Civil union or marriage? You decide

BY ROCHELLE GRIMBAU

What is the difference between same-sex marriage and civil unions in Illinois?

The Civil Union Act (Illinois Religious Freedom Protection and Civil Union Act) went into effect in Illinois on June 1, 2011. Civil unions may be established between opposite-sex couples as well as same-sex couples provided the parties are more than 18 years old, neither party is currently married, party to a civil union, or are closely related.

Generally, the act provides a “party to a civil union” with “the same legal obligations, responsibilities, protections, and benefits” as are afforded or recognized by the law of Illinois to spouses, however, parties to civil unions do not receive any federal recognition. It is important to distinguish between federally derived rights and those provided by the state.

The act explicitly incorporates those provisions contained in the Illinois Marriage and Dissolution of Marriage Act concerning dissolution and declaration of invalidity. The act does not, however, explicitly incorporate those provisions concerning property, support, maintenance, attorney’s fees, or custody, although such rights and obligations are presumably among those afforded to spouses under the law.

Benefits available to parties to a civil union include state inheritance, pension, medical decision-making and health insurance rights.

Same-sex marriage: The bill known as the Religious Freedom and Marriage Fairness Act was signed into law by Gov. Pat Quinn Nov. 20, 2013 and shall take legal effect on June 1, 2014. The act both amends Illinois' definition of marriage and clarifies how marriages and civil unions entered into elsewhere will be treated by Illinois law. Specifically, the Act provides that:

—All laws of this State applicable to marriage ... shall apply equally to marriages of same-sex and different-sex couples and their children.

—Parties to a marriage and their children, regardless of whether the marriage consists of a same-sex or different-sex couple, shall have all the same benefits, protections, and responsibilities under law ...

—A civil union, or a substantially similar legal relationship ... legally entered into in another jurisdiction, shall be recognized in Illinois as a civil union. A Marriage, whether of the same sex or different sexes and providing that it is not a common law marriage, legally entered into in another jurisdiction, shall be recognized in this State as a marriage ...

—The act does not repeal Illinois' existing civil union laws. Same-sex and opposite-sex couples can continue to enter into civil unions in Illinois. Same-sex couples who want to convert their existing civil union into a marriage can do so after the marriage law takes effect on June 1, 2014. Civil-union couples will not have their civil union automatically converted into a marriage. Those who wish to convert their civil unions to marriages will have two options:

1. Apply for a marriage license and have a marriage ceremony to convert their civil union into a marriage without a fee;
2. During the first year following June 1, 2014, the couple may apply to a county clerk for a marriage certificate which will reflect they were married as of the date they entered into their civil union. The certificate must be signed and returned; no fee.

Married same-sex couples living in Illinois are eligible for all of the protections, responsibilities, and access to federal programs afforded to different-sex married couples. There are more than 1,100 instances in federal law where a protection or responsibility is based on marital status. By way of example only: access to Social Security survivors' benefits; the option to use family medical leave to care for a spouse; access to veterans’ spousal benefits.

In addition to federal benefits and protections, married same-sex couples will also be afforded many rights (and responsibilities) in Illinois, to name a few:

—Dissolution of marriage by a domestic relations court, including access to equitable divi-
We asked readers to send in photos of their weddings/civil unions to share with the community. What we received was a collection of beautiful stories of love and commitment.

All photo courtesy of subjects except where otherwise indicated.

Craig Harzinski and Ken Mertes travelled north to Victoria, British Columbia, July 12, 2005, to tie the knot. They also celebrated with a kiss at the recent signing of SB-10, legalizing same-sex marriage in Illinois.

Diane Martino and Tina Kachold joined together in a civil-union ceremony in June 2011, followed by a celebration with friends and family the following month. The couple plan to “upgrade” to marriage in June.

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The first thing most newly engaged couples ask is “Where do I start?” My advice is to first decide on two key elements: the number of guests you want to invite (actually make a list), and what you would like to spend on the wedding. Both are vital to have decided on before you start any of the planning.

From here you might want to consider hiring a wedding consultant to design, plan. Even if you cannot afford to engage a planner for the entire experience, I actually offer hourly consultations to guide the couple while they do all the legwork with creative ideas, etiquette information as well as vendor referrals. Either will save you time, and help you from making some expensive mistakes.

The first and most important is selecting the reception and ceremony sites, if they are not the same. You would need to check availability on the date you selected, make sure they can comfortably accommodate your guest count, and find out the minimum in food and beverage (which is usually exclusive of tax and tip, so don’t forget to add that in) that they require to hold the wedding there.

Other larger venues will charge a rental fee, and then you need to hire a caterer to prepare, cook and serve the food. In addition with this type of venue you will need to rent every fork, glass, table and chair as well a myriad of other items that will be needed. This will probably be the biggest part of your budget. If the ceremony is not in the space, you will need to search for the perfect place to exchange your vows. This can be a garden, church, chapel or synagogue, or any other place you feel is the perfect place to make this commitment. When searching, find out the rental cost, the number of hours you can use the site for, as well as restrictions.

From here you would then move into the other “fixed costs,” which would include officiant, entertainment/music, photographer and videographer/filmmaker. My advice for this is to make sure the things you are viewing are the work of who is going to actually be there that day. Bands switch out singers, and make sure the photos and video are taken by the person who will actually be at your wedding.

The remaining things to think about add to the variable costs, and a multitude of choices and designs come in. Save the dates, invitations, your menu of what is being served, flowers, linen, lighting, upgraded chairs and dinnerware are just a few of the many things that are truly design elements and set your wedding apart from others. But this also is where costs can go out of control, so if you do not have an unlimited budget, this is where a consultant can guide you in choosing the things that are the most meaningful to you, and will make the biggest impact.

Frank J. Andonoplas has designed social and corporate events all over the country since 1992. Frank is an active member of the Association of Bridal Consultants, and in 1995 was appointed state coordinator. He has also earned the designation of professional bridal consultant in 1993.

In 1996, he received the designation of accredited bridal consultant, and master bridal consultant in 1999, then making Andonoplas the 19th in the world to earn that distinction. He is also a member of the International Specialization of relationship assets and debts:
—Right to seek financial support upon breakup; and
—All state law rights and responsibilities spouses receive through marriage, including many others too numerous to list in this article.

This is an exciting, long overdue time, replete with fabulous choices. It should be known, however, that this is a dynamic, evolving area of law which has not yet been legally tested. There are bound to be many questions and uncertainties … but really, aren’t they always the harbingers of choice.

Contact the Law Offices Rochelle Grimbau, 205 W. Randolph St., Suite 1640, Chicago, Ill., 60606; at 312-781-0193; or at grimbau@grimbaulaw.comcastbiz.net.

Born in Havana, Cuba, Grimbau has specialized in family law since 1983 with an emphasis on dissolution of marriage, same sex relationships, domestic partnerships and civil unions; custody; child support; parentage in traditional and non-traditional families or situations; and post-decree issues.

GRIMBAU from page 19...
Snapshots of Love

We asked readers to send in photos of their weddings/civil unions to share with the community. What we received was a collection of beautiful stories of love and commitment. All photo courtesy of subjects except where otherwise indicated.

Partners Brian Fallon and Fred Mahaffey exchanged vows in a commitment ceremony on Sept. 6, 2003 (left). 10 years later to the date, they had their civil union at the same church (right).

Partners Blake Ryan Howard (with glasses) and Keeton Chamberlain met at their local neighborhood bar and have been inseparable ever since. After celebrating their civil union, Dec. 11, 2013, at Armand’s Pizzeria, they spent their honeymoon in Asheville, NC. At the Illinois marriage bill-signing ceremony, their image was part of the big Powerpoint presentation.

Couples Michelle Thomas and Jan Ferguson from their civil (and spiritual) union, Sept. 8, 2012. They plan to convert their union to a “real” marriage at City Hall June 1.

A Family Affair: Kate Lindberg-Vazquez (left) with Myrna Vazquez (right) and their adopted son Mathews.

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Marguerite H. Griffin has long been interested in rituals and ceremonies—and for the past seven years has turned her passion into her part-time profession. She is a certified celebrant and non-denominational minister who was born and raised in Chicago, and she now calls the Chatham neighborhood home. Her business celebrates meaningful life moments and, naturally, her website is: www.meaningfulmarguerite.com

Griffin is a certified wedding and funeral celebrant who strives for authentic, meaningful and unique ceremonies to mark important life transitions, including anniversaries, memorials, baby blessings and more.

“We tend to move from one significant moment to another without really taking time to celebrate it, or truly understand how we’ve been moved by the occasion,” Griffin said. “I heard about celebrants on NPR, an opportunity for individuals to create ceremonies—unique, hand-written to that event and the people involved.”

Griffin, 47, who is lesbian, is a motivational speaker and writer, able to create the perfect mood for any ceremony—from sophisticated to intimate and sacred, from light and casual to overly flamboyant.

“I can suggest meaningful ways to personalize your ceremony using music, readings from secular, religious, spiritual or mythical traditions, and rituals that reflect your needs, your beliefs, your cultural, and your religious/spiritual background, and your values,” she said.

“Your ceremony will express the great expectations and intense emotions that characterize the moments that have changed your life.”

Griffin said the celebrant role has its roots in Australia, where it is most common.

“Things are going well,” said Griffin, who, during the day, works at Northern Trust Bank. “This is something I do because I enjoy it. It is not full-time, and I don’t ever expect it will be. It’s a way for me to create value in the world, a way for me to give back, a way for me to be part of special moments for individuals and families, and use my skills as a creative writer and public speaker. That’s what draws me to it.”

Griffin has married about 15 couples per year, a total that no doubt will rise this year when gay weddings begin in June. She also has done baby blessings and house-warming celebrations. Plus, she has officiated memorial services for pets.

“I’ve enjoyed it, and really enjoy marrying gay couples,” she said.

“I’m looking forward to what will be, hopefully, a busy wedding season [in 2014], which will include gay and straight couples. Now, gay couples can have a ceremony, mark the occasion, invite family and friends, have them learn more about each other, about their love, their hopes and dreams and more—just like a straight couple.”

Griffin once performed a civil-union ceremony for two men who had been together for 40 years—and there was not a dry eye in the place, she said. “It was just so meaningful for them.”

“For me, as a gay woman, to be able to marry a gay couple, it’s very exciting; it’s very hopeful and it just feels right,” she said.

Griffin has performed countless memorial services over the years, such as the one she did for a terminally ill woman after being hired by the woman’s children.

Griffin spent a couple of afternoons with the ill woman, to hear exactly what she had accomplished in her life, what she regretted, what she had wanted for her children, and much more. The woman passed away about four months later, and Griffin presented a perfect celebration of her life.

“For me, it was special to be a part of her journey and also very meaningful to me that I was able to assist her children, so they didn’t really have to spend the time wondering what their mom would have wanted,” Griffin said.

“It’s wonderful work, a truly meaningful connection I have with the world.”

Marguerite H. Griffin.
They don’t always cater extra-large events, but they have. Food For Thought was the caterer for the University of Chicago commencement—with 12,000 guests.

But with 350 employees and nearly 30 years of experience, the Lincolnwood-based company is the perfect choice for events of any size. And that definitely includes gay weddings. “We cater all events, from small house parties to large galas, corporate and social events,” said David Bunte, the senior sales consultant for Food For Thought. “We offer a boutique style of service for all of our clients, no matter what the size and scope of their event. Our menus are diverse, offering all different cuisines and our style is more reflective of contemporary restaurants in preparation and presentation. We consider ourselves trendsetters in the catering industry and our reputation is highly regarded in our diverse client base. We know that each event’s goal and feel is different and work with each client to create customized plans to achieve those visions.”

Bunte, 54, who lives in the Gold Coast, has worked at Food For Thought for 19 years. Some of the major annual events catered over the years by Food For Thought include the Celestial Ball at the Adler Planetarium, Lincoln Park Zoo Ball, Brookfield Zoo Ball, Ravinia Gala, Women’s Board of the Field Museum Gala, and more. Bunte said Food For Thought strives for “personalized commitment in planning, menu development, customization [and] flawless execution.” He added that the company is driven to “making sure you achieve your vision.” “We pride ourselves on working with each client individually,” he said. “It’s so much different than walking into a restaurant and ordering off the menu. We need to get to know you and your needs before suggesting a culinary and

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Say “I Do” in Paradise and Enjoy ...
Wedding arrangements in bloom at upcoming show

BY ROSS FORMAN

The annual Chicago Flower & Garden Show blooms March 15-23 at Navy Pier, and show organizer Tony Abruscato said the event certainly will answer countless questions for one of the most trendy wedding tops: DIY floral.

“As in, do-it-yourself floral, often as part of a DIY wedding. "Couples are getting bulk floral, and then creating their own centerpieces, their own bouquets. It’s a big, popular trend—for the last 18 months or so, and I see it continuing," Abruscato said.

At the show, there will be free demonstrations on how to make handled European floral bouquets, and how to make table center pieces, among other wedding floral options. “People can come to the show and just watch these classes and demonstrations,” Abruscato said.

This year’s show also features the American Institute of Floral Designers, which is holding its regional conference at the event. The institute will have 12 different exhibits, showing the hot trends for 2014 and 2015.

Abruscato said popular colors and flowers this year tend to be a bit more sustainable.

“IT’s expensive to get married, so many couples are finding ways to do DIY floral arrangements," he said.

That list of soon-to-be-married couples certainly includes a load of LGBTers. And Abruscato said “there are a tremendous amount of LGBT friendly floral designers.” Abruscato noted that smaller, compact floral arrangements are more trendy this year as opposed to the big, over-the-

FOOD from page 24

service direction. We do pride ourselves on being a chameleon for our clients as the food that day or night represents them. Whether a dish with roots in traditional preparations or molecular gastronomy, our specials change daily.”

Food For Thought has a sales team of 17 and a culinary team of more than 40.

The Food For Thought “Hospitality Group” offers daily food service solutions for a number of different applications, Bunte said. For instance:

—Subsidized corporate dining programs.
—University dining programs.
—Amenity solutions for dining in a corporate office setting.
—Golf club dining management programs.
—Museum dining and special event programs.

“Food plays an integral role in defining the brand of an entity,” Bunte said. “Our commitment to creating higher end programs that define a brand people want differentiates us. Our size allows us both the resources to provide these services and be nimble enough to be both flexible and creative.”

Food For Thought also has a delivered catering division.

“As with the other services we offer, we understand that food and the experience it provides is integral to getting results,” Bunte said. “Our delivered product line provides a more cost-effective solution than fully catered meetings and events. Our menus have just recently been overhauled to reflect a more creative and contemporary approach to these events.”

These new menus will launch April 1.

Bunte said Food For Thought has “always been proud supporters of the gay community and are thrilled with their inclusion [in weddings], something that should have occurred a long time ago.”

“We do not see any difference in how the gay community approaches their wedding day from our current clients. Will it impact the volume of weddings we produce? We definitely feel it will, but remain committed to our history of excellence in catering, whether the client is straight or gay.”

So why go the Food For Thought route? "Aside from being a staunch supporter of the community over the years, our customized approach toward special events allow each couple to create and [an] experience that defines them on one of the most special days of their lives, and make it worry free.”

The 2014 Chicago Flower & Garden Show, presented by Mariano’s, is March 15-23 at Navy Pier. See www.chicagoflower.com.
Premarital agreements: Protect your property rights

BY ROGER V. MCCAFFREY-BOSS

On June 1, Illinois LGBT couples will be able to apply for a marriage license, get married the following day, and enjoy all the benefits and legal obligations that married spouses have enjoyed for years. LGBT couples where someone has a terminable illness, however, can get married now with a supporting letter from their physician.

Although madly in love today, divorce lawyers know that love does not conquer all and that love can sour and turn to conflict. In the world of heterosexual marriage there is an established history of divorce terms, experience with breakup rights and duties that are different from the rules that LGBT couples have lived by.

Divorce clients know the trials and tribulations of a best friend’s divorce, the property settlement they got, what their lawyer could or could not do for them and their responsibilities for payment of maintenance and child support. Unfortunately, these rules are new to LGBT couples planning marriage. They are important and everyone who plans to “tie the knot” should be aware of them.

Whatever you thought was your sole property before marriage changes. When married, spouses have rights as to the marital property of the couple. Marital property is any property acquired by the parties during their marriage except for property which is specifically excluded as non-marital property. The burden is on the party claiming non-marital property to prove it.

If you get married, and split from your spouse, you may have to pay for maintenance. The amount and duration of maintenance is determined based upon relevant factors including age, income and property of each party, education, length of the marriage, whether the recipient’s ability to earn income has been impaired due to absence from the workforce to attend to domestic duties, and lifestyle of the parties.

If you divorce, you may have to pay attorney’s fees for yourself and you may have to pay the legal fees of your spouse. The law says that attorney’s fees are the primary responsibility of the party incurring fees. However, if your spouse does not have any money, you may be required to pay his/her fees. Contribution of attorney’s fees from one party to the other is available where the payment of attorneys’ fees would undermine a partner’s economic stability.

Illinois is an equitable distribution state which means property is not necessarily divided 50/50—there is no guarantee that either spouse will get half. The Court considers relevant factors in determining how assets are to be divided, such as length of the marriage, age, health and employability of the spouses, contribution, both financial and non-financial, to the acquisition of property, the parties’ respective abilities to generate capital assets in the future and other factors.

And if you die, your spouse has legal rights to certain retirement accounts you have regardless of who you named as the beneficiary.

Instead of letting a judge decide these issues in case you divorce, you should have a premarital agreement to establish your own financial agreements. Premarital agreements clarify the rights and expectations in the marriage and can reduce the expenses and stress in a divorce by eliminating the issues to be determined.

Premarital agreements must be in writing and signed by both parties. They must be entered into freely and voluntarily. And they require fair and reasonable financial disclosures. They also require each spouse to have their own attorney represent them and be signed well before the marriage so no claim can be made that the Agreement was forced onto one of the spouses.

I have always advocated for all parties in an LGBT couple to create their own property agreements and decide what issues should be covered. Doing that before marriage is the time.

Roger V. McCaffrey-Boss, Esq., Law Offices of Roger V. McCaffrey-Boss & Associates, P.C., 33 North Dearborn Street, Suite 800, Chicago, Illinois 60602, Phone 312 263 8800, email: RVMLawyer@aol.com
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- Couples have 2 options for converting a civil union to a marriage:
  1. Apply for a marriage license and have a ceremony within 60 days
  2. Apply for a marriage license and request to use your civil union date as the date of your marriage
- Marriage certificates are not automatically sent to couples
- About a week after your ceremony, certificates will be available for purchase in person, online, by phone, or by mail request
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Andonoplas has been planning weddings for the last 20 years. He was recently Named Event Planner of the year and is one of 79 Master Bridal Consultants worldwide. Kelly Ray Wedding and Events 2915 N. Clybourn Ave., Suite 314 773-909-1980 www.kellyrayweddingandevents.com Kelly Ray Wedding and Events wants you to enjoy your big event. We promise an avant-garde approach to planning to make your dream day a reality. Fashion/Hair Dame Couture 1804 Central St., Evanston, IL 847-866-7599 www.damecouture.com Dame Couture provides an alternative experience that’s one that's more down-to-earth, personal, and relaxed than traditional bridal shops. We love vintage clothes, and reuse vintage clothes and components as much as possible. Jordan Hair Extensions 312-404-3053 www.jordanhairextensionsalon.org LGBT owner catering specifically to LGBT clients. Schedule your appointment with Jordan, a hair extension expert with 20 years of experience. 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Rony Tennenbaum has worked in jewelry manufacturing for more than 25 years after having done just about every stage of jewelry production—casting, polishing, setting, sourcing and more.

About six years ago, he started a jewelry line, focused on same-sex couples’ engagement, wedding and anniversary rings.

“One element within the industry that hooked me was the wedding portion,” Tennenbaum said. “I am a romantic, and love the idea of being a part of a couple’s very intimate moment of exchanging wedding vows and commitment, through symbols made of gold or platinum. I felt I could be a part of a couple’s ceremony without intruding on their personal moment.”

Tennenbaum starts most days at 6 a.m., and no two days are alike, he said.

He answers emails, then sets out on errands to collect castings, diamonds, drop offs, pickups and anything else for rings that may be on order. Then he often creates ads for Facebook and magazines, answers customer inquiries, write columns and articles, and more. “There is always an interview or a training session that needs to be done, or prepared for,” he said. “And among all these routines, I am always creating new collections and campaigns for upcoming seasons.”

Tennenbaum said building a new collection, and bringing it from sketch to life, “is always thrilling to me,” he said. Tennenbaum also cherishes the love stories he often hears. “Their rings always play such an important role, and listening to their needs and desires, being a part of their journey, excites me,” he said.

The worst part of his job is “when rings don’t turn out the way I want, or on time,” he said.

“One of my favorite stories was a male couple [that] came to my store [after driving] almost two hours because they felt comfortable and at ease discussing their ring selection with me,” he said. “After their visit, they each knew what the other liked and wanted, and shortly thereafter, each contacted me in secret to start work on the other’s ring. For three weeks I was creating these two beautiful rings, without the other knowing. The first ring was ready and about two days later, he proposed through teary eyes and a speech on one knee while walking along the beach. The second ring was ready a couple of days later, and the other partner surprised the first with a proposal of his own.”

Tennenbaum was at their wedding last October.

“Rings to me represent a commitment between two people,” he said. “They are a symbol of love, devotion and a commitment to be united in love for one another. I don’t think sexual orientation has anything to do with bringing two people in love together.”

Tennenbaum said his long-term goal is to be a part of as many same-sex weddings as possible—through his rings, his well-wishes, or simply his thoughts.
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