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UTAH ATTORNEY GENERAL SEAN D. REYES OFFICIAL STATEMENT

Posted on: January 8th, 2014 by rbruckman



"We understand that this is a matter of great public import that impacts lives on a very personal basis. Prior to and since the U.S. Supreme Court stay of the district court's injunction in *Kitchen v. Herbert*, our office has been researching the proper legal course to address this uniquely challenging issue without any clear precedent to guide us.

We are unable to reach a legal conclusion as to the ultimate validity of marriage between persons of the same sex who completed their marriage ceremony in Utah between Dec 20, 2013 and Jan. 6, 2014. That question remains unanswered and the answer will depend on the result of the appeal process.

The Office of the Attorney General has advised the Governor in this case and will continue to work with the Governor and the individual agencies as they evaluate the application of specific policies and benefits within their agencies. A review team has been established to advise on a case-by-case basis.

The stay means that Utah's laws defining marriage, including Amendment 3 are again in effect and the county clerks in all of Utah's 29 counties, since the entry of the stay on January 6, are unable to issue licenses to marry persons of the same sex.

The State can neither recognize nor confer new marital benefits. While the ultimate validity of such marriages is subject to the decision of a higher court, it is clear that the State is bound by law to limit any benefits attaching after the stay.

We acknowledge that this is a very difficult situation for many. It was the reason our office sought the stay of the district court's decision immediately. We wanted to avoid the untenable situation in which many of our citizens find themselves. We are diligently seeking certainty for all Utah's through proper and orderly legal process."

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