

Thompson appealed this decision and found herself back in court last November 5. She feels that this last hearing was as positive as it could be. The three judges who heard the case seemed fair and appeared to understand the issues. Their decision is expected in February 1992. Thompson's attorney and the Minnesota Civil Liberties Union are optimistic about the outcome. Thompson would like to be optimistic, but finds it "very scary to believe anything any more." If the decision goes against her, she will appeal it.

Thompson has incurred more than \$200,000 in legal fees since 1983. She is currently \$15,000 in debt after finally getting out of debt this past summer. Once again she is doing more speaking and spending less time with Sharon than she would like in order to raise money for her legal fees. Assessing the current situation, she says, "I know that I'm more tired than I've ever been in my entire life. I know that I've come close to getting back to the feeling of helplessness and hopelessness that I felt early on in this case. I never thought they could get me back there again. I sat in that courtroom last December, and as I watched what was going on, with everything kind of moving in slow motion, I felt like a battered woman. I felt like every time you get up, they just beat you. You get up again and they beat you again. You get up again and they beat you again...And I broke down and I sobbed in that courtroom. And I didn't think that I'd ever get up again."

Karen Thompson did get up, and those who listened to her in Montpelier have no doubt that she will continue to get up again until she has won her case and can finally bring Sharon Kowalski home.

She says, though, that she and Sharon would not have had to go through any of this if they had taken several simple steps to protect their relationship. The first and most important step is to come out. "We must let the people we love know who we are, who's important to us, what we would want if something like this were to happen, who we would want making de-

isions for us. We must get our heads out of the sand and quit pretending that situations like this can't happen to us. Because they can. In one split second our lives can change, and any one of us can become a Sharon Kowalski."

The second step is to take advantage of the protections that the law offers. These include wills, durable powers of attorney for health care, living wills, and partnership agreements. The documents must be completed before a person's competency can be called into question. Once that happens, it's too late. Thompson feels that it is preferable to use a standardized document than to have none at all, but a better solution is to see a lawyer.

The evening concluded with a short presentation on the legal situation in Vermont, with Susan Murray and Robert Paolini, two Vermont attorneys experienced in gay and lesbian family issues, as the resource people. They echoed Thompson in stressing the importance of completing the paperwork. In addition to the standard forms, a lawyer can draft documents to fit special situations. These special documents can include a visitors' list in case of hospitalization, your own choice of guardian in case you are ever incapacitated, or a statement that you wish your power of attorney to take precedence over a guardianship designation in decision-making (normally it does not). It is important to establish your intent and reconfirm it over time. Thompson, Murray and Paolini emphasized that single people must think about these issues as well. Even if you are in a relationship, you may decide to designate a friend or relative as your agent. If you do choose your partner, it is a good idea to name an alternate as well. You could both be incapacitated in the same accident. You should designate someone who is going to be in your life for a long time -- someone you can trust to respect your wishes.

The best source for additional information about the Sharon Kowalski case is *Why Can't Sharon Kowalski Come Home?*, by Karen Thompson and Julie Andrzejewski,

published by Spinsters/Aunt Lute in 1988. The book ends just before Sharon was tested for competency in September 1988. Nevertheless, its treatment of the first five years of the case explains the events and the issues clearly, movingly, and in detail.

Those wishing to contribute to the Karen Thompson Legal Fund should send their checks to 3070 Fulton Circle, Clearwater, MN 55320. ▼

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