

WE WIN ON APPEAL

In 2006, the San Francisco Board of Supervisors issued a resolution condemning the Catholic Church for “meddling” in the City’s internal affairs. The infraction? The Church is opposed to gay adoption; San Francisco favors it; ergo, the Church is bigoted.

Simply because Cardinal William Levada, at the time archbishop of San Francisco, spoke out against placing children for adoption in homosexual households, the gay-friendly Board of Supervisors declared his position to be “hateful,” “absolutely unacceptable to the citizenry of San Francisco,” “insulting and callous.” Enter the Catholic League and the Thomas More Law Center of Ann Arbor, Michigan.

The Catholic League supplied the plaintiffs and the Thomas More Law Center provided the litigation. We sued by arguing that our constitutional rights had been violated when the government showed expressed hostility to Catholicism: the government, we contended, was supposed to be neutral.

Our side lost last June when a three-judge panel of the 9th Circuit Court of Appeals ruled that the Board of Supervisors had not acted unconstitutionally.

But on November 5, the full federal appeals court ruled to put that decision aside, holding that the case should be decided by an 11-judge panel for rehearing.

We are hopeful that upon a full hearing, our position will be vindicated. If we win, it will be historic.