



# City of Rochester



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**William A. Johnson, Jr.**  
Mayor

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April 28, 2004

MAY 04 2004

Chuck Bowen  
Executive Director  
Gay Alliance of the Genesee Valley  
875 East Main Street, Suite 500  
Rochester, NY 14605

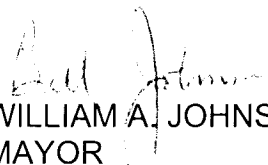
Re: Legal Opinion by the Corporation Counsel

Dear Chuck:

As you are aware, Linda Kingsley, the Corporation Counsel for the City of Rochester, recently rendered an in depth legal opinion on the issues relative to same sex marriage. In summary, her opinion provided that currently in New York State, a municipality may not issue licenses or perform marriages for same sex individuals. However, her opinion further provided that, given New York State's history of recognition and acknowledgment of marriages which, even though they could not be performed in New York State, were legally performed elsewhere, the City should recognize same sex marriages which are legal where performed. Ms. Kingsley's opinion outlines the jurisdictions that she believes fall into this category, understanding of course that future court actions and legislation throughout the country may change this list.

I understand that there has been some confusion relative to whether this City would honor Linda's legal opinion. Please be advised that as Corporation Counsel, Ms. Kingsley's role is to set the legal guidelines for City government actions. Therefore, you may be assured that it is the full intent of this administration to follow the guidelines set forth by Corporation Counsel Linda Kingsley in her March 19, 2004 opinion.

Very truly yours,

  
WILLIAM A. JOHNSON, JR.  
MAYOR

xc: Linda S. Kingsley, Corporation Counsel  
Lois Giess, Council President

