

**Friend-of-the-Court Briefs Submitted to the U.S. Court of Appeals for the 9th Circuit
in *Perry v. Schwarzenegger*
(Briefs are accessible through the links below.)**

Amici	Counsel of Record	Description of Argument
American Center for Law and Justice	Walter M. Weber	Limiting marriage to the union of a man and a woman is rational; morality is a legitimate basis for legislation.
American Civil Rights Union	Kenneth A. Klukowski	The fundamental right to marry guaranteed by the 14th Amendment and its limitations as provided in sound Supreme Court precedent.
American College of Pediatricians	Abram J. Pafford	The benefit to children of being raised by their biological parents over other domestic arrangements; benefit to children of having both a mother and a father; caution appropriate when using social science data to inform judicial decision-making.
Catholics for the Common Good	Richard G. Katerndahl	The common definition of marriage as a union unites one man and one woman and any children that naturally result from that relationship.
Center for Constitutional Jurisprudence	John C. Eastman	Defendant-intervenor-appellants' standing to appeal.
Center for Constitutional Jurisprudence (for Imperial County)	John C. Eastman	Movant-appellants' standing to appeal.
Concerned Women for America	Holly Carmichael	The political power of those who engage in homosexual behavior and activists who advance the agenda; in light of their political power, homosexual behavior is not due strict scrutiny review.
Eagle Forum Education and Legal Defense Fund	Lawrence J. Joseph	Standing of both defendant-intervenors-appellants and of movant-appellants (County of Imperial, et al.) to bring this appeal and additionally assert that even if this court determines they do not have standing, this court has jurisdiction to consider the legislative facts de novo.
Eugene Dong	Eugene Dong	The Supreme Court recognizes that the purpose of marriage is to perpetuate humankind and therefore a state constitutional provision that codifies that objective is consistent with Federal Law.
High Impact Leadership Coalition, The Center for Urban Renewal and Education, and The Frederick Douglass Foundation, Inc.	Stephen Kent Ehat	Reserving marriage to opposite-sex couples is unrelated to laws in American legal history that required racially segregated marriage; advocating a legitimate state interest for limiting marriage to opposite-sex couples is in full alignment with <i>Loving</i> and <i>Baker</i> .

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Liberty Counsel, Campaign for Children and Families, and Jews Offering New Alternatives for Healing, Inc.	Rena M. Lindevaldsen	The need for children to have both a mother and a father; same-sex and opposite sex relationships are inherently different; sexual behavior should be disqualified as a suspect class.
Liberty Institute, Association of Maryland Families, California Family Council, Center for Arizona Policy, Citizens for Community Values, Cornerstone Action, Cornerstone Family Council, Delaware Family Policy Council, Family Action Council of Tennessee, The Family Foundation, The Family Policy Council of West Virginia, Family Policy Institute of Washington, Florida Family Policy Council, Georgia Family Council, Illinois Family Institute, Independence Law Center, Iowa Family Policy Center, Louisiana Family Forum Action, Massachusetts Family Institute, Michigan Family Forum, Minnesota Family Council, Missouri Family Policy Council, Montana Family Foundation, New Jersey Family First, New Jersey Family Policy Council, North Carolina Family Policy Council, Oklahoma Family Policy Council, Oregon Family Council, Palmetto Family Council, Pennsylvania Family Institute, Wisconsin Family Action, and WyWatch Family Action	Kelly J. Shackelford	The importance of preserving the right of the people in individual states to direct public policy through popular democratic means, especially concerning the issue of marriage.
Margie Reilly	James Joseph Lynch, Jr.	Concerning members of posterity, questioning the standing of plaintiffs and asserting that plaintiffs' are given equal rights as they are guaranteed the same benefits under California's civil union scheme.
National Association for Research and Therapy of Homosexuality	Gary G. Kreep	People can, and do, leave lives of homosexual behavior.
National Legal Foundation	Steven W. Fitschen	District court's findings of fact are subject to de novo review and highlights flaws in the credibility and determinations of specific experts.

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National Organization for Marriage, National Organization for Marriage Rhode Island, and Family Leader	Joshua K. Baker	Response to the court’s question regarding how fabricating same-sex “marriage” would negatively impact marriage as an institution.
Pacific Justice Institute	Kevin T. Snider	Civilizations which have tolerated or even celebrated homosexual relationships have nonetheless regulated marriage so as to maintain it as an opposite-sex union.
Parents and Friends of Ex-Gays and Gays, Desert Stream Ministries	Dean R. Broyles	Counters immutability claim using personal stories of people who’ve been freed from lives of homosexual behavior and are now involved in opposite-sex relationships.
Paul McHugh, M.D., Johns Hopkins University Distinguished Service Professor of Psychiatry	Herbert G. Grey	“The profound difficulty in defining sexual orientation and the mutability of sexual orientation preclude its designation as a suspect class.”
Robert P. George, Sherif Girgis, and Ryan T. Anderson	Kristen K. Waggoner	“There are no constitutional problems with the ways in which Proposition 8 relates to morality;” indeed many of our laws rely on normative (moral and value) judgments and “Proposition 8 is consistent with the letter and spirit of <i>Lawrence</i> .”
States of Indiana, Virginia, Louisiana, Michigan, Alabama, Alaska, Florida, Idaho, Nebraska, Pennsylvania, South Carolina, Utah, and Wyoming	Thomas M. Fisher	States’ primacy over marriage, satisfaction of the rational basis standard, district court’s ruling lacks principled limitations on the types of relationships that can make claims on the state.
The Becket Fund for Religious Liberty	Kevin J. Hassan	“Legalizing same-sex marriage without also providing robust protections for conscientious objectors seriously undermines religious liberty.” In the wake of <i>In re Marriage Cases</i> , which provided no protections for conscience, many people concerned with religious liberty would have had a rational basis which was not considered by the district court for supporting marriage.
The Ethics and Public Policy Center	M. Edward Whelan, III	The district court’s bias and misconduct.
The Family Research Council	Paul Benjamin Linton	The California constitutional amendment protecting marriage does not interfere with the fundamental right to marry, discriminate on account of sex, nor “discriminate” in violation of the Equal Protection Clause of the 14th Amendment.

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The Hausvater Project	Donald W. MacPherson	The fundamental right of parents to direct their children’s education; California voters had good reason to regard Proposition 8 as a safeguard of that right.
United States Conference of Catholic Bishops; California Catholic Conference; National Association of Evangelicals; The Church of Jesus Christ of Latter-day Saints; The Ethics and Religious Liberty Commission; Lutheran Church (Missouri Synod); Calvary Chapel Fellowship of Ministries of California; The Christian and Missionary Alliance; Coral Ridge Ministries; The Council of Korean Churches in Southern California; Southern California Korean Ministers Association; Holy Movement for America	Alexander Dushku	The district court’s distortion and condemnation of certain religious communities; diverse religious beliefs of voters do not undermine the constitutionality of the California state marriage amendment; religious beliefs have informed American public policy in the past and rightly do so today.