

Supreme Court Agrees To Review Same-Sex Marriage Bans

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Recently, the U.S. Supreme Court agreed to decide whether state law bans against same-sex marriage in Kentucky, Michigan, Ohio and Tennessee are unconstitutional. This has been a long-awaited by both sides of this debate and will finally resolve this controversial and hard-fought civil rights battle. The Supreme Court's decision to review the Sixth Circuit's order upholding the state law bans on same-sex marriage was expected as it created a conflict with four other circuit court decisions. The Fourth, Seventh, Ninth and Tenth circuits have issued decisions striking down various state law bans which has make same-sex marriage legal in 36 states. The Supreme Court has presented two specific questions for review: a) whether the 14th Amendment requires states to license same-sex marriages and b) whether the 14th Amendment requires states to recognize same-sex marriages that were lawfully performed in other states. Briefing should be completed by mid-April 2015 with oral arguments to follow soon thereafter. It is believed that the court could issue its decision by early July 2015. Stay tuned for this historic decision later this summer. In the meantime, employers should pay special attention and consult their labor counsel regarding providing appropriate benefits and leave rights for employees and their "spouses" as that definition changes with each court decision.

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