

The Bar Association of San Francisco Board Joins As Amicus Curiae in Texas Marriage Equality Case

September 17, 2014 – San Francisco – The Board of Directors of The Bar Association of San Francisco (BASF) voted to join with the Bay Area Lawyers for Individual Freedom (BALIF) and twenty-six other bar associations and nonprofit organizations in submitting an amicus curiae brief to the U.S. Court of Appeals for the Fifth Circuit, which is reviewing the De Leon v. Perry decision in Texas which centers on the issue of marriage equality.

This brief (154KBPDFPDF) address the statutory and constitutional ban that prohibits same-sex couples from marrying in Texas as they exclude a class of people—gay men and lesbians—from the venerated institution of marriage. It also explains the harm inflicted on gay men and lesbians as a result of the ban’s pernicious classification and how nothing short of, or different from, marriage itself can cure the constitutional violations.

The brief, which was drafted by Jerry Roth and Nicole Phillis of Munger, Tolles & Olson, urges the Fifth Circuit to uphold the district courts’ rulings and find that such bans disadvantage gay and lesbian couples without any rational justification. The other amici signing onto the brief include a broad array of organizations, including national, metropolitan, local, and minority bar associations and national and local nonprofit organizations dedicated to ensuring that their constituents and all others in this country receive equal treatment under the law:

Austin LGBT Bar Association
Bay Area Lawyers for Individual Freedom (BALIF)
Bar Association of San Francisco
Central Florida Gay and Lesbian Law Association (CFGALLA)
Colorado Gay Lesbian Bisexual Transgender Bar Association
Dallas Gay and Lesbian Bar Association (DGLBA)
Freedom to Marry
Lambda Law Society of the Indiana University Robert H. McKinney School of Law
LGBT & Allied Lawyers of Utah Bar Association
LGBT Bar Association of Maryland
Love Honor Cherish
Marriage Equality USA
Matthew Shepard Foundation
Mexican American Bar Association of San Antonio (MABA)
Minnesota Lavender Bar Association
National Asian Pacific American Bar Association
New Mexico Lesbian and Gay Lawyers Association
OGALLA: The LGBT Bar Association of Oregon

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Oklahomans for Equality
OutLaw - Indiana University Maurer School of Law
OUTLaw – University of Texas School of Law
OUTLaws – S.J. Quinney School of Law at the University of Utah
QLaw -the GLBT Bar Association of Washington
SMU OUTLaw – Southern Methodist
Stonewall Bar Association of Georgia, Inc.
Stonewall Bar Association of Michigan
Stonewall Law Association of Greater Houston
University Dedman School of Law

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The Bar Association of San Francisco (BASF) is a nonprofit voluntary membership organization of over 8,000 attorneys, law students and legal professionals in the Bay Area. Founded in 1872, BASF is one of the largest and most dynamic metropolitan bar associations in the U.S., with a long and distinguished record of community action, public service and service to the legal profession.