

Gay Marriage Suit Gets New Life in Minnesota Court

The Minnesota Court of Appeals on Monday breathed new life into a lawsuit that challenges the state's **ban on gay marriage**.

The appellate court sent the lawsuit back to a lower-level district court for further review. The lower court had initially dismissed the suit that several same-sex couples filed against Hennepin County.

"Even if the **right to marry** is not considered a fundamental right, appellants should have been granted an opportunity to show that MN DOMA is not a reasonable means to its stated objective—to promote **opposite-sex marriages** to encourage procreation," wrote Judge Renee L. Worke.

The same-sex couples argue that Minnesota's **Defense of Marriage Act** tramples on their right to equal protection, due process, freedom of association and **religions freedom**.

"This decision clearly demonstrates how important it is for Minnesotans to vote in November to protect marriage in their state constitution," said Jordan Lorence, senior counsel at the Alliance Defense Fund.

"Without that, the unique, timeless union between one man and one woman is open to attack by judicial activists who do not respect state statutes. Voters can make sure that this court's ruling is not the final word. The final word belongs to the people of Minnesota, not judges."