



Obergefell v. Hodges, 135 S.Ct. (2015)

Topics Covered: Gay, Lesbian, Bisexual and Transsexual Rights

Outcome: Very Favorable

Issue

The issue in this case was whether the Fourteenth Amendment invalidates state laws that disallow same sex marriages or refuse to recognize a same sex marriage performed in another state.

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

Kentucky, Michigan, Ohio, and Tennessee disallow same sex marriages and, in some instances refuse to recognize the validity of such marriages legally performed in other states. By a divided panel, the Sixth Circuit held those laws constitutional.

The case was appealed to the Supreme Court, with the issues being (1) whether the Fourteenth Amendment requires a state to license a marriage between two people of the same sex and (2) whether the Fourteenth Amendment requires a state to recognize a marriage between two people of the same sex when their marriage was lawfully licensed and performed out-of-state. On June 26, 2015, the Court, in a 5 to 4 decision, reversed the Sixth Circuit on both issues, holding that people of the same sex have a constitutional right to marry and this right must be recognized under the Full Faith and Credit Clause.

AMA Involvement

The AMA, along with several other health care organizations, filed an amicus brief to support the constitutional right to same sex marriage. 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