Edmund G. "Jerry" Brown Jr.



California's new 'Certificate of Registration of Unincorporated Nonprofit Association'



## Nontraditional Families Register In California in Bid to Get Benefits

By TAMAR LEWIN

In what they hope will be the first step toward gaining benefits like health insurance and pensions, people who think of themselves as families but may not meet the traditional definition are registering with the State of California.

There have been seven such registrations, under a law originally intended for fraternal associations. They include two homosexual couples, an unmarried heterosexual couple, a stepfamily, a married couple with different last names and a family made up of a man and three refugee boys for whom he is the legal guardian.

"It was a great thing to get, especially for the kids, who see it as an important document," said John Brown, a Los Angeles man who is the guardian for three Guatemalan boys who had been living on their own and struggling to support themselves. "We're framing it and putting it on the wall, and it seems to recognize us as people whose lives are intertwined far more than guardianship, which feels like a technical thing."

At this point, registration is a purely symbolic act, conferring no legal benefit or right. But those who are seeking recognition of nontraditional families say that having an official registry is

an important step in winning benefits, which also include bereavement leave and family membership rates.

"Whenever we talk to employers about providing benefits to nontraditional families, they say that they wouldn't know who to consider a family, since there is no state recognition for anything other than married couples and their biological children," said Thomas F. Coleman, executive director of the Los Angeles-based Family Diversity Project, an advocacy group that held a news conference on Thursday to announce the registration process. "Now that we will have that recognition, we can move on to the next question, of actually getting the benefits."

He said providing nontraditional families with a way to get a state registration certificate will encourage employers to grant them the same benefits as other families.

Some people who have received their certificates say they are thinking of ways to use them. Herb King, a 72-year-old San Diego man who recently got a certificate with Stan Mahan, 66, his partner of 31 years, said he planned to write to the American Association of Retired Persons to ask whether the certificate would entitle him to join the group as Mr. Mahan's spouse.

"There are all kinds of situations in which this might be useful, because even though we've had a close personal relationship for 31 years, we're looked at in the eyes of the law as strangers," Mr. King said. "This may be helpful in getting hospital visiting privileges when only kin are allowed, or when one of us dies. It's not going to revolutionize the world, but it is a good psychological boost."

Mr. Coleman said that laws similar to the California statute are on the books in Oregon, Michigan, New Jersey, Oregon, Virginia, West Virginia and Wisconsin, and that families in Michigan and Wisconsin are in the process of applying.

The California statute regarding the registration of unincorporated nonprofit associations is written broadly.

"Under the law as written, we have no choice but to accept these filings from any group of people that call themselves a family association," said Anthony Miller, chief deputy secretary of state. "We have not the slightest idea how many people are going to use this to make a statement to themselves or society at large that they consider themselves a family. Frankly, we hope it's a lot, because there's a \$10 filing fee, and this state can use the money."

The registration procedure is simple. Applicants just fill out a form giving the name of their association, like "Family of John Doe and Mary Roe."

Small-scale efforts to gain recognition to nontraditional families have been undertaken in several municipalities.

The issue of what constitutes a family is also being argued in an increasing number of lawsuits.

Nontraditional families in California are registering with the state, under a law intended to register lodges and fraternal societies, in what many hope is a first step in winning such benefits as health insurance and pensions. A10

National Edition



Wednesday, December 19, 1990

# Unmarried Couples Use Law To Put Relationships on Record

By Elizabeth Groat  
Associated Press

SAN FRANCISCO — Homosexual and unmarried couples as well as traditional families are using a new interpretation of an old state law to put their relationships on the record.

All it takes is \$10 for two or more people to register with the California secretary of state, declaring themselves an unincorporated, non-profit association with the word "family" in the title.

To make it really official, the association receives a colorful certificate with a gold state seal.

"What we're seeing here is a creative use of a longstanding division of law," said Tony Miller, chief deputy secretary of state. "People are gathering together,

'It should be noted that the Secretary of State does not register 'families' as such. The Secretary of State does, however, as required by law, register the names of associations which may include, as part of their name, the word 'family.'

— March Fong Eu,  
Secretary of State

forming an association, calling it a family and registering it with the secretary of state."

But news of the registration was met with anger by some religious officials, particularly in San Francisco, where voters last month approved a domestic partners ordinance amid controversy.

## Nuclear Family

"Of course I'm opposed to however they set up domestic partners [since] their ultimate aim is to change the marriage laws," said the Rev. Charles McIlhenny of the First Orthodox Presbyterian Church, an outspoken opponent of the San Francisco ordinance.

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State  
of  
California

OFFICE OF THE SECRETARY OF STATE

Association  
Reg. No. 0000

**CERTIFICATE OF REGISTRATION OF  
UNINCORPORATED NONPROFIT ASSOCIATION**

I, MARCH FONG EU, Secretary of State of the State of California, do hereby certify that in accordance with the application filed in this office the ASSOCIATION named below has been registered

Name of Association THE FAMILY OF JOHN DOE AND JANE SMITH

Address 1234 Donatello Avenue  
Anytown, CA 96789

Date of Registration December 14, 1990

IN WITNESS WHEREOF, I execute  
this certificate and affix the Great  
Seal of the State of California this

14th day of December, 1990

March Fong Eu  
Secretary of State

**OLD LAW** — Using an innovative interpretation of a 60-year-old state law, traditional and non-traditional families, including gay, lesbian and unmarried couples, can register their unions. For \$10, a couple will receive from the Secretary of State's office a certificate with a gold seal that does not confer any legal rights, but officially declares them an unincorporated, nonprofit association with the word family in the title.

family," he said Friday.

Other California municipalities allow unmarried domestic partners to register, among them Berkeley and Laguna Beach. San Mateo County employees can register domestic partners for all benefits except health insurance.

The idea to use a 60-year-old law to register unions was conceived by Los Angeles attorney Thomas F. Coleman, former executive director of the Califor-

nia Commission on Personal Privacy. The panel was convened in 1980 by then-Gov. Edmund G. "Jerry" Brown Jr.

During the past 10 years, reports and studies have documented discrimination against non-traditional families and the need for reform, Coleman said. Registration is a first step, he said.

After some research Coleman found the law regarding associations. Believ-

ing he had found a way to register families, he tested his theory by filing his own application.

Coleman would not discuss his private life, saying he only used his family to see if his notion would work. It did.

## First Applications

The first handful of applications after that had an uneven reception by the office of Secretary of State March Fong Eu. Coleman later persuaded Eu's office with legal arguments. Thus far seven applications have been accepted and more are pending.

"It should be noted that the Secretary of State does not register 'families' as such," Eu said this week in a prepared statement. "The Secretary of State does, however, as required by law, register the names of associations which may include, as part of their name, the word 'family.'"

Miller, Eu's chief deputy, said the state, which makes a \$5 profit on each

'What we're seeing here is a creative use of a longstanding division of law. People are gathering together, forming an association, calling it a family and registering it with the secretary of state.'

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Chief Deputy Secretary of State

filing, is "delighted to have the money."

Coleman hopes that association status can enable family associations to enjoy benefits afforded traditional families, such as in frequent flyer programs, health clubs and insurance.

At least one hospital, Cedars-Sinai in Los Angeles, said it would honor the certificates as proof of immediate family for visitation rights, he said.

Oregon, Michigan, New Jersey, Virginia, West Virginia and Wisconsin have similar association registration laws on their books, Coleman said.

"The question is, will their secretaries of state allow it to be used that way?" he said. "This registration is helpful to nuclear families. It's helpful to everyone."





# San Francisco Examiner

◆  
Saturday

DECEMBER 15, 1990

NATIONAL  
EDITION

## State lets gay couples register

Nontraditional families can receive formal certificate; rights advocates call it 'a breakthrough'

By Tupper Hull  
EXAMINER SACRAMENTO BUREAU

SACRAMENTO — Nontraditional families, including gay and lesbian couples, now may have their unions formally recognized by the state of California under a new policy.

For a \$10 filing fee, families of almost any description can declare themselves "unincorporated non-profit associations" under current state law and receive an ornate certificate affirming their union's existence.

Though the registration document has little legal significance, advocates for gay rights say it could ultimately lead to a wide range of rights not now afforded gay and lesbian couples.

And mental-health experts say it could provide important psychological support to families that fall outside of the traditional definitions, such as married couples with foster children, families with stepchildren, single-parent families, and couples who do not wish to become married.

"It means nothing, but it means a lot," said Thomas F. Coleman, a Los Angeles lawyer and University of Southern California professor of family diversity. "It doesn't say anything, but it's a breakthrough."

It was Coleman, who served as executive director of the Commission on Personal Privacy empaneled in 1982 by then-Gov. Jerry Brown, who persuaded Secretary of State March Fong Eu to allow families to register their associations.

So far, seven families have quietly registered with the state under the new policy.

Eu's office said Thursday it had done nothing more than allow a slight broadening of existing law. Officials also said the office made no effort to verify the nature of the family or its motivations.

Still, that small change in interpretation was greeted with enthusiasm by gay rights advocate T.J. Anthony, an aide to San Francisco Supervisor Richard Hongisto.

"It's an exciting application of the law for everyone," Anthony said. "This is the foundation for what could become case law that ultimately leads to protection of lesbian and gay families."

Coleman said the registration documents were public records and should not be sought by couples or families who wished to keep their lifestyles private.

### 'A lot of potential'

There are more than 1,600 references to families in existing state laws, the vast majority of which are not defined, Coleman said.

He said court cases in California and elsewhere had established three general criteria for deciding when two or more people made up a family: what the intentions are of the parties involved, whether they have held themselves out publicly as a family, and whether they function as a family.

Registration with the state would establish the first two of those criteria, Coleman said. The third would be up to a judge or other mediator to determine.

"So there is a lot of potential here," he said. "This is part of an ongoing struggle of nontraditional families to receive support, benefits and recognition they feel they deserve and I think they deserve."

San Francisco voters last month approved Proposition K, an ordinance that allows gay and lesbian couples to record their partnerships with local government agencies. Backers of the measure expect it eventually will permit city health insurance benefits to include the same-sex partners of city employees.

And San Francisco Assemblyman John Burton, a Democrat, has announced he will introduce legislation early next year allowing same-sex couples to marry in California. Though supported by a majority of San Francisco supervisors, the measure faces difficult, if not insurmountable, opposition in the Legislature.



# California News

San Jose Mercury News, Friday morning, December 14, 1990

## Non-traditional households can register as family units

Los Angeles Times

People hoping to be recognized as a family unit can now register with the state of California under a novel system that supporters say could benefit thousands of diverse households, including gay couples, foster parents and stepfamilies.

For a \$10 filing fee, any family — traditional or not — can receive an ornate color certificate bearing a gold state seal that declares the household an association called the "Family of (Doe)," a spokesman for the secretary of state's office said.

Seven families, including an unmarried couple who live in the San Jose area, have already been registered.

The registration, however, has no known tax or legal consequences and confers no automatic benefits beyond the sentimental, according to Anthony Miller, chief deputy secretary of state.

It may, however, help step-parents in case of medical emergencies involving their children, assist domestic partners in obtaining hospital visiting rights and serve as a psychological boost to foster children who may feel keenly the lack of a family identity, said Thomas F. Coleman, an attorney and adjunct professor of family diversity at the University of Southern California who conceived the idea.

They may also be shown to health clubs, frequent flier programs, and insurance companies to help qualify for "family discounts."

In registering, families declare themselves "unincorporated non-profit associations" under an existing section of the California Corporations Code that is now used by such groups as fraternities, garden clubs, and homeowners associations.

Coleman submitted a lengthy report to Secretary of State March Fong Eu on the idea two months ago, Miller said. After studying the proposal, Eu declared it a "creative and valid use of existing law."

If the idea catches on, Miller added, it could become a revenue-producer for the state. The state makes a \$5 profit on each certificate.

Two who registered are Debbie Deem and James Riley, the San Jose-area residents. They have lived together for nine years. Deem, 39, is a crime victim advo-

cate with a non-profit agency. Through her work, she said, she has seen wife and child abuse take place under the umbrella of a marriage certificate. She said she also has seen many unhappy marriages, and decided for philosophical reasons that she did not want to marry the man she loves.

Two years ago, she said, Deem moved from Alaska to Arizona, where she applied for a job as a probation officer and found, to her astonishment, that despite extensive experience, she could not get the job because Arizona was one of several states in which cohabitation by unmarried couples remains illegal.

"I'd always been told if you go to school, work hard, get good grades, doors will open up," she said. "Instead, it got slammed. I was being called a sex offender when I'd worked for hard to put people like that in jail."

She and Riley moved to California, heard about Coleman's idea, and decided to register.

"It was a way of doing something positive after our negative experience," she said. "I wanted more validation from society than what I had had before. It's the best I've felt in two years."

California is the first state in the country to register such families. But, Coleman said, at least six other states — Oregon, Michigan, Wisconsin, New Jersey, Virginia and West Virginia — have similar procedures. Plans are now under way in some of them to start similar registries.

# Non-traditional families to be recognized by state

by M.R. Richards  
OF MGW STAFF

A series of fast-breaking events last week starting with the San Francisco Board of Supervisors' resolution calling for the legalization of gay marriages, then Assemblymember John Burton's (D-San Francisco) press conference stating he would carry the legislation to legalize gay marriage and then the announcement that the Secretary of State's office will allow couples to register with the state as family units, has lobbyists and lawmakers in a frenzy of activity.

Burton's abrupt press conference apparently surprised even staff members who will be working on and carrying his bill. Insiders and strategists are concerned that the bill, which has little chance of passing, will raise issues which will hurt chances of passage for AB 101, the gay bill for equal treatment in housing and the workplace. Indeed, Assemblymember Jackie Speiers, who was contemplating carrying a long-planned, well-written bill for domestic partners legislation, decided not to submit the bill so as not to jeopardize AB 101.

In response to Burton's announcement, Rev. Lou Sheldon of the Traditional Values Coalition Lobby said, "This only confirms what I've said all along about the gay agenda. I do not believe there are the votes in the legislature to change the marriage codes especially in light of the other legislation (AB 101) the gays and lesbians are trying to get passed. I believe this will be an albatross for all of their agenda -- and it could be the Achilles heel for AB 101." Sheldon reiterated an earlier statement saying, "I said this will be the battle of the decade, well it will be the battle of the century. I've been saying this was coming -- but I'd have thought it would have been more subtle."

However, it was the announcement by Thomas Coleman, an attorney who is the Executive Director of the Family Diversity Project, that Secretary of State March Fong Eu's office is allowing a new optional procedure for domestic partners, stepfamilies and others to officially register with the state, that really dropped the bombshell.

From senior citizens living together to gay and lesbian couples with and without children, to adult siblings and other blood relatives living together the configurations are endless.

Although such families will be registering under a provision for unincorporated nonprofit associations the registrations will be official and certificates noting that registration will be issued. Until now, official registration (and recognition) of family relationships by the state has been limited to marriages, births and adoptions. The discovery by Coleman's project that an existing registration procedure is available to other family units has national implications.

Coleman notes that only 15 percent of the families in the United States fit into the traditional working father, homemaker mother with children category. Dr. Nora Baladerian, a psychologist and co-chair of the Los Angeles City Task Force on Family Diversity, states that declaring one's family status by registering as a family association has potentially powerful psychological benefits particularly for those whose family does not fit the mythical "ideal" structure. "Members of families that do not conform to the stereotypical nuclear family, have for years been given a second class status by societal attitudes," Baladerian said. She said research has shown that such negative attitudes are internalized by the members of these families and are detrimental to mental health and self-esteem.

Coleman had submitted a detailed report to March Fong Eu in October and after studying the issue she stated the registrations for families "is a creative and valid use of existing law." Seven families have already registered. C. Stanley Mahan and Herb King, a retired gay couple from San Diego, a foster family in Southern California, a family with a stepchild, a single-parent guardianship and Debbie Deem and James Riley of San Jose who have lived together for nine years, are among those who have registered.

Laurie McBride, Executive Director of the gay and lesbian Lobby for Individual Freedom and Equality (LIFE) said, "I think it's very exciting because it addresses not

only the question of domestic partners but the much larger question of all non-traditional families which go unrecognized by the law. The great thing is no one has to define what family is anymore. People can define it for themselves."

While California is the first state to use such registration, Oregon, Michigan, Wisconsin, New Jersey, Virginia and West Virginia have similar laws which would allow family registration. Some families in Michigan and Wisconsin are in the process of registering. However, at this time none of the states has either registered or refused to register a family association.

While registration carries no legal or tax benefits, certificates can be used to confirm family identity in emergency and hospital situations, or to qualify for "family discounts" such as frequent flier programs, health clubs or with insurance companies. Unions and other employee groups which have been pushing for expansion of the definition of family for employee benefits will have something concrete to work with. The potential for expansion of recognition, legal and tax rights also exists.

Anyone interested in registering their family association can write to the Secretary of State, Special Filings, 923 12th St., Third Floor, Sacramento, CA 95814, or call the Special Filings Unit at (916) 324-6778 and request an application to register a family association. Coleman notes that because the application was not designed for family associations the form may not be self-explanatory. To register as a family association, where the form calls for the name of the association, the applicant should write the words "Family of" followed by the names of the family members. For example, a two-member family would be "Family of Jane Doe and Mary Smith" a three member family would register as "Family of" followed by the three names and so on. For more detailed information about registering a family association persons may write to Thomas Coleman, Family Diversity Project, P.O. Box 65756, Los Angeles, CA 90065. ▼





December 28, 1990

## A Family Is ...

**Mother:** Your source. Your nurturer. Your guilt. Your controller.

**Father:** Your strength. Your priest. Your support. Your judge. Your abuser.

**Sister:** Your sibling. Your second-grade teacher. Your cohort. Your nemesis. Bra-burner. Feminist.

**Brother:** your sibling. Your comrade. Your soul-mate. Your protector. Ally. Rival.

**The Family:** Mafia.

**The Family:** Fundamentalists.

**Your Family:** Blood relatives.

**My Family:** Loved ones.

Like Lewis Carroll's Cheshire cat, when we use a word, it means what we wish it to mean. Nothing more. Nothing less. From Mother Earth to Yo Mama, from the Supreme Court brethren to gangland brotherhood, families and their subparts have fluid definitions.

Some may think of a family as a mother, father and children. But Thomas F. Coleman and the Family Diversity Project think of a family as an unincorporated non-profit association under the California Corporations Code.

The common definition of family has adapted to meet various individual psychological, social and economic needs: step-families, foster families, same-sex partnerships, single-parent families.

To reconcile the multiple definitions, the Family Diversity Project is pioneering the use of an existing California Corporations Code section to have "families" of whatever description officially register with the

Secretary of State as an unincorporated association.

To date, such registration confers no specific legal advantages. But it may mark the threshold for individual rights and duties that will give legal status and recognition to gay and lesbian families as well as other so-called "alternative" living groups.

Nationwide, the "Father Knows Best" family of the breadwinner dad, homemaker mom and children constitute only 15 percent of all households. Not surprisingly, Los Angeles has an even lower 11 percent.

The Family Diversity Project estimates that approximately eight percent of all households in Los Angeles consist of unmarried couples, homosexual and heterosexual.

No single legal definition of "family" exists. Coleman's extensive legal research found the term "family" used more than 1,300 times in various California statutes. In 162 different references the term "family" provided legal rights or duties.

Although 39 statutes attempt to define "family," there is no uniformity. The definitions include everything from spouse to household member.

Flexibility in such definitions was recognized by the California Supreme Court in *Moore Shipbuilding Corp. v. Industrial Accident Commission*. The court awarded workers compensation benefits to a girl who had been supported by her mother's mate even though the girl was not his natural daughter.

The court stated: "'Family' may mean different things under different circumstances. The family, for instance, may be a group of people

related by blood or marriage, or not related at all, who are living together in the intimate and mutual interdependence of a single home or household."

A state report included several considerations in defining a family: physical health and safety, love and security, common beliefs and goals, teaching social skills and creating a place for recreation and recuperation from external stresses.

Although registering with the Secretary of State as a family does not currently confer legal benefits, it may well be evidence of a family relationship that could lead to legal status.

For example, a person may be excused for the use of physical force when it is used to protect a family member. Some government workers are entitled to bereavement leave on the death of a family member. A defendant in a civil lawsuit may object to an attachment to satisfy a judgment if assets are needed to support a family member.

In the rendering of health services, family members are entitled to personal visits with patients in long-term health care facilities. A mental health facility that takes a patient into custody must notify the patient's family.

Potential benefits have been identified by the Family Diversity Project across the board: from unemployment compensation benefits for family members who are relocated, to airline frequent flyer benefits and credit union contracts.

If the now-limited domestic partnership laws proliferate, registered families will be ready to receive benefits. West Hollywood allows unmarried couples who live in long-term relationships to register. Los Angeles and Laguna Beach have adopted personnel policies that allow city employees to gain at least some benefits for their partners.

Also, a careful review of the contract terms of various insurance policies may reveal potential benefits on a case-by-case basis.

This creative use of existing statutes may provide the foundation for substantial inroads into legal benefits for gays and lesbians. However, this move has broad-based application for step-families, foster families, single-parent families, married couples with different surnames and others.

This spectrum could create a coalition which realistically has much more likelihood of achieving equal rights for homosexual couples than isolated moves directed solely at gays and lesbians.

For information on registration, write the Secretary of State, Special Filings, 923 12th St., Third Floor, Sacramento, CA 95814 or call 916/324-6778. Request an "application to register a family association."

For more detailed information about registering a family association, write the Family Diversity Project, PO Box 65756, Los Angeles, CA 90065.

*A former journalist by trade, Nancy Smith switched careers, entering the legal profession. She is a member of the California bar and specializes in civil litigation. She is a member of Lawyers for Human Rights.*



# Non-Traditional Families Recognized by State

by M.R. Covino

A series of fast-breaking events the second week of December, starting with the San Francisco Board of Supervisors' resolution calling for the legalization of gay marriages, then Assemblymember John Burton's (D-San Francisco) press conference stating he would carry legislation to legalize gay marriage and finally the announcement that the California Secretary of State's office will allow couples to register with the state as family units, has state lobbyists and lawmakers in frenzies of activity.

Of them all, the real bombshell was the announcement by Thomas F. Coleman, a Los Angeles attorney who is the Executive Director of the Family Diversity Project, a part of Southern California's Spectrum Institute, that Secretary of State March Fong Eu's office is allowing a new optional procedure for domestic partners, stepfamilies and others to officially register as a family with the state. From senior citizens living together to gay and lesbian couples with and without children, to adult siblings and other blood relatives living together the configurations and diversity of family are endless.

Although such families will be registering under a

provision for unincorporated nonprofit associations, the registrations will be official and certificates noting that registration will be issued. Until now, official registration (and recognition) of family relationships by the state has been limited to marriages, births and adoptions. The discovery by Coleman that an existing registration procedure was available to other than traditional family units has national implications.

Coleman notes that only 15 percent of the families in the United States fit into the traditional working father, homemaker mother with children category. Dr. Nora Baladerian, a psychologist and co-chair of the Los Angeles City Task Force on Family Diversity, states that declaring one's family status by registering as a family association has potentially powerful psychological benefits particularly for those whose family does not fit the mythical "ideal" structure. "Members of families that do not conform to the stereotypical nuclear family, have for years been given a second class status by societal attitudes," Baladerian said. She said research has shown that such negative attitudes are internalized by the members of these families and are detrimental to mental health and self-esteem.

Coleman had submitted a detailed report to March Fong Eu in October and after studying the issue Eu stated the registrations for families "is a creative and valid use of existing law." Seven families have already registered with the state of California: C. Stanley Mahan and Herb King, a retired gay couple from San Diego; a foster family in Southern California; a family with a stepchild; a single-parent guardianship; Debbie Deem and James Riley of San Jose who have lived together for nine years; and the first family to receive a certificate of registration — Thomas F. Coleman and Michael A. Vasquez.

"I think it's very exciting because it addresses not only the question of domestic partners but the much larger question of all non-traditional families which go unrecognized by the law," Laurie McBride, Executive Director of California's gay and lesbian Lobby for Individual Freedom and Equality (LIFE) said. "The great thing is no one has to define what family is anymore. People can define it for themselves."

While California is the first state to use such registration, Oregon, Michigan, Wisconsin, New Jersey, Virginia and West Virginia have similar laws which

would allow family registration. Some families in Michigan and Wisconsin are in the process of registering. However, at this time none of the states has either registered or refused to register a family association.

While registration carries no legal or tax benefits, certificates can be used to confirm family identity in emergency and hospital situations, or to qualify for "family discounts" such as frequent flier programs, health clubs or with insurance companies. Unions and other employee groups which have been pushing for expansion of the definition of family for employee benefits will have something concrete to work with. The potential for expansion of recognition, legal and tax rights also exists.

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A N G U A R D

December 28, 1990