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United States Courts for the Ninth Circuit

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NEWS RELEASE

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Proposition 8 Arguments: Coming to a Law School Near You

SAN FRANCISCO – Students at law schools across the country will take a break from cramming for their semester exams next week to watch a live broadcast of attorneys arguing the constitutionality of a California law defining marriage as a union of one man and one woman.

A three-judge panel of the United States Court of Appeals for the Ninth Circuit will hear oral arguments in *Perry v. Schwarzenegger*, Cases 10-16696 (main appeal) and 10-16751 (intervenor appeal), on Monday, December 6, beginning at 10 a.m. (Pacific Time) at the James R. Browning U.S. Courthouse in San Francisco. The panel consists of Judges Stephen Reinhardt of Los Angeles, Michael Daly Hawkins of Phoenix and N. Randy Smith of Pocatello, Idaho.

The main appeal involves a challenge by two same-sex couples to the constitutionality of Proposition 8, a voter-enacted amendment to the California Constitution, which provides that only marriage between a man and a woman is valid in California. Gay rights advocates claim the law discriminates against same-sex couples seeking to marry.

The panel has given consent for live broadcast of the proceeding, which is scheduled to air on C-SPAN. In addition, the court will distribute a live audio/video feed from the courtroom to remote viewing locations across the country, including some of the nation's top law schools.

"The Ninth Circuit is providing a wonderful opportunity for law students to observe appellate arguments on both sides of this controversial issue," said Joan Hollinger, a faculty member at the University of California, Berkeley, School of Law.

"It's an invaluable learning experience," said Hollinger, who is mentoring students who are studying and blogging about the Prop. 8 case. The blog, called "Prop 8 on Trial," is available here: <http://prop8.berkeleylawblogs.org/>.

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The court previously provided streaming video of oral arguments in another important case, *USA v. Arizona*, involving enforcement of a state immigration law, which was heard November 1 in San Francisco. The proceeding was watched in classrooms and auditoriums at a dozen law schools.

Stefanie A. Lindquist, the A.W. Walker Centennial Chair in Law at the University of Texas at Austin School of Law, said more than 170 students at her school saw the Arizona case argued.

“They were riveted. Lively discussion followed in hallways and classrooms, ranging from the constitutional and policy issues to the lawyers' argument styles to the judges' questions and demeanor. We look forward to the Proposition 8 broadcast,” Lindquist said.

Other law schools planning to show the proceeding on campus include New York University School of Law; Yale Law School; Harvard Law School; the University of Chicago Law School; the James E. Rogers College of Law at the University of Arizona; Stanford Law School; the University of California Hastings College of the Law; and the University of California, Los Angeles, School of Law.

Law schools without access to C-SPAN may be able to obtain the live feed provided by the court. To request the feed, send email to techsup@ca9.uscourts.gov, providing the name and location of the institution and contact information for a technical staff person.

The Ninth Circuit Court of Appeals hears appeals of cases decided by executive branch agencies and federal trial courts in nine western states and two Pacific Island jurisdictions. The court normally meets monthly in Seattle, San Francisco, and Pasadena; every other month in Portland, Oregon; three times per year in Honolulu, Hawaii; and twice a year in Anchorage, Alaska. A complete schedule of cases is available on the court website, www.ca9.uscourts.gov.

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