



FACT SHEET ***Godfrey v. Spano***

ABOUT Godfrey v. Spano

Westchester County Executive Andrew Spano exceeded his constitutional authority when he ordered county agencies to recognize out-of-state same-sex “marriages” for all county purposes, prompting attorneys with the Alliance Defense Fund to file a lawsuit against him on behalf of the county’s taxpayers. Through the order, Spano attempted to redefine marriage, despite a New York court’s ruling that the legal definition of marriage is solely the responsibility of the legislature.

CURRENT STATUS OF Godfrey v. Spano AS OF 10/12/09

Attorneys with the Alliance Defense Fund filed suit against Spano in August 2006 on behalf of Westchester County taxpayers to stop his illegal order. A judge later dismissed the case in March 2007, and ADF attorneys appealed the dismissal two months later. In February 2009, ADF attorneys filed documents seeking to appeal the lawsuit to the state’s highest court, the New York Court of Appeals, which agreed in March 2009 to hear the case. ADF Senior Counsel Brian Raum will present oral argument before the court on Oct. 13.

FOCUS OF HEARING – WHAT IS AT STAKE?

If Spano’s activist directive is allowed, the court will clear the way for county officials to usurp state legislative authority by giving legal effect to same-sex “marriages” performed in other jurisdictions.

CONTACT

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ABOUT ADF

ADF is a legal alliance of Christian attorneys and like-minded organizations defending the right of people to freely live out their faith. Launched in 1994, ADF employs a unique combination of [strategy, training, funding, and litigation](#) to protect and preserve religious liberty, the sanctity of life, marriage, and the family.

ABOUT Brian Raum

Brian Raum serves as senior counsel with the Alliance Defense Fund at its headquarters in Scottsdale, Arizona, where he works on cases around the country as the head of its Marriage Litigation Team. Having earned his J.D. from the Regent University School of Law, Raum has been practicing law since 1995. He is admitted to the bar in New York and Virginia, along with the federal bars in all the districts of New York, as well as the Central District of Illinois and the U.S. Court of Appeals for the Second, Third, Seventh, Ninth, and Federal Circuits. Before joining ADF in 2006, Raum served as the New York State Director for the American Center for Law and Justice and then worked in private practice in New York City, concentrating on constitutional and civil rights litigation.