



Buffalo / Niagara

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PFLAG@bfn.org
www.PFLAG-buffalo-niagara.org

We meet because we have learned that someone very close to us is Gay, Lesbian, Bisexual, or Transgendered.

We try to help one another deal with this information in a positive manner.

Although we do not agree at all times, we try to be understanding.

We offer help to those who seek it, but do not force ourselves on others.

We strive to maintain anonymity while sharing on a level that is comfortable for all of us.

We encourage all to attend meetings for their own benefit as well as that of the group.

It is our hope that when each of us reaches a point of understanding and acceptance, we realize that this is when others need us the most.

Buffalo Monthly Meeting

Sunday, September 19, 2010
2:30–5:30 PM

The September meeting will include a presentation by Alden Bashaw, WNY Program Director of the Empire State Pride Agenda. As always, newcomers will be offered the alternative of meeting privately with a PFLAG parent.

Kenilworth United Church of Christ
45 Dalton Drive
Tonawanda, NY 14223

The church is located two blocks west of Niagara Falls Boulevard at the corner of Decatur Rd and Dalton Dr. Decatur runs off of Niagara Falls Boulevard about 0.8 miles south of Sheridan Drive and about 0.8 miles north of Kenmore Ave.

Our meetings are in the library, which is near the parking lot entrance. The facility is handicap accessible.

New Parents Meetings

These meetings are scheduled as needed. Please call the helpline.

Held at a location convenient to those involved.

This self-help one-on-one meeting deals with the concerns of parents and family members who have recently learned that a loved one is Lesbian or Gay.

Parents, Families, and Friends of Lesbians and Gays, Buffalo/Niagara, is a non-profit, all volunteer, community-based organization not affiliated with any ethnic, religious, economic, or political group. Membership is open to all. PFLAG membership lists are kept confidential and mailings are sent in plain envelopes.

Queer Journeys Programs

Queer Journeys is a cable access program sponsored by PFLAG Buffalo/Niagara and coordinated by Camille Cox and Babs Conant. The programs are based on documentaries on GLBT issues. This program only airs in Buffalo, on Mondays at 6:30 pm and Tuesdays at 1:00 am on Adelphia Channel 20.

The schedule for the next two months is:

Sep 6: A Little Respect
 Sep 13: Choosing Children, Pt 1
 Sep 20: Choosing Children, Pt 2
 Sep 28: Our Brother, Dan

Oct 4: An Unexpected Journey
 Oct 11: All God's Children
 Oct 18: Claiming America's Promise
 Oct 25: The Families We Choose

A description of the storylines can be found at:
www.PFLAG-buffalo-niagara.org/video_project.shtml

Can You Help With The Newsletter

It is time consuming to find interesting things to share with our members. We want to have a content filled newsletter but that's hard to do within the time available. You can help. When you're reading the news and you see something that would be interesting to our members, just send an email with the information to pflag@bfn.org and if you're reading on-line most sites have a button that easily allows you to share the article with us.

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 Mark Meyer
 Roger Seifert & Dennis Stuart
 Linda Stefaniak
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PFLAG Celebrates Historic Win and Declaration of Justice for All in CA Marriage Decision

Parents, Families and Friends of Lesbians and Gays – PFLAG National – celebrated the U.S. District Court decision that strikes down California's discriminatory Proposition 8 which denied the right to marry to same-sex couples in the state, stating that the measure violates the U.S Constitution.

"Today is, in no uncertain terms, historic," said Jody M. Huckaby, executive director of PFLAG National. "With this monumental ruling, all families win and at last have the security of knowing that all of our loved ones – both straight and gay – have the same freedom to marry. Today's ruling sent the message that equality means equality for all."

The decision issued today in the case of *Perry v. Schwarzenegger* contends that Proposition 8 violates the Constitutional rights of equal protection and due process. In the decision, U.S. District Judge Vaughan Walker concludes that, "Proposition 8 fails to advance any rational basis in singling out gay men and lesbians for denial of a marriage license. The evidence shows Proposition 8 does nothing more than enshrine in the California Constitution the notion that opposite sex couples are superior to same-sex couples."

"This case provided families across the country with a chance to know that a court heard and accepted their stories of how inequality and discrimination harms their loved ones each day," said John Cepek, president of PFLAG National. "Once again, we see how telling our stories can and does change hearts and minds."

Leaders acknowledged that this is not the end of the fight for basic equal rights for all.

"Even as we celebrate today's victory, know that our work is far from over. Law change is just the start," said Huckaby. "We need to continue to transform our culture to one that values and treats everyone with the same respect and dignity. There will be more legal challenges, but we're going to keep doing what we know works telling our stories about our families to change hearts and minds."

Court Says Gay Couples Can't Divorce in Texas

By Jamie Stengle, Associated Press Writer

Gay couples legally married in other states cannot get a divorce in Texas, where same-sex marriage is banned, a state appeals court ruled Tuesday.

The 5th Texas Court of Appeals ruled that a Dallas district court judge didn't have the authority to hear a divorce case involving two Dallas men who married in Massachusetts in 2006. Republican state Attorney General Greg Abbott's office had appealed after Judge Tena Callahan, a Democrat, said she did have

jurisdiction and dismissed the state's attempt to intervene.

"Today's court of appeals decision overruled the district court's improper ruling, confirmed the constitutionality of Texas' traditional definition of marriage and correctly found that Texas courts lack the legal authority to grant divorces to same-sex couples," said Abbott spokesman Jerry Strickland.

Callahan also had ruled Texas couldn't limit marriage to a man and a woman, but the appeals court said the state's same-sex marriage ban was constitutional.

"A person does not and cannot seek a divorce without simultaneously asserting the existence and validity of a lawful marriage," Justice Kerry P. Fitzgerald wrote on behalf of three Republican appeals court justices. "Texas law, as embodied in our constitution and statutes, requires that a valid marriage must be a union of one man and one woman, and only when a union comprises one man and one woman can there be a divorce under Texas law."

The appeals court ordered the case be sent back to Callahan, who must vacate her order.

The men, known only as J.B. and H.B. in court filings, separated amicably two years after getting married.

J.B.'s attorney, Peter Schulte, has said the two men had no children and weren't arguing over how to divide their property, but wanted an official divorce. Schulte said Tuesday they had not yet decided whether to appeal to the Texas Supreme Court.

"We obviously disagree with the justices' ruling, but we respect the process and respect the court," Schulte said.

Abbott's office had argued before the three-judge appeals court in April that the couple was not eligible for a divorce in Texas because the state didn't recognize their marriage. Jody Scheske, another lawyer for J.B., argued his client was entitled to a divorce because he had a valid marriage.

The appeals court agreed with Abbott that such unions could be dissolved by having the marriage declared void.

Among the reasons J.B. argued for a divorce rather than a voidance was that spousal support and community property laws only apply in divorce cases. The appeals court said those issues are policy arguments that must be addressed by the Legislature.

"It's deeply disappointing to see courts deny same-sex couples equal treatment under the law," said Jennifer Pizer, a lawyer for Lambda Legal, which promotes equal rights for gay, lesbian, bisexual and transgender people.

Texas voters passed a constitutional amendment to ban same-sex marriage by a 3-to-1 margin in 2005 even though state law already prohibited it. Kelly Shackelford, president of the conservative Plano-based Liberty Institute, said the Tuesday ruling "strikes down an activist judge's attempt to take the law into her own hands."

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Abbott's office also appealed a gay divorce case in Austin after a judge there granted a divorce earlier this year to two women who married in Massachusetts in 2004. The Austin appeals court has not yet heard arguments in that case.

One of the women, Angelique Naylor, told The Associated Press in April, "We didn't ask for a marriage; we simply asked for the courtesy of divorce."

She referred requests for comment about Tuesday's ruling to Scheske, who also is her attorney

Federal Court Declares Part of Defense of Marriage Act Unconstitutional

The Human Rights Campaign – the nation’s largest lesbian, gay, bisexual and transgender (LGBT) civil rights organization – praised the July decisions of Judge Joseph Tauro of the U.S. District Court for the District of Massachusetts in *Gill v. Office of Personnel Management and Commonwealth of Massachusetts v. Department of Health and Human Services*, declaring the denial of federal rights and benefits to lawfully married Massachusetts couples under the Defense of Marriage Act (DOMA) to be unconstitutional. Judge Tauro, who was nominated to the bench by President Richard Nixon, held in *Gill* that DOMA violates the U.S. Constitution’s guarantee of equal protection of the laws, concluding that “indeed, Congress undertook this classification for the one purpose that lies entirely outside of legislative bounds, to disadvantage a group of which it disapproves. And such a classification, the Constitution clearly will not permit.” These decisions are likely to be appealed by the Department of Justice to the U.S. Court of Appeals for the First Circuit.

“Today’s decision is a confirmation of what every lesbian, gay, bisexual and transgender American knows to be a basic truth – we, and our families, are equal,” said HRC President Joe Solmonese. “This is an important step forward, but there is a long path ahead before we see this discriminatory law consigned to the dustbin of history. We thank our friends at Gay & Lesbian Advocates & Defenders, their courageous plaintiffs and Attorney General Coakley for standing up on behalf of married same-sex couples across the country and for their continued commitment to equality as these cases move forward. Judge Tauro’s decisions make clear that there is no constitutional justification for DOMA, despite the Department of Justice’s contentions in defending the

statute. While we expect the Department to continue to defend DOMA on appeal, we urge the Obama administration to push Congress to repeal a law that we know, and Judge Tauro recognized, serves no purpose but to denigrate our families.”

In March 2009, Gay & Lesbian Advocates & Defenders (GLAD) filed *Gill v. OPM* on behalf of eight married couples and three surviving spouses from Massachusetts who have been denied federal rights and benefits available to spouses, but denied to them because DOMA, a federal law adopted in 1996, defines marriage solely as the union of a man and a woman. In July 2009, the Commonwealth of Massachusetts filed its own suit challenging the federal government’s requirement that in operating federally-funded programs, including Medicaid and the administration of veterans’ cemeteries, the state must treat some of its married citizens differently than others. There over 1,000 rights, benefits and responsibilities tied to marriage under federal law, including Social Security survivors’ benefits, family and medical leave, equal compensation as federal employees, and immigration rights, among others.

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2010–2011

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Your National PFLAG membership is included in your local chapter dues. You will also receive the quarterly PFLAG-Pole Newsletter delivered to your home or by email from the national office. **Circle here if you don't want to receive the PFLAG-Pole Newsletter ▾**

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