Supreme Court No. 91615-2
Benton County Superior Court Nos. 13-2-00953-3 and 13-2-00871-5

SUPREME COURT OF THE STATE OF WASHINGTON

ROBERT INGERSOLL, et al.
Plaintiffs-Respondents,
v.
ARLENE'S FLOWERS, INC., et al.
Defendants-Appellants.

STATE OF WASHINGTON
Plaintiff-Respondent,
v.
ARLENE'S FLOWERS, INC., et al.
Defendants-Appellants.

BRIEF OF *AMICI CURIAE* LAMBDA LEGAL DEFENSE AND EDUCATION FUND, INC., AND OTHERS

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I. INTRODUCTION

This case concerns sexual orientation discrimination by a company and its owner (defendants) that make money selling flowers and floral services—including for weddings—to the general public. The company, Arlene's Flowers, does not purport to be a religious organization. The owner, Ms. Stutzman, does not purport to be clergy providing a religious service, and sales are not limited to those who share her religious beliefs. Yet defendants claim a religious right to deny floral arrangements to same-sex couples for their weddings. Regardless of defendants' motivations, their conduct constitutes sexual orientation discrimination violating the Washington Law Against Discrimination ("WLAD") and the state's Consumer Protection Act.

Each of defendants' arguments should fail for the reasons plaintiffs state in their briefs. *Amici curiae*'s particular concern is defendants' proposal that the concept of religious freedom should be extended to exempt religiously motivated conduct from antidiscrimination laws or, alternatively, that the court should engage in some kind of balancing of the harm from their act of discrimination against their religious interests.

Defendants' arguments flout controlling law and would undermine the compelling interest furthered by the state's antidiscrimination laws. Given our nation's history, most Americans now recognize that being told "we don't serve your kind here" is discrimination that not only inflicts immediate dignitary harm on those rejected, but also stigmatizes the entire disparaged group and corrodes our civil society. The U.S. Supreme Court unequivocally has held that antidiscrimination laws "serve[] compelling state interests of the highest order." *Roberts v. United States Jaycees*, 468 U.S. 609, 624, 104 S. Ct. 3244, 82 L. Ed. 2d 462 (1984) (upholding enforcement of Minnesota public accommodations law). That Court also has acknowledged the "moral and social wrong" of discrimination in public accommodations. *Heart of Atlanta Motel v. United States*, 379 U.S. 241, 257, 85 S. Ct. 348, 13 L. Ed. 2d 258 (1964).

That religion motivates the discriminatory act does not mitigate the harm. Time and again, religion has been proffered to excuse invidious discrimination. Given the immense demographic diversity and religious pluralism of our nation, the law must remain crystal clear: a person's religious liberty ends where legally prohibited harm to another begins.

That well-settled principle of American law must apply equally with regard to invocations of religious belief, whether urged to justify racial, gender, or marital status discrimination or discrimination based on sexual orientation. Religious liberty cannot shield invidious deprivations of another's basic rights. Our shared pledge calling for "liberty and justice for all" demands nothing less.

The superior court considered and properly rejected defendants' call for a religion-based exemption from Washington antidiscrimination law. *Amici curiae* support plaintiffs' request for affirmance.

II. IDENTITY AND INTERESTS OF AMICI

Lambda Legal Defense and Education Fund, Inc. ("Lambda Legal"), is the nation's oldest and largest legal organization working for full recognition of the civil rights of lesbian, gay, bisexual, and transgender ("LGBT") people and people living with HIV through impact litigation, education, and policy advocacy. *See, e.g.*, *Lawrence v. Texas*, 539 U.S. 558, 561, 123 S. Ct. 2472, 156 L. Ed. 2d 508 (2003) (invalidating Texas ban on same-sex adult intimacy as unconstitutional denial of liberty). Lambda Legal has represented same-sex couples or

appeared as *amicus curiae* in numerous cases of discrimination where religious freedom has been asserted as a justification.[1] The issues raised in this appeal are similar to those addressed in cases in many states. Because the Court's decision here is likely to affect thousands of LGBT people across Washington, Lambda Legal has a particular interest in assisting the Court to consider the issues with the additional legal and historical context provided in this brief.

Joining Lambda Legal as *amici curiae* are eight non-profit organizations representing the interests of racial and ethnic minorities, women, LGBT people, and people with disabilities: Disability Rights Washington, El Centro de la Raza, National Asian Pacific American Bar Association, PFLAG Seattle, Pride Foundation, QLaw Association of Washington, South Asian Bar Association of Washington, and Washington Women Lawyers. A brief description of each organization is offered as

[1] *See, e.g.*, *Gifford v. McCarthy*, No. 520410, — N.Y.S.3d —, 2016 WL 155543 (N.Y. App. Div. Jan. 14, 2016); *Craig v. Masterpiece Cakeshop, Inc.*, — P.3d —, 2015 WL 4760453 (Colo. App. 2015); *North Coast Women's Care Med. Grp., Inc. v. Superior Court*, 189 P.3d 959 (Cal. 2008).

Addendum A. The WLAD provides important protections for members of all of these groups and more. The WLAD declares:

> that practices of discrimination . . . because of race, creed, color, national origin, families with children, sex, marital status, sexual orientation, age, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability are a matter of state concern, that such discrimination threatens not only the rights and proper privileges of its inhabitants but menaces the institutions and foundation of a free democratic state.

RCW 49.60.010. *Amici curiae* stand together in recognizing that there is no limiting principle for the type of religious exemption sought in this case: Allowing religiously motivated discrimination in secular commerce would obliterate essential antidiscrimination protections in contexts going well beyond same-sex couples and their weddings.

III. STATEMENT OF THE CASE

Amici curiae join in plaintiffs-respondents' statements of the case.

IV. ARGUMENT

A. Washington's interest in ending discrimination against gay people, regardless of the motivation for that discrimination, is compelling.

Washington is home to a significant LGBT population that would be harmed if discrimination against them based on religious motivations were allowed. According to an analysis of 2010 U.S. Census data by the Williams Institute at the UCLA School of Law, more than 19,000 same-sex couples make their home in Washington, with nearly 3,000 of those couples raising children.[2] In addition, there are many gay men and lesbians not captured in these figures because they are not part of a couple sharing one household. Moreover, marriage is something many same-sex couples desire. In 2010, about 3,072 of Washington same-sex couples were spouses.[3] That figure doubtless is much higher today after Washington enacted marriage equality in late 2012 and the right of same-sex couples to marry subsequently was recognized under federal law and

[2] Gary J. Gates & Abigail M. Cooke, *Washington Census Snapshot: 2010*, at 1, 3 (available at http://williamsinstitute.law.ucla.edu/wp-content/uploads/Census2010Snapshot_Washington_v2.pdf).

[3] *Id.* at 1.

then in all states. Indeed, according to data maintained by the state, 13,562 same-sex couples married in Washington between late 2012 and 2014.[4]

But historically, treatment of same-sex couples, and of LGBT people generally, in Washington has not been kind. Even while upholding the state's exclusion of same-sex couples from marriage in 2006, this Court acknowledged the history of discrimination against LGBT people. *Andersen v. King Cty.*, 158 Wn.2d 1, 19, 138 P.3d 963, 974 (2006) (Madsen, J., plurality with Alexander, C.J., & C. Johnson, J.) ("There is no dispute that gay and lesbian persons have been discriminated against in the past."), superseded by statute and *Obergefell v. Hodges*, — U.S. —, 135 S. Ct. 2584, 192 L. Ed. 2d 609 (2015); *see also High Tech Gays v. Def. Indus. Sec. Clearance Office*, 895 F.2d 563, 573 (9th Cir. 1990) ("[W]e do agree that homosexuals have suffered a history of discrimination . . . .").

[4] Washington Department of Health, Marriage Tables by Topic, Table 1a - Same Sex Marriages by County of Occurrence and County of Residence (available at http://www.doh.wa.gov/DataandStatisticalReports/VitalStatisticsandPopulationData/MarriageTablesbyTopic). These figures exclude Washington residents married outside of the state and include non-residents married in the state.

Indeed, even in recent history, there have been repeated efforts to mandate discrimination against LGBT persons in Washington. For example, in 1986, fifteen legislators introduced House Bill 1969, which would have barred gay men and lesbians from employment by the state, schools, and public agencies and from custody of their children in divorce cases. *Bill would deny gays custody, state jobs*, SEATTLE TIMES, Jan. 24, 1986, at C1. And in 1998, the legislature passed the Defense of Marriage Act, which expressly excluded same-sex couples from civil marriage and even denied recognition of valid out-of-state marriages of same-sex couples. Laws of 1998, ch. 1.

In 2006, when the Washington legislature extended basic antidiscrimination protections to LGBT people, hearings on the legislation revealed beliefs held by many—often based in religion—that LGBT people should be discriminated against. Said one testifier: "This proposed bill is intending to make what the unchangeable law of God calls dishonorable, degrading, indecent, harmful behavior, resulting in insanity, a civil right. This is ridiculous. Do not try to legalize what God has clearly prohibited." ESHB 2661 (2006), at 6. Said another: "God

discriminates against sexual immorality and calls homosexuality an abomination. Don't give sexual minorities false hope." *Id.* at 9. Such statements are indicative of the antigay sentiment that exists, and even predominates, in many parts of the state.

Given this history, there can be little doubt that Washington's interest in ending antigay discrimination is compelling.[5] To be sure, the increasing social acceptance of LGBT people, and the gradual elimination of discriminatory laws by which the state had endorsed prejudice against LGBT people, have improved conditions somewhat. Yet despite enactment of explicit antidiscrimination policies and marriage equality, prejudice remains.

Indeed, the results of Referendum 74 just a few years ago (in 2012) show that significant numbers of people remain in favor of discrimination against same-sex couples. More than 46 percent of Washingtonians voted against marriage equality. Even in the county with the highest support for marriage equality (San Juan County), almost 29 percent of voters were

[5] *Amici* agree with plaintiffs that the WLAD imposes no substantial burden on religion and therefore Washington's interest in applying this law does not have to be "compelling" to survive review.

against it. And in the least supportive counties, that figure was over 71 percent.[6] This confirms the ongoing importance of strong antidiscrimination protections and why allowing religious exemptions would significantly undermine such protections.

Moreover, bias-motivated hostility towards LGBT people remains a problem in Washington. Just last year, a Tacoma lesbian was attacked by a man who proclaimed that "God hates fags," stabbed her multiple times, tore away her clothes, and wrote the word "dyke" on her.[7] Even Seattle's "Capitol Hill, the hub of Seattle's gay community," has seen a recent "uptick in reported anti-LGBTQ bias and hate crimes."[8] In addition, even

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[6] Washington Secretary of State, *General Election Results, Referendum Measure No. 74* (Nov. 27, 2012), http://results.vote.wa.gov/results/20121106/Referendum-Measure-No-74-Concerns-marriage-for-same-sex-couples_ByCounty.html (providing statewide and county results).

[7] Stacia Glenn, *Woman attacked in hate crime; community forum scheduled*, NEWS TRIBUNE (Feb. 9, 2015), http://www.thenewstribune.com/news/local/crime/article26253736.html.

[8] Sami Edge, *Gay cop creates 'Safe Place' on Capitol Hill*, SEATTLE TIMES (July 6, 2015), http://www.seattletimes.com/seattle-news/crime/gay-cop-creates-safe-place-on-capitol-hill/; *see also, e.g.*, Christine Claridge, *Guilty plea in knife attack against gay men on Capitol Hill*, SEATTLE TIMES (Aug. 7, 2015), http://www.seattletimes.com/seattle-news/crime/guilty-plea-in-knife-attack-on-gay-men-on-capitol-hill/; Jennifer Sullivan, *Man beaten and targeted with anti-gay slurs on Capitol Hill*, SEATTLE TIMES (Nov. 17, 2014), http://www.seattletimes.com/seattle-news/man-beaten-and-targeted-with-anti-gay-slurs-on-capitol-hill/.

though Washington adopted an anti-bullying law in 2002 (*see* Laws of 2002, ch. 207), students still regularly experience bullying based on actual or perceived sexual orientation. According to a 2010 study, 11, 10, and 6 percent of females in 8th, 10th, and 12th grades, respectively, reported being bullied for perceived sexual orientation, while the rates among males were 14, 11, and 9 percent. Donald L. Patrick, et al., *Bullying and Quality of Life in Youths Perceived as Gay, Lesbian, or Bisexual in Washington State, 2010*, 103 AM. J. OF PUB. HEALTH 1255, 1255–61 (July 2013). Beyond question, Washington's interest in protecting LGBT people from the hostility that has animated too much of this state's history, and to this day, remains compelling.

To be sure, the events at issue in this case did not involve epithets or violence. But the U.S. Supreme Court has recognized that, "[e]specially against a long history of disapproval of their relationships," deeming same-sex couples unworthy of equal treatment "works a grave and continuing harm." *Obergefell*, 135 S. Ct. at 2604. Doing so "serves to disrespect and subordinate them." *Id.* Beyond the dignitary and societal harm this causes, as the Attorney General correctly points out,

such discrimination has serious negative impacts on the health and welfare of the targets of such discrimination. Attorney General's Resp. Br. 35–36.

When defendants refused to provide flowers to Mr. Ingersoll and Mr. Freed for the couple's special day, despite routinely offering and providing flowers to heterosexual couples of all faiths, defendants imposed precisely the sort of "exclusion that . . . demeans or stigmatizes." *Obergefell*, 135 S. Ct. at 2602. This discrimination occurs in a broader context of business proprietors in states throughout the country claiming religious rights to defy civil rights laws protecting same-sex couples—including by refusing to provide wedding cakes, facility rentals, and other wedding services[9]—that humiliates and reinforces stigma for those couples. Moreover, such discrimination did not begin when marriage was opened to same-sex couples. Lesbian and gay couples have long

[9] *E.g.*, *Craig*, 2015 WL 4760453, at *1 (wedding cake); Molly Young, *Sweet Cakes by Melissa violated same-sex couple's civil rights when it refused to make wedding cake, state finds*, THE OREGONIAN (Jan. 17, 2014), http://perma.cc/66XH-5EYQ (wedding cake); Sharyn Jackson, *Gortz Haus owners file suit against Iowa Civil Rights Commission*, DES MOINES REGISTER (Oct. 8, 2013), http://perma.cc/B9MB-NRN2 (wedding venue); Douglas Dowty, *Gay couple: Otisco B&B refused to host wedding; Business: We don't discriminate*, SYRACUSE.COM (July 2, 2015), http://www.syracuse.com/crime/index.ssf/2015/07/gay_couple_otisco_bb_refused_to_host_wedding_business_we_dont_discriminate.html (wedding venue).

encountered refusals of services based on proprietors' religious objections in a wide range of settings, ranging from lodging to event venues to medical care.[10] In short, antidiscrimination protections for LGBT persons remain as important as ever.

B. Across generations of equality struggles, courts repeatedly have confirmed that religious objections do not trump society's compelling interest in a non-discriminatory marketplace.

In the United States, differing religious beliefs about family life and gender roles often have generated disputes not only in public accommodations, but also in education, employment, medical services, and other arenas. Although some forms of religiously motivated discrimination have receded, history finds successive generations asking anew whether protections for religious liberty provide exemptions from laws protecting others' liberty and right to participate equally in civic life. Courts have provided a consistent answer to that question: Religious

[10] *E.g.*, *Hawaii court rules for lesbian couple turned away by bed and breakfast*, SAN DIEGO GAY & LESBIAN NEWS (Apr. 16, 2013), http://sdgln.com/news/2013/04/15/hawaii-court-rules-lesbian-couple-turned-away-bed-n-breakfast (lodging); Vikki Ortiz Healy, *Ruling sides with same-sex couple turned away by bed-and-breakfast*, CHICAGO TRIBUNE (Sept. 17, 2015), http://www.chicagotribune.com/news/local/politics/ct-lgbt-business-services-decision-met-20150917-story.html (event venue for civil union); *North Coast*, 189 P.3d at 959 (medical care).

beliefs do not entitle individuals or businesses to exemptions from generally applicable antidiscrimination laws. Indeed, the Supreme Court has described free exercise defenses to antidiscrimination law as "so patently frivolous that a denial of counsel fees to the [plaintiffs] would be manifestly inequitable." *Newman v. Piggie Park Enters., Inc.*, 390 U.S. 400, 402 n.5, 88 S. Ct. 964, 19 L. Ed. 2d 1263 (1968) (referring to argument that Civil Rights Act of 1964 "constitutes an interference with the 'free exercise of the Defendant's religion'").

Thus, for example, during the past century's struggles over racial integration, some Christian schools excluded Black applicants based on the view that "mixing of the races is regarded as a violation of God's command." *See Bob Jones Univ. v. United States*, 461 U.S. 574, 580, 583 n.6, 103 S. Ct. 2017, 76 L. Ed. 2d 157 (1983). Some restaurant owners refused to serve Black customers, citing religious objections to "integration of the races." *See Newman v. Piggie Park Enters., Inc.*, 256 F. Supp. 941, 944–45 (D.S.C. 1966), *rev'd*, 377 F.2d 433 (4th Cir. 1967), *aff'd*, 390 U.S. 400 (1968). Religion also was used to justify laws and policies against interracial relationships and marriage. *See Loving v.*

Virginia, 388 U.S. 1, 3, 87 S. Ct. 1817, 18 L. Ed. 2d 1010 (1967) (invalidating state interracial marriage ban where trial judge had opined that "Almighty God created the races white, black, yellow, malay and red, and he placed them on separate continents" and therefore "did not intend for the races to mix"); *Whitney v. Greater N.Y. Corp. of Seventh-Day Adventists*, 401 F. Supp. 1363, 1367–68 (S.D.N.Y. 1975) (holding that free exercise could not excuse church's violation of Civil Rights Act for firing white clerk for her friendship with a Black man). All of those beliefs had to yield to the requirements of antidiscrimination laws.

Likewise, as women entered the workplace, some objected on religious grounds and sought exemptions from employment non-discrimination laws. Despite the longstanding religious traditions on which such claims often were premised, courts recognized that accommodating religious exemptions would vitiate the antidiscrimination protections on which workers are entitled to depend. *See, e.g.*, *E.E.O.C. v. Fremont Christian Sch.*, 781 F.2d 1362, 1367–69 (9th Cir. 1986) (rejecting religious school's argument that free exercise clause excused offering unequal spousal benefits to female employees).

Similarly, after state and local governments enacted fair housing laws that protected unmarried couples, landlords unsuccessfully sought exemptions on the belief that they themselves commit sin by providing residences in which tenants might commit fornication. *See, e.g.*, *Smith v. Fair Emp't and Hous. Comm'n*, 913 P.2d 909, 928–29 (Cal. 1996) (rejecting religion-based defenses because antidiscrimination requirements did not impose substantial burden, as landlord's religion did not require investing in rental apartments); *Swanner v. Anchorage Equal Rights Comm'n*, 874 P.2d 274, 279–80 (Alaska 1994) (same).

Thus, across generations, the question already has been asked and answered with reassuring consistency. Courts have recognized the public's abiding interests in fair access and peaceful co-existence in the marketplace. Today, these interests are tested once again as LGBT people seek full participation in American life. While some businesses and their owners have raised religious objections to interacting with LGBT people in the marketplace and argue for religious exemptions, courts have remained true to the principle that the need to prevent discrimination remains a constraint on religiously motivated conduct in commercial

contexts. *See, e.g.*, *Gifford v. McCarthy*, No. 520410, — N.Y.S.3d —, 2016 WL 155543, at *4–7 (N.Y. App. Div. Jan. 14, 2016) (rejecting free speech and free exercise arguments of event venue owners who refused to rent facility for wedding of same-sex couple); *Craig v. Masterpiece Cakeshop, Inc.*, — P.3d —, 2015 WL 4760453, at *8–19 (Colo. App. 2015) (same for baker who refused wedding cake requested by same-sex couple); *North Coast Women's Care Med. Grp., Inc. v. Superior Court*, 189 P.3d 959, 965–69 (Cal. 2008) (same for infertility physicians refusing to treat member of lesbian couple); *Hyman v. City of Louisville*, 132 F. Supp. 2d 528, 539–40 (W.D. Ky. 2001) (rejecting physician's religious justifications for refusing to employ gay people), *vacated on other grounds*, 53 Fed. App'x 740 (6th Cir. 2002); *see also Bodett v. CoxCom, Inc.*, 366 F.3d 736, 742–46, 748 (9th Cir. 2004) (rejecting religious discrimination claim of supervisor terminated for religiously harassing lesbian subordinate); *Peterson v. Hewlett-Packard Co.*, 358 F.3d 599 (9th Cir. 2004) (rejecting religious discrimination claim of employee terminated for antigay proselytizing intended to provoke coworkers); *Knight v. Conn. Dep't. of Pub. Health*, 275 F.3d 156, 166 (2d Cir. 2001)

(holding nurse not entitled to proselytize to homebound AIDS patient); *Erdmann v. Tranquility, Inc*., 155 F. Supp. 2d 1152 (N.D. Cal. 2001) (holding that gay employee could proceed with harassment claim where supervisor claimed the employee would "go to hell" and pressured him to attend workplace prayers).

C. Washington should not recognize any religious exemption from its essential antidiscrimination law.

The exemption defendants seek here would mark a sea change, opening the door to similar denials of goods, access to services, and other equitable treatment for LGBT people, persons living with HIV, and anyone else whose family life or minority status is disfavored by a merchant's asserted religious convictions. Religion must not be a shield for invidious deprivations of the basic human rights that antidiscrimination law protects.

Many business owners hold religious and other beliefs that guide their lives. Permitting those engaged in for-profit commerce to apply religion to decide which would-be customers they will serve not only would embolden other businesses to do the same, but would subvert the compelling state interests in equality served by the WLAD. Defendants

offer no limiting principle and, indeed, there is none. Religious critiques of marriage for same-sex couples can be leveled just as easily at interracial and interfaith marriage, at all same-sex relationships, at heterosexual cohabitation, at divorce, at contraception, sterilization, and infertility care, at unwed motherhood, and at innumerable other personal decisions about family life.

Moreover, the "go elsewhere" approach defendants defend will not stay confined to discrimination on the basis of such relationships or conditions. The notion that the owner of a commercial business sins by engaging in a commercial transaction with a "sinful" customer could apply just as well to transactions concerning any goods or services, medical care, housing, or employment. Acceptance of defendants' arguments would eviscerate bedrock doctrine that has been reaffirmed consistently over time. The settled approach permits and encourages a flourishing coexistence of the diverse religious, secular, and other belief systems that animate our nation while ensuring equal opportunity for everyone in the public marketplace. The proposed alternative would transform that marketplace into segregated dominions within which each business owner

with religious convictions "become[s] a law unto himself," *Empl. Div., Dept. of Human Res. of Ore. v. Smith*, 494 U.S. 872, 879, 110 S. Ct. 1595, 108 L. Ed. 2d 876 (1990), and would force members of minority groups to suffer the harms and indignities of being required to go from shop to shop searching for places where they will not be treated as pariahs.

Washington enacted its antidiscrimination law to protect vulnerable members of our diverse society from discrimination in public life regardless of anybody's religious reasons for wanting to refuse them goods, services, or other benefits offered to everyone else. Despite our long legal history recognizing that religious exemptions to civil rights laws would eviscerate such laws, defendants nonetheless ask this Court to let them single out gay men and lesbians for rejection, humiliation, and stigma as they operate their businesses. The answer must be "no."

V. CONCLUSION

For the foregoing reasons, *amici curiae* respectfully ask this Court to affirm the decision of the superior court.

Dated: February 8, 2016

Respectfully submitted,

By 

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ADDENDUM A: BACKGROUND ON ADDITIONAL AMICI

Disability Rights Washington

Disability Rights Washington (DRW) is a nonprofit, statewide protection and advocacy system designated by the Governor of Washington State and by federal law to protect and advocate for the rights of Washington citizens with disabilities. *See* RCW 71A.10.080; 42 U.S.C. § 10801 et seq.; 42 U.S.C. § 15401 et seq.; and 29 U.S.C. § 794e. As the duly designated statewide protection and advocacy system for Washington State, DRW has both the legal authority and extensive experience pursuing legal, administrative, and other appropriate remedies as may be necessary to protect and advocate for the rights of our constituents including but not limited to enforcement of the Washington Law Against Discrimination ("WLAD").

El Centro de la Raza

El Centro de la Raza is a voice and a hub for Seattle and Martin Luther King, Jr. County's Latino community as we advocate on behalf of our people and work to achieve social justice. Through our comprehensive programs and services, we empower members of the Latino community as fully participating members of society. We also work to raise awareness with the general public, and government, business and civic leaders about the needs of the Chicano/Latino community in the United States.

National Asian Pacific American Bar Association

The National Asian Pacific American Bar Association (NAPABA) is the national association of Asian Pacific American attorneys, judges, law professors, and law students, representing the interests of nearly seventy five state and local Asian Pacific-American bar associations and nearly 50,000 attorneys who work in solo practices, large firms, corporations, legal services organizations,

nonprofit organizations, law schools, and government agencies. Since its inception in 1988, the National Asian Pacific American Bar Association has served as the national voice for Asian Pacific Americans in the legal profession and has promoted justice, equity, and opportunity for Asian Pacific Americans. These efforts have included leading on issues of civil rights, including equal rights and non-discrimination. The National Asian Pacific American Bar Association opposes discrimination against the LBGTQ community and recognizes that the Asian Pacific American and other minority communities have been subject to discriminatory laws and practices in the past.

PFLAG Seattle

PFLAG Seattle provides opportunity for dialogue about sexual orientation, and acts to create a society that is healthy and respectful of human diversity. Keeping families together is the mission of PFLAG. Our family values stress education, understanding, acceptance, and support, but most of all love, thereby empowering our children—straight and gay—to lead happy and productive lives.

Pride Foundation

Founded in 1985, Pride Foundation is a regional community foundation that inspires giving to expand opportunities and advance full equality for lesbian, gay, bisexual, transgender, and queer (LGBTQ) people across the Northwest. Leveraging generous support from thousands of donors and volunteers, Pride Foundation invests in organizations, students, and leaders in Alaska, Idaho, Montana, Oregon, and Washington. To date, Pride Foundation has awarded more than $50 million through grants, scholarships, technical expertise, convenings, and leadership development opportunities to local visionaries who are affecting change in their home communities.

QLaw Association of Washington

QLaw is the bar association of lesbian, gay, bisexual, transgender, and queer (LGBTQ) legal professionals and allies for Washington state, and serves as a voice for LGBTQ lawyers and other legal professionals on issues relating to diversity and equality in the legal profession, in the courts, and under the law. The organization has five purposes: to provide opportunities for members of the LGBTQ legal community to meet in a supportive, professional atmosphere to exchange ideas and information; to further the professional development of LGBTQ legal professionals and law students; to educate the public, the legal profession, and the courts about legal issues of particular concern to the LGBTQ community; to empower members of the LGBTQ community by improving access to the legal and judicial system and sponsoring education programs; and to promote and encourage the advancement of LGBTQ attorneys in the legal profession.

South Asian Bar Association of Washington

SABAW is an organization of South Asian legal professionals in Washington State dedicated to providing access to legal resources and support for issues relevant to the South Asian community. SABAW is also committed to identifying and advancing the areas where economic, social and political interests intersect with South Asian legal issues, and we work to provide opportunities for law students in Washington to get involved in these areas alongside us.

Washington Women Lawyers

Washington Women Lawyers is a statewide nonprofit organization dedicated to furthering the full integration of women in the legal profession, promoting equal rights and opportunities for women, and preventing discrimination against them.

CERTIFICATE OF SERVICE

I certify, under penalty of perjury under the laws of the state of Washington, that I served, via electronic mail, a true and correct copy of the *Brief of Amici Curiae Lambda Legal Defense and Education Fund, Inc., and Others* upon the following:

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