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Article: Celebrating 5 years of Immigration Reform for the LGBT community

By: Christopher A. Kerosky

One story among many: Maben and Robert Rainwater

Maben and Robert have been a couple for over 20 years. Robert is from Michigan and moved to California to pursue a career in banking, but then began a construction company and now is in the wine business. Maben is from Canada who has been a serial entrepreneur all his life, starting and running a myriad of successful businesses including an IT company in Mexico and an art import business in the UK and later in San Diego. That is where they met and started their life together.

Now they are both well-known fixtures in the West Sonoma County community: serving on the school board, coaching their kids' sports teams, active in an array of local charities and raising a beautiful and multi-cultural family in Sebastopol.

But it's worth remembering that until 10 years ago, Maben and Robert could not even marry in California. Until 5 years ago, the federal government did not recognize their marriage. And that meant that, for couples like them – one born here as an American citizen and the other a foreign national living and working in the U.S. – there was always a barrier to a normal life in the U.S. Typically, LGBT couples with one member born abroad struggled to find a way to get that spouse immigration status here; very often it was just impossible.

While heterosexual couples were entitled to permanent residence for spouses born outside the U.S., this door was closed to same-sex couples.

That all changed in 2013 when the U.S. Supreme Court ruled at once that both the federal Defense of Marriage Act and California's Prop 8 were unconstitutional. For the last five years, same sex couples across the country like Robert and Maben have been able to access the same immigration procedure as heterosexual couples, building a life together without fear of deportation. It was nothing short of enactment of immigration reform for the LGBT community.

Enjoying the beautiful Sonoma County family life

In the case of this Sonoma County couple, it has meant a dynamic but a bit complicated family. Maben and Robert have three children: Alexandru who is 21 and serving in the Marines; Nicholas, also 21, living at home, and Kira who is 14 and a student at Analy High in Sebastopol.

All three kids were adopted; the boys from Romania in 1999 at the age of two and Kira at birth from another equally exotic part of the world – Las Vegas.

You can also find around their stylish West County homestead a variety of wildlife: two Labradors and a couple cats, not to mention the wild turkeys, racoons and deer that frequent their five-acre property near Occidental.

And this year the couple started the parental odyssey all over again when they took custody of their two-year-old grandson, Tyler Rainwater.

In addition to their dynamic family life, they both have active careers. Robert runs consumer operations for Arista Winery in Healdsburg. He has is Green MBA program at Dominican College in San Rafael and Robert is committed to both responsible stewardship of our environment and providing some of the best California sparkling wines ever. Maben is the Director of the North Bay Neuroscience Institute, which runs several clinical trials of promising pre-FDA approved Alzheimer Disease drugs.

A Question of Basic Legal Equity for all couples.

“Having to go through family court to obtain custody of Tyler this past year has reminded us how very important it is to have equal parental rights as everyone else,” notes Maben. Before the Supreme Court decision five years ago, life was much different for gay couples. Adoption of children domestically was much more difficult in the U.S. which is why their first two children were from Rumania.

The simple step of changing Maben’s last name after marriage required a court proceeding. Owning property, running a business, creating a will or trust – everything is more difficult when your marriage is not legal according to the federal government. And for immigrants, that used to mean facing separation or life abroad.

The Supreme Court decision five years ago changed the lives of couples like Maben and Robert forever. “Being allowed to marry and have that marriage recognized by the federal government was crucial for us,” says Maben. “It’s all about securing the basic legal protections and rights every couple needs.”

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About the author:

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