

Christian Baker Wins Colorado Supreme Court Case

The Colorado Supreme Court dismissed a lawsuit filed by a transgender attorney against a Christian baker who refused to bake a cake for the individual's gender transition.

The baker, Jack Phillips, has been in court for 12 years. He previously won a case against a homosexual couple in 2018, although the ruling did not address the baker's First Amendment rights.

On the same day as the U.S. Supreme Court's announcement that it would hear the Phillips' first case, the transgender attorney representing the same-sex couple filed a lawsuit against the baker.

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Although the court did not rule on the constitutionality of the case, the lawsuit was dismissed. According to the court, the plaintiff did not file the lawsuit properly.

"We granted certiorari to determine, among other issues, whether [the attorney] properly filed [this] case," the Colorado Supreme Court wrote in its opinion. "We conclude that [the attorney] did not."

"The underlying constitutional question this case raises has become the focus of intense public debate: How should governments balance the rights of transgender individuals to be free from discrimination in places of public accommodation with the rights of religious business owners when they are operating in the public market?" Justice Melissa Hart wrote in the majority opinion. "We cannot answer that question however, because of a threshold issue of administrative law and

statutory interpretation.”

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“Enough is enough. Jack has been dragged through courts for over a decade. It’s time to leave him alone,” said Alliance Defending Freedom Senior Counsel Jake Warner. “Free speech is for everyone. As the U.S. Supreme Court held in 303 Creative, the government cannot force artists to express messages they don’t believe.”

“In this case, an attorney demanded that Jack create a custom cake that would celebrate and symbolize a transition from male to female. Because that cake admittedly expresses a message, and because Jack cannot express that message for anyone, the government cannot punish Jack for declining to express it. The First Amendment protects that decision.”

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