



Hollingsworth v. Perry, 186 L.Ed.2d 768 (2013)

Topics Covered: Gay, Lesbian, Bisexual and Transsexual Rights

Outcome: Favorable

Issue

The issue in this case was whether California's "Proposition 8," which amended the California Constitution to delegitimize same-sex marriages, violated the United States Constitution.

AMA Interest

The AMA believes that, from a medical viewpoint, same-sex marriages are as stable and as suitable for raising children as are opposite-sex marriages.

Case Summary

As a result of a citizen initiative, the State of California amended its constitution to prohibit same-sex marriages. The trial court and the United States Court of Appeals held that the amendment violated the Equal Protection Clause of the Fourteenth Amendment, as it discriminated against homosexual couples without a legitimate reason for doing so.

The case was appealed to the United States Supreme Court. Instead of ruling on the merits, the Supreme Court held, by a split decision, that neither it nor the Court of Appeals had jurisdiction to decide the substantive issue. In effect the Court upheld the trial court decision that had invalidated Proposition 8. The Court noted that the appeal had been brought by the proponents of Proposition 8, rather than an officer of the State of California. Because the Proposition 8 proponents were private citizens without a personal interest in the outcome, they lacked standing to bring the appeal.

AMA Involvement

The AMA, along with the California Medical Association and several other health care organizations, filed an *amicus* brief to oppose Proposition 8. The brief presented scientific information on the nature of sexual orientation, the comparability of committed same-sex and different-sex adult relationships, and the factors affecting child welfare. It argued that there is no scientific basis for finding heterosexual relationships to be meaningfully superior to homosexual relationships.

United States Supreme Court brief