

Brief of *Amici Curiae* Professor David Smolin, Vermont Family Alliance, and Joanie Praamsma in *Wuoti v. Winters*

- Court: United States Circuit Court of Appeals for the Second Circuit
- Party Supported: Friends of the Court (Amici) Professor David Smolin, Vermont Family Alliance, and Joanie Praamsma
- Issues: Violation of First Amendment right to Free Exercise of Religion
- Attorney: Rita Peters, attorney for Citizens for Self-Governance, representing the amici.

Summary:

Vermont has enacted policies that prohibit individuals from becoming licensed foster parents unless they agree with the state's LGBTQ ideology, including agreement to assist minor children in making gender transitions and to approve of same-sex dating relationships. Two couples who have lost their foster care licenses challenged the policy, but it was upheld by the federal district court in Vermont. On appeal, ADF (who represents the Plaintiffs) asked Rita Peters to

submit a friend of the court brief on behalf of the named amici. This brief argues that the Vermont policy must be subjected to strict scrutiny under Supreme Court precedents, and that it cannot survive such scrutiny, or even rational-basis review. The policy is illogical, because it does nothing to further the state's asserted interest in providing more affirming homes for LGBTQ children, while acting to drastically reduce the number of loving foster homes for all children.

