



## ***FACT SHEET*** ***Perry v. Schwarzenegger***

### ***ABOUT Perry v. Schwarzenegger***

In May 2009, attorneys representing two men and two women in California filed suit in federal court to challenge the constitutionality of the state's voter-approved marriage amendment, which protects marriage as the union of one man and one woman. Alliance Defense Fund attorneys, along with lead counsel Charles J. Cooper and ADF-allied attorney Andrew Pugno, intervened in the lawsuit on behalf of [ProtectMarriage.com](http://ProtectMarriage.com), the official proponents and campaign committee of Proposition 8. The court noted in its order granting the motion to intervene that the California attorney general refused to defend the California Constitution.

### ***CURRENT STATUS OF Perry v. Schwarzenegger AS OF 6/15/10***

ADF attorneys will join lead counsel Charles J. Cooper and other attorneys from the law firm of Cooper and Kirk along with ProtectMarriage.com General Counsel Andrew Pugno for closing arguments on June 16 in the U.S. District Court for the Northern District of California.

### ***FOCUS OF HEARING – WHAT IS AT STAKE?***

A federal court decision overturning Proposition 8 would bring additional years of chaos and confusion in the legal battle to preserve marriage. It could impact marriage laws in up to 45 other states—including the 30 states where voters overwhelmingly adopted state constitutional amendments—along with eliminating the right of Californians to reaffirm marriage in their state constitution. Also at stake is...

- Whether voters can collectively decide through the democratic process that marriage between one man and woman should be protected.
- Whether Americans will be forced to forfeit the core of their democracy by allowing a small group of wealthy activists to impose their will on a state or an entire nation.
- Whether marriage will remain a unique institution that promotes the important interests of children and society or be transformed into nothing but a legal arrangement based only on the desires of the adults involved.
- Whether voters may freely consider their own moral and religious views about marriage—or any other subject—when casting their ballots or be forced by violence and intimidation to remain silent about their deepest convictions.

### ***RESEARCH ON MARRIAGE***

A [recent study conducted by Yale University](#) supports the common-sense position that children, all things being equal, should be raised with their own mom and dad:

- 81 percent believe that society should do everything possible to encourage the ideal of children being raised by their mom and dad
- 57 percent believe the law should encourage that children be raised by a mom and a dad
- 68 percent worry about the decline of the traditional family
- 70 percent believe that a man-woman relationship is important in teaching children about how men and women interact

### ***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.