June 26, 2015 — The historic decision establishing that the Constitution guarantees a right to same-sex marriage, announced by the U.S. Supreme Court on June 26, 2015, cites an amicus brief submitted by Denver Law professor Catherine Smith to support the proposition that “[m]arriage also affords the permanency and stability important to children’s best interests.” (Obergefell v Hodges, 2015, at page 15). Professor Smith, who also serves DU’s Sturm College of Law as Associate Dean for Institutional Diversity and Inclusiveness, co-authored the brief with legal scholars Lauren Fontana, Susannah Pollvogt and Tanya Washington. Their brief states that Supreme Court precedent “unequivocally establish[es] that states may not punish children based on matters beyond their control.” And “state marriage bans inevitably and necessarily perform exactly this impermissible function because they deprive children of same-sex couples legal, economic and social benefits associated with the institution of marriage.”