

Calif. Ban on Conversion Therapy Sees New Court Challenge

On Wednesday Liberty Counsel filed its opening brief at the Ninth Circuit Court of Appeals against the California ban on change therapy (SB 1172), which would ban any counseling to minors seeking to diminish or eliminate unwanted same-sex sexual attractions, behavior or identity.

On Dec. 21, the Ninth Circuit Court of Appeals in *Pickup v. Brown* granted Liberty Counsel's emergency motion to temporarily block the law from going into effect on Jan. 1, as previously scheduled.

The court of appeals blocked the law from going into effect and also set an expedited briefing schedule under which Liberty Counsel filed its opening brief. The state of California will have to file its brief by Jan. 30. After that time, Liberty Counsel will file its reply brief and then oral argument will be scheduled. In the meantime, SB 1172 will remain blocked by the order of the court of appeals.

"The minors we represent have not and do not want to act on same-sex attractions, nor do they want to engage in such behavior. They are greatly benefiting from counseling," Mathew D. Staver, founder and chairman of Liberty Counsel, told the district court during oral argument on the motion for a preliminary injunction.

"These minors have struggled with same-sex attraction and have been able to reduce or eliminate the stress and conflict in their lives by receiving counseling that best aligns with their religious and moral values," said Staver.

"We are grateful that an emergency injunction blocked the law

from going into effect," he continued. "Without this emergency injunction, the state of California would essentially barge into the private therapy rooms of victimized young people and tell them that their confusion caused by the likes of a Jerry Sandusky abuser is normal and they should pursue their unwanted same-sex sexual attractions and behavior.

"This law is politically motivated to interfere with counselors and clients. Liberty Counsel is thankful that the Ninth Circuit blocked the law from going into effect. This law is an astounding overreach by the government into the realm of counseling and would have caused irreparable harm," Staver said.

Liberty Counsel filed the lawsuit challenging the new law on Oct. 4 on behalf of several parents and their children who are receiving and benefiting from such counseling; several licensed counselors who provide such counsel; the National Association for Research and Therapy of Homosexuality (NARTH); and the American Association of Christian Counselors (AACC), an organization with about 50,000 professional counseling members. When the federal district judge in California failed to block the law, Liberty Counsel filed an appeal with the Ninth Circuit Court of Appeals.