



Crowell Files Two Amicus Briefs in Important LGBTQ+ Rights Litigation

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Washington – April 30, 2024: Crowell & Moring’s Litigation Group recently filed two amicus briefs in the United States Court of Appeals for the 8th Circuit in opposition to an Iowa law that bans school officials from discussing gender identity or sexual orientation with students (its “Don’t Say Gay” provision) and requires the removal of certain books from Iowa public school libraries (its “Book Ban” provision).

The pair of briefs ask the court to affirm an order secured by a coalition led by Lambda Legal and the ACLU of Iowa that enjoined Iowa Senate File 496 and were drafted on behalf of Crowell’s clients, the Iowa School Counselor Association and several well-respected First Amendment law professors at law schools in the Eighth Circuit.

The briefs highlight key constitutional concerns with the law. As argued on behalf of school counselors, “[Senate File] 496’s broad ban on any discussion or promotion of gender identity or sexual orientation and its forced disclosure to parents when a student seeks gender-related accommodations are not only cruel, but impermissibly broad and vague. School counselors are now left wondering whether they will be penalized by the state and potentially lose their certification for discussing parental divorce, dating, or even using a student’s nickname, all of which are based in gender, sexual orientation, or identity affirmation.”

The First Amendment law professor brief rebuts the state’s argument that SF 496’s Book Ban provision is “government speech” exempt from First Amendment scrutiny. It further describes the absurd practical ramifications of Iowa’s book ban, which focuses on books that describe or depict sexual acts: “This incredibly broad law has resulted in the removal of hundreds of books from school libraries, including, among others, nonfiction history books, classic works of fiction, Pulitzer Prize winning contemporary novels, books that regularly appear on Advanced Placement exams, and even books designed to help students avoid being victimized by sexual assault.”

The Iowa School Counselor Association’s brief is available [here](#) and the First Amendment law professors’ brief is available [here](#).

The Crowell team that led these briefs included partners **Laura Foggan** and **Justin Kingsolver**, counsel **Joachim Steinberg**, and associates **Roy Abernathy**, **Danielle Alvarez**, **Alex Rosen**, and

Jacob Zucker. The briefs were drafted pro bono.

About Crowell & Moring LLP

Crowell & Moring is an international law firm with operations in the United States, Europe, MENA, and Asia. Drawing on significant government, business, industry and legal experience, the firm helps clients capitalize on opportunities and provides creative solutions to complex litigation and arbitration, regulatory and policy, and corporate and transactional issues. The firm is consistently recognized for its commitment to pro bono service as well as its programs and initiatives to advance diversity, equity, and inclusion.

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