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Bay Area Lawyers for Individual Freedom Files Amicus Brief in Indiana and Wisconsin Marriage Equality Cases

Brief argues that Indiana and Wisconsin's same-sex marriage bans should be struck down

August 5, 2014 – San Francisco – Bay Area Lawyers for Individual Freedom (BALIF) filed an amicus curiae brief today in the 7th Circuit Court of Appeals in the consolidated cases *Baskin v. Bogan*, *Fujii v. Commissioner of the Indiana State Dept. of Revenue*, *Lee v. Abbott*, and *Walker v. Wolf*, supporting the right of same-sex couples in Indiana and Wisconsin to marry and to have out-of-state marriages recognized.

The brief argues that the marriage bans of Indiana and Wisconsin are unconstitutional and that the tangible legal and economic harm inflicted by the bans, including the denial of substantial benefits and the perpetuation of stigma and discrimination, cannot be remedied by the availability of domestic partnerships or civil unions.

“We applaud the decisions out of the 4th and 10th Circuits striking down similar bans,” said Leah Nutting, BALIF’s Amicus Committee chair, noting recent cases where BALIF has also submitted amicus briefs. “And we are heartened by the 7th Circuit’s emergency order requiring Indiana to recognize the out-of-state marriage of a set of plaintiffs in this case, where one spouse is suffering from a terminal illness. The case illustrates the very real and irreparable harm suffered by same-sex couples while waiting for the marriage bans to work their way through the courts.”

Fourteen other civil rights groups joined BALIF on the brief. The brief was filed with pro bono support from Jerome C. Roth and Nicole S. Phillis of the law firm of Munger, Tolles & Olsen.

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BALIF is the nation’s oldest and largest bar association of lesbian, gay, bisexual and transgender persons in the field of law. Founded in 1980, BALIF represents its members’ interests in the wider San Francisco Bay Area. BALIF members and supporters include San Francisco Bay Area judges, lawyers, law students and legal workers.