



FACT SHEET Perry v. Brown

ABOUT Perry v. Brown

In May 2009, attorneys representing two men and two women in California filed suit in federal court to challenge the constitutionality of the state's voter-approved marriage amendment, which protects marriage as the union of one man and one woman. Alliance Defending Freedom attorneys, as part of the ProtectMarriage.com legal team, filed and obtained intervention in the lawsuit on behalf of the official proponents and campaign committee of Proposition 8. The case is on appeal after a federal judge in San Francisco ruled the amendment unconstitutional under the U.S. Constitution on Aug. 4, 2010. On Aug. 16, the U.S. Court of Appeals for the 9th Circuit granted a motion filed by the ProtectMarriage.com legal team that asked the court to put a hold on implementation of the district judge's decision while the case is on appeal. On Dec. 6, 2010, a hearing was held before the 9th Circuit, which referred the case back to the California Supreme Court to determine whether or not the ProtectMarriage.com legal team had standing to defend the amendment, in light of the governor and attorney general's refusal to do so. On Nov. 17, 2011, the California Supreme Court ruled that the ProtectMarriage.com legal team did have standing and the appeal could move forward. On Feb. 7, 2012, two judges on a three-judge panel of the 9th Circuit upheld the district court's decision. The ProtectMarriage.com legal team appealed to the full 9th Circuit, which declined to review the case on June 5, 2012.

CURRENT STATUS OF Perry v. Brown AS OF 7/31/2012

The ProtectMarriage.com legal team filed a petition with the U.S. Supreme Court on July 31 that asks the high court to review the case.

WHAT IS AT STAKE?

- Allowing a federal court decision overturning Proposition 8 to stand would bring additional years of chaos and confusion in the legal battle to preserve marriage.
- Such a decision could impact marriage laws in up to 42 other states—including the 30 states where voters overwhelmingly adopted state constitutional amendments—along with eliminating the right of Californians to reaffirm marriage in their state constitution.

RESEARCH ON MARRIAGE

A [recent scientific poll](#) conducted by the Alliance Defense Fund and Public Opinion Strategies found that 62 percent of Americans believe marriage should be defined as the union of one man and one woman. In addition, a [study conducted by Yale University](#) supports the position that, all things being equal, children should be raised with their own mom and dad: 81 percent believe that society should do everything possible to encourage the ideal of children being raised by their mom and dad, 57 percent believe the law should encourage that children be raised by a mom and a dad, 68 percent worry about the decline of the natural family, and 70 percent believe that a man-woman relationship is important in teaching children about how men and women interact.

CONTACT MEDIA AND PUBLIC RELATIONS

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ABOUT ALLIANCE DEFENDING FREEDOM

Alliance Defending Freedom (formerly Alliance Defense Fund) is an alliance-building legal ministry that advocates for the right of people to freely live out their faith.

This fact sheet and related media resources are available at www.adfmedia.org.