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Golden Gate University Constitutional and Civil Rights Law Professors Sign Proposition 8 Amicus Brief

SAN FRANCISCO, CALIF.—Two Golden Gate University School of Law professors are among 20 faculty members from 9 California law schools who have signed an amicus brief submitted to the California Supreme Court. The amicus curiae, or “friend of the court,” brief was filed January 15, the deadline to file amicus briefs in litigation to overturn Proposition 8.

In May 2008, the California Supreme Court legalized same-sex marriage in *In re Marriage Cases*, ruling that the ban on same-sex marriage was unconstitutional. Proposition 8, passed in November 2008, revoked the right of same-sex couples to marry in the state.

“The professors who joined in this effort felt it was critical to have before the Supreme Court the voice of constitutional and civil rights scholars who believe that upholding Proposition 8 would undermine the fundamental role of the courts in protecting constitutional rights,” says Golden Gate Law Professor Marci Seville, director of the Law School’s Women’s Employment Rights Clinic. “The Prop. 8 case has profound implications for all groups that have historically suffered discrimination—women, African-Americans, Latinos, Asian-Americans, and others. At this historic time of the inauguration of the first African-American president, we call upon the California Supreme Court to uphold equality before the law.”

Golden Gate Law Associate Professor Eric Christiansen, who teaches Constitutional Law, also signed the amicus brief. Christiansen has published several journal articles on comparative constitutional law and led a standing-room-only teach-in at the Law School on the constitutional implications of Prop. 8 shortly after its passage.

“The briefs in this case raise remarkably important issues that extend far beyond the immediate civil rights issue of marriage equality,” says Christiansen. “Invalidating Prop. 8 would reaffirm the constitutional protections that all Californians have come to rely on—fairness, equal treatment under the law, and protection from the temporary passions

of the majority.” Christiansen, who was married following the California Supreme Court’s decision in May, adds, “Cases like this highlight that constitutional law is not merely a subject we teach at school or that is discussed at the Supreme Court—it affects real people’s lives.”

In March 2008, Golden Gate Law students were able to observe San Francisco Deputy City Attorney Therese Stewart practice her oral argument for *In re Marriage Cases* on campus as part of the Law School’s Moot Court for Practicing Lawyers program before she won the case in the California Supreme Court.

About Golden Gate University School of Law

Golden Gate University School of Law is a private law school founded in 1901 that offers the Doctor of Jurisprudence (JD) degree, several Masters of Laws (LLM) degrees, and a Doctor of Juridical Science (SJD) degree. The School of Law is fully accredited by the American Bar Association (ABA) and is a member in good standing of the Association of American Law Schools (AALS). For more information about the School of Law, visit www.ggu.edu/law.

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