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Lots of Work on Marriage

by Jonathan Wilson

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CALENDAR

- ▼ The next FFBC meeting is 7:00 A.M., Friday, June 6, 2008 at Hoyt Sherman Place.

Our guest speaker will be Jody Huckabee, National Director of PFLAG.
- ▼ R.S.V.P. by Wednesday, June 4 to Jonathan Wilson @davisbrownlaw.com or 288-2500 by phone.

Until we can legally wed, those of us in same-gender relationships have some work to do. First, is responsible estate planning. Legal marriage brings with it a number of “default” components, some of which can’t even be undone without dissolving the marriage. You get legally married and you get some things without even asking. Legally married couples get wedding presents from the government derived from state law and from federal law but, regardless of source, they’re there without asking and with no further questions asked. Want to adopt your spouse’s children? Have at it; no other qualifications, “home studies,” or social worker interviews required. And, even with a will that attempts to disinherit a spouse, a surviving legal spouse is entitled to “take against the will” a certain share of the decedent’s estate regardless. The spouse that wins the longevity race gets a prize from the state, guaranteed. The only exception I know about is where the longevity winner does it by killing the spouse. Without that exception, divorce might become an obsolete method for ending a marriage.

In addition to automatic rights of inheritance, legal marriage allows a spouse to make medical decisions during their lives together and without either of them lifting a finger. It’s a given that an employee’s spouse can enjoy insurance benefits. Marriage allows a spouse to be included on employee insurance policies without treating the fair market value of that benefit as a gift, or treating it as “income” to the employee for tax purposes. And it allows couples the option of filing joint tax returns.

Legal marriage allows priority admission to the United States for a non-citizen spouse. Legal marriage affords myriad legal rights and presumptions in favor of the happy couple, and in favor of each of them. Being *happily* married isn’t even required. In short, legal marriage in the United States instantaneously creates more than one thousand different legal rights for the newly weds.

With some thought, a little effort, and not inconsiderable expense, some of those rights of married couples and lawful spouses can be replicated intentionally by unmarried couples (regardless of gender). With a will, for example, rights of inheritance can be established and, if the relationship ends, and especially if it ends “badly,” those inheritance arrangements can be undone. The same with healthcare powers of attorney to authorize medical decision-making, as well as general powers of attorney. Private contracts can be executed between unmarried couples that are not unlike prenuptial agreements, spelling out ownership rights and the ground rules for parting company and dividing assets if that ever becomes necessary.

All those extra efforts, the considerable cost of such efforts, and the fact that some rights cannot be replicated for any amount of money, are the crux of the appeal pending before the Iowa Supreme Court. By limiting legal marriage to serially committed, opposite-gender couples, the state creates special rights denied to committed couples of the same gender. Breeders are the only ones who can get married now, and they don’t even have to prove their capacity to procreate, have any intention of doing so, or ever actually have off-spring.

“Marriage” is simply a shorthand term for all those special rights. The state should afford the same rights for all by allowing marriage between same-gender couples, or the state should get out of the “marriage” business altogether and stick with civil unions for those who

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choose to commit to one another and form a two-person household. "Marriage" can then be left to the churches where it more appropriately belongs anyway, and the respective churches can struggle with who it is they will and won't marry among those forming civil unions.

Apart from the stop-gap work of responsible estate planning, we also have a lot of work to do to create the political environment that will empower the Iowa Supreme Court, like the District Court Judge, to read the Constitution and, basically, ask our detractors, "What part of 'equal' do you not understand? Get over it, bigots, or get over to the Iowa Legislature and see if that body is willing to pass legislation in two successive years to write un-American discrimination and inequality into the Iowa Constitution. Until then, 'equal' is going to continue to mean 'equal' in the eyes of the state, and other same-gender couples can join Iowa's one and only legally married gay couple." That will be a great day in our state and the fruit of a lot of hard work bringing our fellow citizens, some of them kicking and screaming, into the 21st Century. ▼

It's Never Too Late

by John Tompkins

At least it's never too late for Loraine Barr, a perky 89-year-old who entertained FFBC members and guests at the May meeting. One can certainly have nothing less than admiration for anyone whose next birthday will be number 90 that can stand unassisted before a group at 7:00 in the morning and deliver such a clear and coherent snapshot of her life.



Jonathan Wilson and Loraine Barr

Born in Chicago on December 4, 1918, Loraine's family responded several times to the allure of the California coast before moving there permanently when she was 15. Along the way and, presumably at other times, her father, whom she obviously admired, kept a diary that she said was grammatically impeccable.

Loraine decided to pursue a teaching career in her early years that included helping to prepare future teachers. Loraine subsequently decided to change her environment and profession and moved to Washington DC where she held secretarial jobs, but eventually became a probation officer. It was while she was working as a probation officer back in California that she met a woman named Mary who would become her partner for the next 45 years and until her death nine years ago.

Leaving probation work after 10 years, Loraine's next stop on her journey was a position as an employment counselor. One of her assigned duties was to *point out homosexuals and union sympathizers*. Her response to this request was to inform her superiors that she really couldn't do this because one could not tell if people are either by simply looking at them.

Sometime in the midst of all of this, Loraine, who may have inherited from her father a desire to write, authored a book in 1951 entitled *Atomic World*, a description of what was known about atomic energy at the time. After having her manuscript successfully reviewed by a professor in the field, she submitted it to a publishing company, noting that it almost got published. Another notable writing endeavor had to be a biography of a woman who turned out to have been her childhood dance teacher when she lived in Chicago.

Perhaps this stunning octogenarian's crowning achievement was her decision at age 88 to come out as a lesbian. And while we have all come out in our own ways, who among us can state that we did so in a letter written to *Newsweek*? Loraine said it took 88 years to get there and just a few days more to decide to write and send the letter.

Near the close of her speech, Loraine returned to elaborate on earlier observations about how there appears to be a growing acceptance and marked increase in tolerance by society toward gay persons. While some of us may feel change is not occurring fast enough, one must step back and imagine what times were like in Loraine's early years when she said an individual's homosexuality would have been considered a great embarrassment if any mention whatsoever were made of it.

Bravo, Loraine, and may you continue to enjoy your newly found freedom. ▼

The future frightens those comfortable living in the past.

BRIEFS & SHORTS

Be sure to RSVP for the June 6 meeting no later than June 4 to JonathanWilson@davisbrownlaw.com. He can also be reached by phone at 288-2500. Our speaker will be Jody Huckabee, National Director of PFLAG. The June meeting is also when we honor this year's FFBC Scholarship recipients.



Thanks to Mike Simonson for his help in bringing our May speaker, Loraine Barr, to Des Moines from Laguna Beach, California.



Archived issues of the FFBC newsletter are available on our web site: www.ffbc Iowa.org.

Iron Man

Review by Gary Kaufman

In *Iron Man*, Robert Downy, Jr. plays Tony Stark the inventive genius behind Stark Industries that builds state-of-the-art weapons for the United States. His father, who had worked on the Manhattan project to build the atomic bomb, founded the company. Tony's father taught his son that "Peace means having a bigger stick than the other guys." Tony is in Afghanistan to show off his latest high-tech weapon, the Jericho. Tony states, "Some say that the best weapon is the one you never need to fire. But I disagree. The best weapon is the weapon you only need to fire once!" and then he demonstrates it by shooting it once and detonating the entire side of a mountain range. Impressive. But Tony is a man really caught up with himself, having always been successful, a womanizer, and not showing any particular concern about others. However, he has a devoted assistant, Pepper Potts, played by Gwyneth Paltrow, who keeps Tony on track. She is Tony's Miss Money Penny, but while Miss Money Penny in the James Bond movies pretty much stays in the office, Pepper Potts does a little spying and life-rescuing of her own.

Tony's world suddenly changes when he is abducted by Afghan insurgents and ordered by them to make a Jericho weapon. During the attack to abduct Tony, Tony is injured by one of his own weapons, one that leaves shrapnel in the body that slowly works its way to the heart and kills its victims. Also held captive by the Afghan insurgents is Yinsen, another scientist who met Tony at an international conference, and he saves Tony from death by inserting an electro magnet in his chest to keep the shrapnel from doing its deadly deed. Tony tells the insurgents that he is building a Jericho missile but instead is building an armored suit to attack his captors. In order for Tony to make his escape, Yinsen sacrifices himself, and in his dying words pleads with Tony, "Don't waste your life." Tony, immediately upon his return to the United States, asks for a press conference and announces that Stark Industries is shutting down its weapons plant and instead will devote itself to the better good by developing Arc Reactor technology to help power the world. This change, however, does not sit well with the second in command, Obadiah Stane (Jeff Bridges—who is almost unidentifiable as the bald and grey bearded Obadiah). Soon the board of directors is trying to relieve Tony of his duties, and Tony lies low in his beautiful Malibu mansion, trying to perfect his "Iron Man" suit.



One of the charms of the movie is how it intersperses comedy, drama, and action. The trials Tony goes through in perfecting his suit are shown as a succession of slapstick comedy bits aided by a mechanical arm as a comical side-kick. Finally, Tony discovers that his company is selling to both sides of the armed conflict and it becomes his task to destroy all these weapons. He decides single-handedly to right the wrongs his company made using the explanation that, "I shouldn't be alive, unless there is a reason."

The confrontation of Iron Men is quite spectacular. The action scenes are accompanied by heavy metal rock and roll that makes it all the more dramatic. At the end of the movie, Tony announces in a press conference, "I am Iron Man!" which is immediately followed by the riff from the Black Sabbath tune also named "Iron Man."

As an added bonus, if you sit through the credits, you will also get a glimpse of the direction of the sequel. Although sequels are seldom as good as the initial super hero movie where the hero is created, the **Iron Man** series is certainly off to a rousing start. ▼



Capital City Pride, the LGBT Community Center, and One Iowa, have partnered to present a series of speakers in recognition of Gay Pride Month. During the four Saturdays in June, a free lecture series will be presented on topics related to lesbian, gay, bi-sexual orientation, and transgenderism.

The Saturday presentations will be offered at the Central Library in downtown Des Moines from 1:00 p.m. to 2:00 p.m. Each event is open to the public. Free underground parking is available. Also, during the weekend, parking on the street is free.

Topics include Culture, Mind, Body, and Spirit.

- Saturday, June 7, "Culture" will cover the topic of Marriage Equality. The speaker will be Andrea Fehring from "One Iowa."
- Saturday, June 14, "Mind" will cover the topic of positive mental health. The speaker will be Myke Selha, LISW, of LGBT Community Center.
- Saturday, June 21, "Body" will cover the topic of proactive physical health. The speaker will be Joe Freund, M.D., a physician in private practice.

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From the Editor

The Best Things In Life

♪ The flowers in spring
The robins that sing
The sunbeams that shine
They're yours, they're mine ♪

George Olsen, in 1927, penned those lyrics to the song, "The Best Things in Life Are Free." Singers such as Frank Sinatra and Barbra Streisand have sung the tune with great success, and the enduring truth of those words is what makes the song ever popular.

I have lived in downtown Des Moines for twelve years. I have seen many fine images from my balcony at The Plaza over that time. I watched the dome of the Capitol through its re-gilding in the late 1990s; I saw the construction of the new ballpark for the Iowa Cubs; I've seen the renaissance of old buildings converted into trendy condominiums; I've enjoyed the expansion of the skywalk system; I've witnessed the long-awaited rebirth of the Court Avenue entertainment district; I've thrilled to the sight of bald and golden eagles soaring over the Des Moines River in pursuit of prey; and I've seen triple rainbows after late afternoon thunderstorms. All those things came free to me.

In addition to all that, downtown living got even better in May with the addition of the free DART shuttle that trundles around downtown Des Moines from Seventeenth Street at the Western Gateway Park through downtown to the East Village and on to the Capitol. What a great way for downtown residents and workers to beat the high cost of gas! I can climb onto the shuttle on Locust Street one block from my building and ride it east all the way to the Capitol on those days I am scheduled to work there. Likewise, I can catch it two blocks from my building on its western return on Grand Avenue and take it to Seventeenth Street. It is just a six-block walk from there to Terrace Hill on the days I am scheduled to work there. I could even take it to breakfast club meetings since I can disembark only two blocks away from Hoyt Sherman Place. A rider never has to wait longer than ten minutes to catch it.

The shuttle will be a great resource for visitors to the city. On one of my first rides, it stopped at Embassy Suites where two tourists got on and rode with me to the Capitol. Sometimes the powers-that-be get things right. The shuttle is one of those times.

—Steve Person

(Continued from page 3)

- Saturday, June 28, "Spirit" will cover the topic of spiritual or religious health. The speaker will be Rev. Paul Johnson, a newly ordained minister with the United Church of Christ.

For further information contact One Iowa at 1-515-288-4019. ▼