



FACT SHEET
Proposition 22 Legal Defense and Education Fund
v. City and County of San Francisco

ABOUT Proposition 22 v. City and County of San Francisco

This lawsuit is one of six marriage cases, consolidated on appeal, which will determine the future of marriage as the union of one man and one woman in the Golden State. California voters passed Proposition 22, the state's Defense of Marriage Act, in 2000 by more than 61%. Represented by Alliance Defense Fund attorneys, the Proposition 22 Legal Defense and Education Fund, which exists to support the law, originally filed suit against the city and county of San Francisco for actions that violated the act. The suit was eventually consolidated with other similar lawsuits.

CURRENT STATUS OF Proposition 22 v. City and County of San Francisco AS OF 5/14/08

On May 15, 2008, the California Supreme Court will render its decision in the consolidated marriage cases, together named *In re: marriage cases*. In March 2005, a state superior court judge ruled that Proposition 22 is unconstitutional. ADF attorneys appealed. In October 2006, the California Court of Appeal reversed the lower court ruling and affirmed marriage. Advocates of homosexual behavior then appealed that decision to the California Supreme Court.

FOCUS OF HEARING – WHAT IS AT STAKE?

If the California Supreme Court strikes down Proposition 22, the will of the people of California, and their prerogative to have marriage defined the way they wish instead of the way special interest groups with a political agenda want it defined, will be overturned. Furthermore, a decision striking down Proposition 22 could result in extensive litigation across America as same-sex couples “marry” in California and then return to their home states to file lawsuits demanding that their “marriages” be recognized there. An effort to amend the state constitution to protect marriage is underway so that the legal definition of marriage cannot be altered from the definition desired by the people of California (www.protectmarriage.com).

CONTACT

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ABOUT ADF

ADF is a legal alliance of Christian attorneys and like-minded organizations defending the right of people to freely live out their faith. Launched in 1994, ADF employs a unique combination of [strategy, training, funding, and litigation](#) to protect and preserve religious liberty, the sanctity of life, marriage, and the family.

ABOUT Glen Lavy

Glen Lavy is senior counsel with the Alliance Defense Fund. Prior to joining ADF, Mr. Lavy was engaged in an active legal practice that included a variety of complex litigation matters such as securities fraud, antitrust, and tax law. He has practiced law for 18 years and is admitted to the bar of the U.S. Supreme Court, along with multiple other federal and district courts across the country, as well as the Court of Federal Claims and U.S. Tax Court.