

Same Sex Marriage

Q Given the United States Supreme Court's recent decision regarding same sex marriage, are there any procedures we need to change?

A Not really.

New Jersey has recognized same sex marriage for several years.

We are often asked how to properly vest title in a same sex couple. As with heterosexual couples, as long as the couple is validly married (or in a civil union) at the time they take title to the real property, it will vest in them as tenants by the entireties unless another form of ownership is clearly stated (such as "as tenants in common and not as tenants by the entireties").

Any indication of the parties' marital status will work. By way of example but not limitation:

John Doe and James Smith, husband and husband
John Doe and James Smith, married to each other
Jane Johnson and Sally Jones, wife and wife
Jane Johnson and Sally Jones, a married couple
Jane Johnson and Sally Jones, a civil union couple