Anti-Defamation League®

IN THE COURTS:

ADL'S CURRENT LEGAL DOCKET

DECEMBER 2013

CIVIL RIGHTS DIVISION ▪ LEGAL AFFAIRS DEPARTMENT

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DECISION KEY

▲ Favorable to ADL

▼ Contrary to ADL

◘ Decision on other grounds

↓↑ Favorable and contrary portions of the decision

THE U.S. SUPREME COURT

2013 DECISIONS FROM THE U.S. SUPREME COURT

Discrimination
Housing

SETTLED

Mount Holly Township v. Mount Holly Gardens Citizens in Action Inc. **(U.S. Supreme Court, 2013)**

In this case, the U.S. Supreme Court will review a key provision of the Fair Housing Act. Enacted in the wake of Rev. Martin Luther King Jr.'s tragic assassination in 1968, the Fair Housing Act is our nation's key tool to eradicate housing discrimination and promote more inclusive neighborhoods. The Mount Holly case raises the question whether the Fair Housing Act prohibits not just intentional bigotry but also unjustified practices that disproportionately exclude or harm people based on race, ethnicity, religion, family status, or other characteristics covered by the Act. This principle, known as the "disparate impact" standard, has been the law of the land for over four decades. In fact, the U.S. Department of Housing and Urban Development (HUD) issued regulations earlier this year that again confirm this approach. ADL joined an amicus brief filed on behalf of a coalition of organizations arguing that the Act's disparate impact component remains necessary to protect crucial antidiscrimination and desegregative interests that Congress targeted in passing and amending the Act and that the disparate impact standard is essential to realizing those benefits by addressing the myriad and evolving barriers to fair housing that continue to exist in the 21st century.

Discrimination
Marriage equality

▲

United States v. Windsor **(U.S. Supreme Court, 2013)**

Edith Windsor married her spouse, Thea Spyer, in Canada in 2007. Spyer died in 2009 following a long illness. Because Section 3 of DOMA prohibits the federal government from recognizing the marriages of same-sex couples, Windsor was unable to claim the estate tax deduction available to the spouses of straight married couples and was required to pay more than $360,000 in taxes. Windsor sued the federal government for failing to recognize her marriage. ADL submitted a brief urging the Court to find DOMA unconstitutional because it improperly enshrines one particular religious view of marriage into civil law. The Supreme Court declared Section 3 of DOMA unconstitutional.

Discrimination
Marriage equality

▢

Hollingsworth v. Perry **(U.S. Supreme Court, 2013)**[1]

Proposition 8, the California ballot measure restricting marriage to opposite-sex couples, was held unconstitutional by the Ninth Circuit Court of Appeals because it violates our nation's fundamental concepts of liberty and equality. ADL submitted a brief urging the Court to affirm the lower court's decision and reject arguments that religious or moral disapproval is a legitimate basis for a law that strips Californians of their state right to a civil marriage. The Court found that the supporters of Proposition 8 lacked standing to

[1] Although Hollingsworth v. Perry was decided on other grounds, the end result was favorable.

appeal the district court's decision. Therefore, the district court's order declaring the law unconstitutional and enjoining California officials from enforcing it.

Civil Liberties
Voting Rights

Shelby County v. Holder **(U.S. Supreme Court, 2013)**

This case is a second challenge to the constitutionality of Congress' 2006 decision to extend Section 5 of the Voting Rights Act for an additional 25 years. In 2009, in Northwest Austin Municipal Utility District v. Holder, the United States Supreme Court declined to rule on the constitutionality of the VRA extension, finding instead that Northwest Austin was entitled to "bail out" of the requirements of Section 5. This case places squarely before the Court the question of whether the extension was constitutional. ADL once again joined with the nearly 200 organizations that comprise the Leadership Conference on Civil and Human Rights and urged the Court to uphold the VRA extension, arguing that it was reasonable for Congress to conclude that Section 5 is still necessary, and that history shows that gains in minority political participation can be reversed if the political branches and the courts fail vigilantly to protect them. The Supreme Court struck down Section 4 of the VRA, a key provision of the statute.

Discrimination
Affirmative Action

Fisher v. University of Texas **(U.S. Supreme Court, 2012)**

Fisher v. University of Texas concerns the affirmative action admissions policy of the University of Texas at Austin. The case, brought by undergraduate Abigail Fisher in 2008, asks that the court either declare the admissions policy of the University inconsistent with, or entirely overrule *Grutter v. Bollinger*, a 2003 case in which the Supreme Court ruled that race could play a limited role in the admissions policies of universities. The United States District Court heard *Fisher v. University of Texas* in 2009 and upheld the legality of the University's admission policy. The case was appealed to a three-judge panel from the Fifth Circuit which also ruled in the University's favor. ADL urged the U.S. Supreme Court to uphold the University of Texas' admissions policy, saying that the policy does not impose quotas, assign people to categories based on their race, or use race as a determinative factor in making admissions decisions. Rather, its consideration of race as only one factor in a holistic review of each applicant application is a proper means to achieve a diverse student body. The Court returned the case for further consideration by lower courts, thus affirming that diversity in education is critically important.

Discrimination
Retaliation

University of Texas Southwestern Medical Center v. Nassar **(U.S. Supreme Court, 2013)**

This case addresses whether the retaliation provision of Title VII of the Civil Rights Act and other similarly worded statutes require a plaintiff to prove but-for causation (i.e., that an employer would not have taken an adverse employment action but for an improper motive), or instead require only proof that the employer had a mixed motive (i.e., that an improper motive was one of multiple reasons for the employment action). ADL joined a distinguished group of organizations urging the Court to find that Title VII is violated if an illegitimate motive plays a meaningful role in an adverse employment decision. The Court held that holding retaliation claims require the plaintiff to prove but-for causation, a stricter standard of proof than other forms of discrimination claims.

Civil Liberties
Voting Rights

Arizona v. Inter Tribal Council of Arizona **(U.S. Supreme Court, 2013)**
This case addresses Proposition 200, an Arizona law requiring would-be voters to provide proof of citizenship to register to vote. ADL joined a brief written by the NAACP Legal Defense and Education Fund that urges the Supreme Court to strike down the law. The brief documents a pattern in United States history characterized by an expansion of the right to vote followed by attempts to disenfranchise minority voters. It argues that, in accord with this pattern, the National Voter Registration Act was an important step towards universal suffrage, and that Proposition 200 is a step backwards that seeks to disenfranchise Latino voters. The Court struck down the law.

Civil Liberties
International Human Rights Law

Kiobel v. Royal Dutch Petroleum **(U.S. Supreme Court, 2013)**
Kiobel involves a group of Nigerians filing a lawsuit in the U.S. against three oil companies, seeking to hold them liable for human rights abuses allegedly committed on their behalf by Nigerian soldiers. It invokes the Alien Tort Statute (ATS), which allows foreigners to bring lawsuits in U.S. federal courts for serious violations of international human rights laws. The issue before the Court was whether the ATS permits actions against defendant organizations and corporations, or whether they were intended to apply only against natural persons. ADL joined a coalition brief supporting the position that Congress did not intend to limit the ATS only to actions against natural persons. The Court did not decide *Kiobel* but rather ordered it be reargued next Term, and expanded the scope of its review to include whether ATS applied to violations of international law when those occurred on foreign soil. ADL again joined a coalition brief supporting the position that Congress did not intend to limit the ATS only to actions arising in U.S. territories.

Civil Liberties
Immigration

Arizona v. U.S. **(U.S. Supreme Court, 2012)**
In April 2010, Arizona enacted what was considered the most restrictive anti-immigration bill in the country. The law's provisions included a requirement that local law enforcement officers check for evidence of legal status when they have "reasonable suspicion" that someone they have stopped is unlawfully in the country. At the district court level, ADL submitted a brief supporting a motion for preliminary injunction against the law in a case called *Friendly House v. Whiting*. In *U.S. v. Arizona*, a separate case brought by the U.S. Government challenging the law on preemption grounds, the Court granted a preliminary injunction on key provisions of the law. On the appeal, ADL again filed in support of the preliminary injunction, and again the League filed an *amicus* brief with the U.S. Supreme Court when the case was granted cert. All of ADL's amicus briefs highlighted the security issues at stake with the new law, underscoring ADL's concern that the new policy will deter victims and witnesses from coming forward to report crimes, particularly hate crimes, and that will impact negatively on the ability of local law enforcement agencies to keep communities safe. The U.S. Supreme Court invalidated a number of provisions of the Arizona law, but allowed Section 2, the provision which directs local law enforcement officers to check an individual's immigration status when they stop the person for violating the law and have a "reasonable suspicion" that the individual may be undocumented, to remain in place.

FILED AND AWAITING DECISION IN THE U.S. SUPREME COURT

Civil Liberties
Reproductive Rights

McCullen v. Coakley **(U.S. Supreme Court, 2013)**
In this case, the Supreme Court will be considering the constitutionality of a Massachusetts law creating a buffer zone around reproductive health clinics. ADL's brief urges the Supreme Court to recognize that other legislatures and courts have relied on the Supreme Court's previous rulings to adopt and approve a substantial body of law regarding buffer zones. If the Supreme Court decides that the Massachusetts buffer zone law is invalid, then the Court must also be willing to accept that protesters may crowd the doors of synagogues, churches, and mosques, chanting slogans at worshippers as they enter, and that picketers may mingle with the mourners at military funerals, confronting grieving parents with placards proclaiming, "Thank God for Dead Soldiers."

Church-State Separation
Establishment Clause

Town of Greece v. Galloway **(U.S. Supreme Court, 2013)**
This case addresses whether the constitutionally-mandated separation of church and state was violated when a town council in upstate New York began each of its meetings with a sectarian prayer led by a member of the clergy or local citizen. This is the first time in 30 years that the Supreme Court will consider a case addressing the issue of legislative prayer. ADL, a longstanding advocate for church-state separation, joined with the American Civil Liberties Union, the New York Civil Liberties Union and Interfaith Alliance Foundation in a coalition brief in this case.

Discrimination
Affirmative Action

Schuette v. Coalition to Defend Affirmative Action **(U.S. Supreme Court, 2013)**
This case involves a ballot initiative in Michigan that barred state colleges and universities from "discriminat[ing] against, or granting[ing] preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin." Lower courts interpreted this constitutional amendment to bar the use of any and all affirmative action programs. ADL filed a brief arguing that there is a difference between affirmative action programs that consider race as one of many factors in a holistic review of applicants and programs, like quotas, that impermissibly grant preferential treatment based on race. The brief urged the Supreme Court to return the case to the lower courts to decide whether the amendment bars all affirmative action programs or only those that confer preferential treatment based on race.

THE APPELLATE AND STATE COURTS

2013 DECISIONS FROM APPELLATE AND STATE COURTS

Church-State Separation
Establishment Clause

Freshwater v. Mount Vernon Board of Education **(Ohio Supreme Court, 2012)**
This case concerns the Board of Education's decision to terminate Freshwater's employment after he failed to adhere to the established curriculum for eighth grade science and instead included teaching creationism and intelligent design in his eighth grade science classes. ADL signed on to a brief with other civil-rights and religious-liberty organizations. The *amicus* brief argued that the school district not only had a Constitutional obligation to stop Freshwater's repeated violations of the Establishment Clause, subverting the established curriculum is not protected by the First Amendment. The Ohio Supreme Court upheld the termination on insubordination grounds. While the court explicitly declined to address constitutional issues, ADL was deeply troubled by its determination that the presence of Freshwater's bible on his desk in the classroom did not violate the Establishment Clause of the First Amendment. The court failed to recognize that the display of a bible in a public-school science classroom – including on the teacher's desk – sends the impermissible message that the school favors religion.

Civil Liberties
Reproductive Rights

Autocam Corporation v Sebelius **(U.S.C.A. 6th, Circuit, 2013)**
Conestoga Wood Specialties Corp. v. Sebelius **(U.S.C.A. 3d Circuit, 2013)**
Liberty University v. Lew **(U.S.C.A. 4th Circuit, 2013)**

In 2010 Congress passed the Patient Protection and Affordable Care Act (ACA). The ACA's contraception mandate requires that health insurance provided by employers covered by the ACA must afford the full range of reproductive services, including birth control coverage, to female employees. Several private private, non-religious corporations have filed suits alleging that the contraception mandate violated their right to free exercise of religion. ADL has submitted briefs in each case urging the court to uphold the ACA's contraception mandate. The briefs argued that the mandate does not place a substantial burden on the employer's free exercise because the connection between the contraception rule and any impact on the employer's religious exercise is too attenuated. They further argued that an employee's independent decision to use contraception severs the causal chain between government action and any potential impact on the employer's religious exercise. Finally, the briefs maintained that employers do not have the right to impose their religious beliefs on their employees. The courts held, in essence, that for-profit corporations could not raise religious exercise challenges to the contraception rule. The courts also rejected the claims of the owners.

Civil Liberties
Reproductive Rights

Hobby Lobby Stores v. Sebelius **(U.S.C.A. 10th, Circuit, 2013)**

This is another Affordable Care (ACA) case filed concerning the ACA's contraception mandate requirement that health insurance provided by employers covered by the ACA

must afford the full range of reproductive services, including birth control coverage, to female employees. ADL again submitted a brief urging the court to uphold the ACA's contraception mandate. The brief argued that the mandate does not place a substantial burden on the employer's free exercise because the connection between the contraception rule and any impact on the employer's religious exercise is too attenuated. It further argued that an employee's independent decision to use contraception severs the causal chain between government action and any potential impact on the employer's religious exercise. Finally, the brief maintained that employers do not have the right to impose their religious beliefs on their employees. The Tenth Circuit, en banc, blocked enforcement of the mandate, holding that the corporations could assert their religion claims, that the corporations were likely to succeed in showing their religious exercise was substantially burdened, and that the rule was not narrowly tailored to further a compelling interest.

Discrimination
Government funding

SETTLED

***Cradle of Liberty Council, Inc., Boy Scouts of Am. v. City of Philadelphia* (U.S.C.A. 3d Circuit, 2012)**

The City of Philadelphia requires all organizations enjoying the subsidized or free use of City buildings to agree that they will not use that subsidized property to discriminate based on sexual orientation, religion and other characteristics. The Cradle of Liberty Council has refused to agree not to discriminate, and in 2003, they ousted a seventeen-year-old Scout from membership because he is gay. On May 31, 2007, the City passed a resolution stating that the Council's discrimination in its use of the City's building subsidy is contrary to the City's nondiscrimination policy. The City offered the Boy Scouts a choice of three options: move out; pay fair market rent, or stop using the rent-free building to discriminate. In May 2008, days before it was required to surrender the property, the Council filed suit in federal court, asserting claims under the Constitutions of the United States and Pennsylvania and claims under Pennsylvania law. ADL joined a group of religious organizations, civil-rights groups, and faith leaders who together argued that Philadelphia's taxpayers should not be forced to subsidize a program of divisive discrimination that violates local anti-discrimination law and policy and that systematically excludes many Philadelphians because of their religion and/or sexual orientation.

Discrimination
Passport Designation

***Zivotofsky v. Clinton* (D.C. District Court of Appeals, 2012)**

This case involves the right of American citizens born in Jerusalem to list Israel as their place of birth on their passports, rather than just "Jerusalem." Despite a 2002 law directing the Secretary of State, upon the request of the citizen or the citizen's legal guardian, to record the place of birth as Israel, the State Department manual currently provides that the passports of American citizens born in Jerusalem must say "Jerusalem," reflecting official U.S. government policy regarding the unresolved status of Jerusalem. Following the decision by the U.S. Supreme Court directing the case back to the lower court for review on the merits, ADL again led an unusually broad-based coalition of other Jewish organizations, in addition to the Association of Proud American Citizens Born in Jerusalem, Israel, in filing an amicus brief which argued that "a passport is not

a statement of foreign policy," but rather simply involves a ministerial act "a means of identifying and differentiating citizens" based on information they provide. Therefore the statute does not implicate the Executive Branch's foreign policy power and it was within the power of Congress to legislate regarding the issuance of passports. ADL also argued that denying Jerusalem-born American citizens to identify Israel as their place of birth on their passports is discriminatory as that is a right presently accorded to American citizens born in territories not even recognized by the United States.

Civil Liberties
Voting Rights

Applewhite v. Commonwealth of Pennsylvania **(Pennsylvania Supreme Court, 2012)**
At issue in Applewhite is a new state law signed March 14, 2012 that requires voters casting ballots in person to have a photo ID from a limited number of sources, such as a driver's license or a government-issued employee ID. ADL submitted a brief opposing the statute and supporting a motion for preliminary injunction. The brief detailed Pennsylvania's history of disenfranchising people of color and women and argued that the new law disproportionately disadvantages Latino voters, who are more likely to lack the required ID, less likely to be able to obtain the proper ID, and more likely to be disenfranchised by poll workers on Election Day than many groups. The Court barred the state from enforcing the voter photo- identification law in the coming election, saying it is logistically impossible to make IDs available to everyone who needs one. The Court ruled that while election officials can request an ID on Election Day, voters without one can cast ballots that will be counted.

FILED AND AWAITING DECISION

IN APPELLATE AND STATE COURTS

Discrimination
Education

***Arce, et al. v. Huppenthal* (U.S.C.A. 9th Circuit, 2013)**
At issue in this case is Arizona law HB 2281, which bars public schools from 1) promoting the overthrow of the government; 2) promoting resentment towards a race or class of people; 3) designing programs primarily for students of a particular ethnic group; and 4) advocating ethnic solidarity instead of the treatment of pupils as individuals. The legislative history of the bill makes clear that its intent was to dismantle the Tucson Unified School District's Mexican-American Studies program (MAS), despite the program's success in closing the educational achievement gap for Latino students. After passage of the law, the State Superintendent ordered the school district to dismantle the MAS program. MAS staff and students filed suit. ADL joined a brief written by the Chief Earl Warren Institute for Law and Social Policy, which argues that the lower court erred in failing to consider fully how the law violates equal protection guarantees.

Discrimination
Marriage equality

Sevcik v. Sandoval and Jackson v. Abercrombie (U.S.C.A. 9th Circuit, 2013)
The Nevada case, Sevcik v. Sandoval, was brought by four same-sex couples who sought marriage licenses in Nevada and four more couples who had been married in California and Canada and sought recognition of those marriages in Nevada. The Hawaii case, Jackson v. Abercrombie, contested the constitutionality of both the state's ban on same-sex marriage and its recognition of civil unions only. The two cases have been combined into a single appeal. ADL filed a brief on behalf of a coalition of 29 organizations arguing that overturning the marriage bans not only would ensure that religious considerations do not improperly influence what marriages the two states can recognize but also would allow religious groups to decide the definition of marriage for themselves.

Hate Crimes
Jury Instructions

People v. DeLee (New York Court of Appeals, 2013)
In a 2009 trial, DeLee was convicted of first-degree manslaughter as a hate crime, under New York State's hate crime law, a law patterned after ADL's Model Law. The jury also found DeLee not guilty on a second count, which was described to the jury as including manslaughter "but not as a hate crime." DeLee's attorneys appealed the verdict, arguing that the two verdicts contradicted each other and that therefore the conviction should be reversed. The Appellate Division agreed and on a 4-1 decision in July reversed the conviction, and DeLee was immediately released from prison. ADL joined a distinguished group of organizations urging the Court to reinstate the conviction so that justice may be served.

Discrimination
Marriage equality

***Griego v. Toulouse* (New Mexico Supreme Court, 2013)**
This case is about allowing loving, committed same-sex couples in New Mexico to receive a marriage license and the State respecting those marriages on equal footing as all others. The question at issue in this case concerns whether or not the New Mexico constitution allows same-sex couples to marry. ADL, a longtime supporter of marriage

equality, joined a group of civil rights organizations on a coalition brief in support of the freedom to marry.

Church-State Separation
Establishment Clause

Kountze Independent School District v. Matthews **(Texas Appellate Court, 9th District, 2013)**
In this case cheerleaders at Kountze High School, a public high school in Texas, displayed large run-through banners with biblical quotes on them at school football games. After a spectator complained about the religious messages, the high school principal temporarily barred the cheerleaders from displaying the banners, and the cheerleaders filed a lawsuit. ADL filed an amicus brief in the case arguing that the banners violate the First Amendment's Establishment Clause, constituting an unconstitutional endorsement of religion by a public school.

Civil Liberties
Reproductive Rights

O'Brien v. Health and HHS **(U.S.C.A. 8th Circuit, 2012)**
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Annex Medical v. Sebelius **(U.S.C.A. 8th Circuit, 2013)**
Gilardi v. HHS (U.S.C.A. DC Circuit, 2013)
Eden Foods v. Sebelius (U.S.C.A. 6th Circuit, 2013)
In 2010 Congress passed the Patient Protection and Affordable Care Act (ACA). The ACA's contraception mandate requires that health insurance provided by employers covered by the ACA must afford the full range of reproductive services, including birth control coverage, to female employees. A private, non-religious corporation filed suit alleging that the contraception mandate violated its right to free exercise of religion. ADL submitted a brief urging the court to uphold the ACA's contraception mandate. The brief argued that the mandate does not place a substantial burden on the employer's free exercise because the connection between the contraception rule and any impact on the employer's religious exercise is too attenuated. It further argued that an employee's independent decision to use contraception severs the causal chain between government action and any potential impact on the employer's religious exercise. Finally, the brief maintained that employers do not have the right to impose their religious beliefs on their employees.

Discrimination
Ministerial Exception

Kant v. Lexington Theological Seminary **(Supreme Court of Kentucky, 2013)**
At issue in this case is whether the "ecclesiastical matter" bar or the ministerial exception defense would act to bar a Jewish professor's breach-of-contract claim against the Christian theological seminary at which he had tenure for terminating his employment because of a financial emergency. ADL argued that neither the "ecclesiastical matter" bar nor the ministerial exception defense would bar a breach-of-contract claim. Religious organizations, like their secular counterparts, are always free to bargain with their employees for certain contractual protections and thus avail themselves to the neutral principles of contract law. But, having done so, they are not free to demand from government a special exemption from the legal consequences of those bargains.

Americans Civil Liberties Union of Massachusetts v. Kathleen Sebelius **(U.S.C.A. 1st Circuit, 2012)**

Church-State Separation
Establishment Clause

At issue in this case are annual grants awarded by the U.S. Department of Health and Human Services (HHS) under the federal Trafficking Victims Protection to the U.S. Conference of Catholic Bishops (USCCB). HHS awarded the grants knowing that USCCB prohibited, based on its religious beliefs, grantees from using any of the federal funds to provide or refer for contraceptive or abortion services. The American Civil Liberties Union of Massachusetts (ACLU) challenged these grants on the grounds that HHS violated the Establishment Clause by permitting USCCB to impose its religious beliefs on sub-grantees in administering the grant. One of the issues in the case is whether ACLU could sue HHS in its capacity as a taxpayer, which is referred to as "taxpayer standing." ADL's amicus brief focuses on this issue and it argues that because the grants were authorized by an Act of Congress, ACLU squarely meets the U.S. Supreme Court's criteria for taxpayer standing.

Bronx Household v. Board of Education of the City of New York **(U.S.C.A. 2d Circuit, 2012)**

Church-State Separation
Establishment Clause

This case addresses the issues of whether a church can regularly hold worship services in a public school house, in violation of the Establishment Clause of the Constitution or whether excluding the church from holding worship services violates the church's First Amendment rights. ADL has long advocated for a strict separation of Church and State. ADL's brief, submitted to the Second Circuit Court of Appeals, argues that, in this situation, where the church has continuously used a public school every Sunday for more than ten years, its use would be understood as an endorsement by the school of the church and its mission. Such an endorsement would clearly violate the Establishment Clause of the Constitution.

LaRue v. Colorado Board of Education **(Colorado Court of Appeals, 2012)**

Church-State Separation
Government funding

This lawsuit challenges a school voucher plan that funnels tax dollars allocated for public education to private and religious schools that will use this money to provide an education—including religious education and services—with little or no government oversight. The lawsuit claims that the voucher plan violates Colorado's Public School Finance Act, as well as several sections of the state constitution. ADL argued that the Colorado Constitution clearly and unequivocally forbids state and local governments from using public money to support religious institutions and religious schools in particular. These constitutional provisions have been further supplemented with statutory laws that prohibit state-funded institutions from discriminating based on religion, sexual orientation, and disability, among other protected characteristics. In violation of these prohibitions, the voucher program disbursed funds received from the State of Colorado – given to it for the express purpose of providing a free, public education to Douglas County students – to private religious institutions that intentionally discriminate in admission based on religion and other protected characteristics.

Civil Liberties
Immigration

United States v. State of Utah **(U.S.D.C. Utah, 2012)**

In March 2011, Utah's state legislature passed HB 497, an anti-immigrant law which, among other things, allows local law enforcement to check the citizenship of individuals arrested—or merely stopped—for misdemeanors and felonies. Likewise, if an officer has reasonable suspicion that a car's driver or passengers are undocumented, the officer must check the immigration status of every individual in the vehicle. ADL submitted a brief supporting a motion for preliminary injunction against the statute. While the Court is reserving its ruling until the U.S. Supreme Court acts, the Court issued a temporary injunction on major provisions of the law.

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