

Wisconsin County Clerks Could Face Charges for Breaking State's Marriage Laws

A federal judge will hold a hearing on Friday when she could give the green light to **gay marriage** in Wisconsin a week after she declared state's ban unconstitutional.

The permanent injunction hearing by U.S. District Judge Barbara Crabb could legally define whether county clerks are now allowed to issue **same-sex marriage** licenses throughout state as many have been doing already since her decision last week.

In her ruling striking down Wisconsin's 2006 ban on gay marriage, Crabb did not say whether county clerks were allowed to issue marriage licenses or prohibited until further rulings, leaving it up to county clerks throughout the state to decide whether to issue licenses or not.

According to Fair Wisconsin, an LGBT advocacy organization, 51 of the state's 72 county clerks have issued marriage licenses to same-sex couples since the ruling. A tally by Reuters found that more than 500 gay couples have applied for or have been granted a marriage license.

At Friday's hearing at her Madison, Wisconsin, courtroom, Crabb could grant an injunction on the state's same-sex marriage ban, or wait until a later time to render her decision. She could also stay her decision, which would suspend it until future court proceedings are complete.

The hearing could also serve county clerks with more concrete legal guidance regarding the issuance of marriage licenses to same-sex couples.

Attorney General J.B. Van Hollen, a Republican, said on Thursday county clerks who issued marriage licenses to same-sex couples over the past week could face charges for breaking the state's marriage laws.

Van Hollen had sought the stay from Crabb last Friday and on Monday asked the U.S. Court of Appeals for the Seventh Circuit to halt gay marriages in Wisconsin until appeals are concluded.

Not including Wisconsin, same-sex marriage is now legal in 19 states plus the District of Columbia. That number would jump sharply if federal court rulings striking down bans in several states are upheld on appeal.

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