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1. Go to <https://www.supremecourt.gov/opinions/opinions.aspx>
2. Scroll to the "Opinions of the Court" tab on the left side.
3. Scroll down past the information on opinions (see next page).
4. There are boxes with years. Click on any year to see the opinions for that year.
5. The Court's opinion will be in another window as a PDF.
6. On the PDF, see the opinion and dissent.

# Opinions of the Court - 2018

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## – November

R-	Date	Docket	Name	Revised	J.	Pt.
2	11/27/18	17-71	<a href="#">Weyerhaeuser Co. v. United States Fish and Wildlife Serv.</a>		R	586/1
1	11/06/18	17-587	Mount Lemmon Fire Dist. v. Guido		G	586/1

The first decision is always the opinion of the majority of the Court.

Cite as: 582 U. S. \_\_\_\_ (2017)

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Per Curiam

**SUPREME COURT OF THE UNITED STATES**

MARISA N. PAVAN, ET AL. *v.* NATHANIEL SMITH

ON PETITION FOR WRIT OF CERTIORARI TO THE SUPREME COURT OF ARKANSAS

No. 16–992. Decided June 26, 2017

PER CURIAM.

As this Court explained in *Obergefell v. Hodges*, 576 U. S. \_\_\_\_ (2015), the Constitution entitles same-sex couples to civil marriage “on the same terms and conditions as opposite-sex couples.” *Id.*, at \_\_\_\_ (slip op., at 23). In the decision below, the Arkansas Supreme Court considered the effect of that holding on the State’s rules governing the issuance of birth certificates. When a married woman gives birth in Arkansas, state law generally requires the name of the mother’s male spouse to appear on the child’s birth certificate—regardless of his biological relationship to the child. According to the court below, however, Arkansas need not extend that rule to similarly situated same-sex couples: The State need not, in other words, issue birth certificates including the female spouses of women who give birth in the State. Because that differential treatment infringes *Obergefell*’s commitment to provide same-sex couples “the constellation of benefits that the States have linked to marriage,” *id.*, at \_\_\_\_ (slip op., at 17), we reverse the state court’s judgment.

The petitioners here are two married same-sex couples who conceived children through anonymous sperm donation. Leigh and Jana Jacobs were married in Iowa in 2010, and Terrah and Marisa Pavan were married in New Hampshire in 2011. Leigh and Terrah each gave birth to a child in Arkansas in 2015. When it came time to secure birth certificates for the newborns, each couple filled out paperwork listing both spouses as parents—Leigh and Jana in one case, Terrah and Marisa in the other. Both

GORSUCH, J., dissenting

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JUSTICE GORSUCH, with whom JUSTICE THOMAS and JUSTICE ALITO join, dissenting.

Summary reversal is usually reserved for cases where “the law is settled and stable, the facts are not in dispute, and the decision below is clearly in error.” *Schweiker v. Hansen*, 450 U. S. 785, 791 (1981) (Marshall, J., dissenting). Respectfully, I don’t believe this case meets that standard.

To be sure, *Obergefell* addressed the question whether a State must recognize same-sex marriages. But nothing in *Obergefell* spoke (let alone clearly) to the question whether §20–18–401 of the Arkansas Code, or a state supreme court decision upholding it, must go. The statute in question establishes a set of rules designed to ensure that the biological parents of a child are listed on the child’s birth certificate. Before the state supreme court, the State argued that rational reasons exist for a biology based birth registration regime, reasons that in no way offend *Obergefell*—like ensuring government officials can identify public health trends and helping individuals determine their biological lineage, citizenship, or susceptibility to genetic disorders. In an opinion that did not in any way seek to defy but rather earnestly engage *Obergefell*, the state supreme court agreed. And it is very hard to see what is wrong with this conclusion for, just as the state court recognized, nothing in *Obergefell* indicates that a birth registration regime based on biology, one no doubt with