



# Wholly matrimony

by **Jim Piechota**

Before I Do: A Legal Guide to Marriage, Gay and Otherwise by Elizabeth F. Schwartz; The New Press, \$14.95

Difficult to forget and even more savory to remember, a landmark ruling on June 26, 2015 decided that LGBT people "are free to commit to each other under the law of every state, and our commitments must be recognized nationwide." OK, let's get married! But now what?

In her debut guidebook *Before I Do: A Legal Guide to Marriage, Gay and Otherwise*, lesbian Miami attorney Elizabeth Schwartz, whose law practice focuses on LGBT family formation, takes the guesswork out of getting married and legalizing a sacred union. Though at first glance getting hitched might seem as simple as tearfully dropping down on bended knee, there are a multitude of decisions, delicate processes, and precarious legal nuances involved in the creation and execution of not just a same-sex marriage, but *any* marriage.

With an important opening chapter delineating key questions many will have before the big event is planned, Schwartz takes the anxiety out of these issues. Her guide is both easy to read and brimming with information. She addresses key questions involving separation, death, debt, stepchildren, co-parenting, transgender spouses, estate planning, and familial inheritance.

But first, she offers a cursory overview of what marriage equality really means by way of its long, serpentine progress into the American history books, its impact on the world, and its implementation, which, Schwartz admits, remains a "work in progress, especially in hostile regions." Next comes the really hard, sometimes uncomfortable questions couples must ask each other in order for marriage to become a fair-minded, legally-binding negotiation. A marriage can have lasting ramifications on issues of social security benefits, insurance, taxes, immigration, and joint property ownership.

Schwartz's guidebook remains sensible throughout, and even addresses the top 10 reasons couples may choose *not* to marry, with one reason coming in dead last: "There are those who are politically and philosophically opposed to marriage on its face."

The author creates hypothetical scenarios that illuminate some of the complex legal challenges many couples may face. Advice from a wide range of gay and lesbian professionals in the financial, legal, and academic worlds offers fresh perspectives. A few vivid anecdotes come courtesy of David Boyer, a freelance radio producer in San Francisco and Brooklyn, who describes how he entered into (and later, separated from) serious relationships with great sense and forethought; and mom, lawyer, and Bay Area stand-up comic Helen Smolinski, who explains the challenges of childrearing with her wife, and the formidable "division of labor" that quickly ensued. These are real stories, and readers will be able to relate to their experiences.

While not a substitute for legal counsel, Schwartz's marriage manual is a must-have preparatory reference book for anyone contemplating a marital union with the same or the opposite sex. "I hope that LGBT married couples can be a catalyst for change," Schwartz writes, "challenging assumptions about what marriage looks like generally."

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