

Judge Upholds Gay Marriages in Colorado, AG Vows to 'Act Swiftly' Against Trend

A state judge in Colorado on Thursday backed a county clerk who has issued more than 100 marriage licenses to gay couples, and another county clerk in Denver said she would begin issuing the permits.

In a second day of victories for supporters of gay marriage in Colorado, a judge rejected a motion by the state's attorney general seeking to stop Boulder County Clerk Hillary Hall from handing out more licenses.

Within hours the county clerk in the state's biggest city, Denver, also began issuing the licenses. And the clerk in Pueblo County said his office would start giving out permits on Friday.

Noting that his decision was part of a "fast-moving legal environment" nationwide, Boulder County District Court Judge Andrew Hartman said the state had failed to meet the high burden of proof required for such a move against Hall, an elected official.

His ruling came less than 24 hours after another state judge struck down Colorado's ban on same-sex marriages, then put that decision on hold pending appeal.

Emboldened by a landmark U.S. appeals court ruling on June 25 that found in favor of gay marriage in neighboring Utah, she has so far issued 123 licenses to gay couples.

The attorney general's office asked her to stop and then filed the lawsuit.

'Legal Patchwork'

Attorney General John Suthers said the latest rulings created uncertainty that “cries out” for resolution by the state’s highest court.

He said uniformity across the state was essential to avoid confusion caused by differing county-by-county interpretations of whether same-sex marriage is lawful.

“Therefore, we will act swiftly in an attempt to prevent a legal patchwork quilt from forming,” he said in a statement, without elaborating on his office’s strategy.

Attorneys for the state had accused Hall of flouting the law and intentionally misinterpreting the ruling, now stayed pending appeal, from the 10th U.S. Circuit Court of Appeals.

When same-sex couples receive the marriage permit, they can choose to get married right away. It is not necessary for anyone to officiate.

It could not immediately be established how many couples who received licenses also decided to take that step.

In Pueblo, about 100 miles (160 km) to the south, Clerk Gilbert Ortiz said the county “acknowledges marriage equality” and will also begin issuing licenses on Friday.

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