

Same-sex marriage case lawyers set to make history

By Todd Spangler, Detroit Free Press

WASHINGTON — One is a legend on the civil rights circuit, a veteran of battles for gay and lesbian rights and a MacArthur Foundation genius grant winner — who has never argued in the U.S. Supreme Court before but, nonetheless, may have recent history on her side.

The other is a baby-faced, bow-tied former west Michigan lawyer and former state solicitor general, easygoing and talkative, who has stood before the Supreme Court eight times already and has some key victories to his credit.

On Tuesday, when Mary Bonauto and John Bursch go before the court to argue the constitutionality of Michigan's 2004 same-sex marriage ban, they may make history: A decision by the court — expected by summer — could extend the right to marry to same-sex couples over the objections of several states, or deal a harsh blow to a gay rights movement that has been on a winning streak.

Michigan will be at the center of the case, though its national implications are well-known: In the balance is a patchwork of laws and legal decisions that currently allow same-sex couples to marry in 37 states and Washington, D.C., but prohibit it elsewhere, denying gay and lesbian couples and their children the legal benefits and protections marriage provides, but maintaining what has been the long-held, traditional view of marriage as being only between a man and a woman.

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