

## U.S. Supreme Court Determines Constitutional Right to Same-Sex Marriage

In a 5 to 4 ruling, the U.S. Supreme Court held in *Obergefell et al. v. Hodges, Director, Ohio Department of Health, et al.*, No. 14-556, that there is a constitutional right to same-sex marriage. Specifically, the Court held that marriage is a fundamental right under the 14th Amendment and as a result, states cannot deprive same-sex couples of this right.

Justice Kennedy wrote the majority opinion for the Court with Justices Ginsburg, Breyer, Sotomayor, and Kagan joining. Chief Justice Roberts and Justices Scalia, Thomas, and Alito each wrote their own dissenting opinion.

The ruling will have a sweeping impact across the country by striking down a number of state-level bans on same sex marriage, including the Ohio law that defined marriage as not including same-sex couples.

Further analysis on practical impacts of this decision will be forthcoming to support employers in addressing necessary policy changes.

Please do not hesitate to contact any of the following Roetzel attorneys should you have any questions regarding this topic.

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