

Back at Work, Kim Davis Won't Authorize Gay Marriage Licenses

The county clerk from Kentucky who was jailed after refusing to issue marriage licenses to gay couples has asked an appeals court to let her continue her stand until a lawsuit against her is decided.

Rowan County Clerk Kim Davis, due back at work Monday after six days behind bars, has said her beliefs as an Apostolic Christian prevent her from issuing marriage licenses to same-sex couples and her attorneys have said the 49-year-old woman will not violate her conscience when she returns to work.

In her absence, deputy clerks have been issuing licenses and have said they would continue to do so.

Davis was jailed when she refused to comply with U.S. District Judge David Bunning's order to issue licenses. He ordered her released when the deputy clerks began issuing the licenses.

In a Friday motion filed with the Sixth Circuit U.S. Court of Appeals, Davis' attorneys asked that she be allowed to continue banning marriage licenses for her entire office until the case is settled.

Davis' attorneys argued that Bunning's initial order had only covered couples who were suing her. They said he violated her right to due process during her appeal when he expanded his initial injunction to include any couple legally eligible to marry, the filing says.

She should thus be allowed to continue her ban now that the couples covered under the first order have been issued licenses, the attorneys argue.

In a separate filing on Friday, her attorneys said “this case would be over” if the governor, using the same authority that allowed him to change the certificates to be gender neutral, would simply remove her name from the documents.

Bunning warned Davis in his release order that there would be consequences if she interfered with the issuance of marriage licenses when she returned to work. A deputy clerk has said he will continue to issue licenses.

On Tuesday, Davis walked out of the Carter County Detention Center to a roaring crowd. Her supporters continued protests last week after her release, demanding the firing of any deputy clerks who provide marriage licenses without Davis’s permission.

Her attorneys have said marriage certificates issued without her authority have been void.

The issuance of marriage licenses to same-sex couples in Kentucky and other states has become the latest focal point in the long-running debate over gay marriage that has continued even after a U.S. Supreme Court ruling in June allowed the practice nationwide.

© 2015 Thomson Reuters. All rights reserved.