IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

PASTORS PROTECTING YOUTH, *et al.*	)	
Plaintiffs,	)	Case No. 16-cv-08034
v.	)	Honorable Judge Ronald A. Guzman
LISA MADIGAN, Illinois Attorney General, in her Official Capacity,	)	
Defendant.	)	

MEMORANDUM IN SUPPORT OF THE ILLINOIS ATTORNEY GENERAL'S RULE 12(b)(1) AND 12(b)(6) MOTION TO DISMISS

The Youth Mental Health Protection Act ("the Act") prohibits a "mental health provider" from engaging "in sexual orientation change efforts" with a minor and bans deceptive advertising of such efforts by persons engaged "in trade or commerce." 405 ILCS 48/20 and 25. Plaintiffs – who are neither mental health providers nor engaged in trade or commerce – filed this action seeking a declaration that the Act does not apply to their conduct (pastoral counseling without charge), or, in the alternative, that the Act is unconstitutional as applied.

The Complaint should be dismissed for lack of subject matter jurisdiction. Plaintiffs' pre-enforcement request for an interpretation of state law is insufficient to invoke jurisdiction because (1) Plaintiffs have never been threatened with enforcement of the Act by anyone, and (2) Plaintiffs have not alleged any injury or change in behavior as a result of any threat of enforcement. Whether viewed through a lens of case or controversy, ripeness, or standing, Plaintiffs have failed to properly invoke this Court's jurisdiction. Even if jurisdiction were properly invoked, Plaintiffs' claims are barred under the Eleventh Amendment because Plaintiffs have failed to allege that the

Attorney General has engaged in an ongoing or impending violation of federal law since she has taken no action nor threatened to take any action to enforce the Act against Plaintiffs. Plaintiffs also fail to properly plead a claim.

BACKGROUND

A. The Youth Mental Health Protection Act

The Act, which became effective January 1, 2016, was enacted to "protect lesbian, gay, bisexual, and transgender youth from sexual orientation change efforts, also known as conversion therapy." 405 ILCS § 48/10. The Act has two key provisions:

First, the Act prohibits "mental health providers" from engaging in "sexual orientation change efforts" or "conversion therapy" with minors. 405 ILCS § 48/20. For the purposes of the Act, mental health providers are those providers licensed under specific state statutes:

> "Mental health provider" means a clinical psychologist licensed under the Clinical Psychology Licensing Act; a school psychologist as defined in the School Code; a psychiatrist as defined in Section 1-121 of the Mental Health and Developmental Disabilities Code; a clinical social worker or social worker licensed under the Clinical Social Work and Social Work Practice Act; a marriage and family therapist or associate marriage and family therapist licensed under the Marriage and Family Therapy Licensing Act; a professional counselor or clinical professional counselor licensed under the Professional Counselor and Clinical Professional Counselor Licensing and Practice Act; or any students, interns, volunteers, or other persons assisting or acting under the direction or guidance of any of these licensed professionals. 405 ILCS 48/15.

Licensed mental health providers who violate the Act's ban on conversion therapy are subject to civil disciplinary action. 405 ILCS § 48/30.

Second, the Act provides that:

> No person or entity may, ***in the conduct of any trade or commerce***, use or employ any deception, fraud, false pretense, false promise, misrepresentation, or the concealment, suppression, or omission of any material fact in advertising or otherwise offering conversion therapy services in a manner that represents homosexuality as a mental disease, disorder, or illness, with intent that others rely upon the concealment, suppression, or omission of such material fact. A violation

> of this Section constitutes an unlawful practice under the Consumer Fraud and Deceptive Business Practices Act. 405 ILCS§ 48/25 (emphasis added).

B. Legislative Debates

The purpose and application of the Act was debated in the Illinois General Assembly. During the debates in both the Illinois Senate and House of Representatives, the co-sponsors of the bill creating the Act expressly stated that the Act did not apply to religious counseling. Specifically, State Senator Daniel Biss stated during Senate debates that the bill "doesn't address religious or non-licensed professionals" and that the bill "does not apply at all to a member of the clergy." Ex. A, Senate 99th Gen. Assembly, Regular Session, 5/29/2015, pp. 48, 61. State Representative Kelly Cassidy stated during the House debates that the bill "does not prevent a faith leader from discussing their religious views around sexuality." Ex. B, House of Representatives 99th Gen. Assembly, Debate, 5/19/2015, p. 102.

C. Plaintiffs' Counseling Services

Plaintiffs are five Illinois pastors and two unincorporated associations of Illinois pastors and churches who allege they "provide pastoral counseling, which includes sexual identity counseling, as part of their ministries." (Compl. ¶21.) Plaintiffs "do not charge for counseling services but they are compensated for their pastoral duties, which include pastoral counseling." (Compl. ¶27.)

D. Plaintiffs' Complaint Against the Attorney General

On August 11, 2016, Plaintiffs filed a Complaint for Declaratory Judgment against Lisa Madigan, in her official capacity as Illinois Attorney General. Plaintiffs advance claims on behalf of themselves and their counselees. Plaintiffs do not include formal counts or claims in their Complaint, but instead include a Prayer for Relief that requests eight declarations. (Compl. Prayer ¶¶A-H.) The first such prayer seeks entry of "a declaratory judgment that pastors, including those

who are compensated for their pastoral work, fall outside 'trade or commerce' and cannot be subject to the Act." (Compl. Prayer ¶A.) The remaining relief consists of various declarations that the Act as applied to the Plaintiffs and Plaintiffs' counselees violates the U.S. and Illinois constitutions and the Illinois Religious Freedom Restoration Act. (Compl. Prayer ¶¶B-H.)

ARGUMENT

I. The Complaint Should Be Dismissed For Lack Of Subject Matter Jurisdiction.

"Whether characterized as case or controversy, standing, or ripeness, the issue is one of justiciability." *Hinton v. United States*, No. 09 C 6920, 2011 WL 1838724 at *2 (N.D. Ill. May 12, 2011). "Although typically distinct questions," these concerns "tend to converge in cases, such as this one, that involve pre-enforcement challenges." *Brandt v. Village of Winnetka*, No. 06-CV-588, 2009 WL 3187614 at *6 (N.D. Ill. Sept. 30, 2009). Here, Plaintiffs' Complaint fails to establish federal subject matter jurisdiction under any standard of justiciability.

A. There Is No Actual Controversy Between Adverse Parties.

Article III of the U.S. Constitution limits federal courts to the resolution of cases or controversies. U.S. Const. art. III, §2; *see Brandt*, 2009 WL 3187614, at *5. Likewise, the Declaratory Judgement Act, 28 U.S.C. §2201, authorizes a federal court to declare the rights of parties only "in a case of actual controversy within its jurisdiction." *Geisha, LLC v. Tuccillo*, 525 F. Supp. 2d 1002, 1009 (N.D. Ill. 2007). This "actual controversy" requirement is equivalent to Article III's case or controversy requirement, and thus incorporates Article III doctrines of ripeness and standing. *Id.* at 1009-10; *Brandt*, 2009 WL 3187614, at *6.

An actual case or controversy exists in the context of a declaratory judgment action if "there is a substantial controversy, between the parties having adverse legal interests, of sufficient immediacy and reality to warrant the issuance of a declaratory judgment." *Nuclear Eng'g Co. v.*

Scott, 660 F.2d 241, 251-52 (7th Cir. 1981). Allegations implicating the First Amendment do not alleviate a plaintiff of the burden of proving an actual controversy exists between the parties. *See J.N.S., Inc. v. State of Indiana*, 712 F.2d 305 (7th Cir. 1983) ("even a constitutional question involving the First Amendment must be presented in the context of a specific live grievance.")

Unlike most pre-enforcement constitutional challenges, Plaintiffs specifically aver that the Act does *not* apply to their conduct. The first prayer for relief thus requests judgment that Plaintiffs "fall outside 'trade or commerce' and cannot be subject to the Act." (Compl. Prayer ¶A.) Since the parties agree that the Plaintiffs are not covered by the Act, there is no actual controversy between the parties that is ripe for judicial determination.

1. Plaintiffs Are Not Alleged To Be Licensed Mental Health Providers.

Section 20 of the Act prohibits licensed mental health providers from engaging in sexual orientation change efforts on minors. 405 ILCS § 48/20. Plaintiffs have not alleged that they are licensed mental health providers as defined by the Act and are consequently not subject to section 20 of the Act.

2. Plaintiffs Expressly Alleged Their Conduct Is Not "Trade Or Commerce" Within the Meaning of Section 25 of the Act.

Section 25 of the Act bans deceptive advertising of conversion therapy by persons or entities "in the conduct of any trade or commerce" as a violation of the Illinois Consumer Fraud and Deceptive Business Practices Act ("ICFA"). 405 ILCS § 48/25. Plaintiffs make no allegations that, as salaried pastors providing pastoral counseling, they are engaged in trade or commerce, explicitly stating that they "do not charge for counseling services." (Compl. at ¶27.) Indeed, Plaintiffs seek relief expressly to confirm they are not engaged in trade or commerce. Further, Plaintiffs advance no allegations that would otherwise suggest they or their religious entities are engaged in commerce with the public. Certainly pastoral counseling without charge to counselees

has no semblance to the type of commercial practices understood to be within the meaning of "trade or commerce" for the purposes of regulation under the ICFA. *See Cripe v. Leiter*, 184 Ill.2d 185 (1998) (emphasis added) (ICFA is "intended to protect consumers, borrowers and business persons against…unfair and deceptive *business* practices."); *see also Tkacz v. Weiner*, 368 Ill.App. 3d 610, 613 (1st Dist. 2006) (holding "trade or commerce" as defined by the ICFA excludes the practice of dentistry based on previous Illinois courts' reasoning that the practice of such professions is "distinctly different from ordinary commercial practices" covered by the ICFA); *cf. Proctor v. General Conference of Seventh-Day Adventists*, 651 F.Supp. 1505, 1524 (N.D. Ill. 1986) (where the court interpreted "trade or commerce" in the context of the federal antitrust laws and concluded that a wholesaler of religious literature was not involved in "trade or commerce" because "those terms are ordinarily used in commercial profit-making activity".)

3. Where The Parties Are Not In Dispute, There Is No Actual Controversy And Subject Matter Jurisdiction Is Lacking.

The parties agree that, based on the allegations regarding Plaintiffs' practices, Plaintiffs are not subject to either Section 20 or Section 25 of the Act. Where, as here, "no actual controversy exists between the parties regarding the subject on which declaratory judgment is sought, the court lacks subject matter jurisdiction." *Hinton*, 2011 WL 1838724, at *2. As the Seventh Circuit has stated, "we note in passing that, given [Defendant's] continual support of the [Plaintiff's] position in the Michigan courts, we have a difficult time perceiving an actual dispute between the parties." *Johnson v. Merrill Lynch, Pierce, Fenner & Smith, Inc.*, 719 F.3d 601, 606-07 (7th Cir. 2013).

B. There Is No Dispute Ripe For Judicial Determination Absent Threat Of Enforcement Or A Change In Conduct.

A dispute over the interpretation of the Act is not ripe. Plaintiffs assert that this action is necessitated because "both the General Assembly and Governor Rauner…failed to provide an

exemption for pastoral counseling" in the Act. (Compl. ¶¶13, A-H.) Plaintiffs' assertion is negated by the fact that, as discussed above, no pastoral exemption is required because the Act, by limiting its application to mental health providers and persons engaged in trade or commerce, does not apply to pastors who provide pastoral counseling without charge. Accordingly, Plaintiffs have not presented a dispute that is ripe for judicial determination. *See Hinrichs v. Whitburn*, 975 F.2d 1329, 1333 (7th Cir.1992) ("[c]ases are unripe when the parties point only to hypothetical, speculative, or illusory disputes as opposed to actual, concrete conflicts.")

Even if the Act applied to Plaintiffs, Plaintiffs fail to establish that their as-applied constitutional claims are ripe. Where a plaintiff asks for a declaration that a state law violates the federal Constitution, the Seventh Circuit has identified three factors to determine whether the suit is ripe: (1) "the magnitude of the threat that the challenged law will actually be enforced against the plaintiff"; (2) "the nature of the consequences risked by the plaintiff" if the law is enforced against him or her; and (3) "whether the plaintiff has actually been forced to alter his or her conduct as a result" of the state law. *Wisconsin's Envtl. Decade, Inc. v. State Bar of Wis.*, 747 F.2d 407, 411 (7th Cir. 1984).

Here, Plaintiffs have not alleged that the Attorney General has enforced or threatened to enforce the Act against them. For that matter, Plaintiffs fail to allege that *anyone* has threatened them with enforcement. Nor do Plaintiffs allege that they would be subject to grave penalties (i.e. criminal charges or incarceration) if the Act was enforced against them, merely alleging that a "plain reading of Section 25 threatens the Plaintiffs with financial liability" under the ICFA. (Compl. ¶10.) Similarly, Plaintiffs have also not alleged any actual change in their conduct, alleging only a subjective "fear" that they are "in violation of the law and subject to adverse legal repercussions". (Stultz Aff. ¶30.) Such allegations are insufficient under the ripeness doctrine. *See*

Tamburo v. Dworkin, No. 04 C 3317, 2010 WL 5476780 at *3 (N.D. Ill. Dec. 29, 2010) (dismissing an action seeking declaration that conduct was lawful where plaintiff was unlikely to suffer adverse legal consequences, did not allege prosecution or threat of prosecution for violation of the law, and did not allege it ceased or altered its conduct); *Chicago Teachers Union v. State of Illinois*, No 95 C 3748, 1996 WL 364760 at *1-4 (N.D. Ill. June 27, 1996) (dismissing a declaratory judgment action regarding lawfulness of a state statute); *State of Illinois v. Archer Daniels Midland Co.*, 704 F.2d 935, 941-42 (7th Cir. 1983) (action to interpret state law was unripe where ruling "might turn out to have no practical significance to the parties" because no enforcement action would be filed).

For these reasons, Plaintiffs' claims are not ripe for judicial determination and this Court should dismiss this action for lack of jurisdiction.

C. Plaintiffs Lack Standing To Bring This Action Because They Have Not Alleged an Injury-In-Fact Traceable to the Attorney General.

Since Plaintiffs allege no imminent injury resulting from an action of the Attorney General, Plaintiffs lack standing to pursue these claims, both on their own behalf and upon the behalf of their counselees.

1. Dismissal For Lack of Standing Is Warranted On Plaintiffs' Own Claims.

For reasons similar to those discussed above, Plaintiffs – both individual pastors and the associations - lack standing to bring this action. To establish standing, plaintiffs must prove that: (1) they suffered a concrete and particularized injury that is actual or imminent; (2) the injury is fairly traceable to the defendant's actions; and (3) it is likely that the injury will be redressed by a favorable decision. *Lujan v. Defs. of Wildlife*, 504 U.S. 555, 560–61 (1992). To establish associational standing, an association must prove that its members "have standing in their own right; the interests represented are germane to the association's purpose; and the relief sought does

not require the participation of the individual members." *Citizens Against Longwall Mining v. Colt LLC*, No. 05-3279, 2008 WL 927970 at *7 (N.D. Ill. Apr. 7, 2008).

Plaintiffs allege no actual or imminent particularized injury to them or their members, merely a speculative fear of future action. Plaintiffs also make no allegation that any alleged injury is traceable to the Attorney General's conduct, nor could they, since the Attorney General has not enforced or threatened to enforce the Act against them or their membership. Plaintiffs' deficient allegations do not satisfy the minimum requirements of standing. "[A]nticipation, fervor of advocacy, speculation, or even fear is not enough by itself to establish standing." *Schmidling v. City of Chicago*, 1 F.3d 494, 499 (7th Cir. 1993). Absent evidence of an imminent injury caused by some action of the Attorney General, plaintiffs' claims must be dismissed. *See, e.g., Cruz-Bernal v. Keefe*, No. 14 C 50178, 2015 WL 4232933, *3 (N.D. Ill. July 13, 2015) (dismissing complaint for lack of standing where plaintiffs failed to allege that defendants would likely impose costs, fines, or fees against plaintiffs in the future.); *see, e.g., Johnson*, 719 F.3d at 606 (plaintiff lacked standing for declaratory action absent evidence that Defendant had taken action causing alleged injury); *Citizens Against Longwall Mining*, 2008 WL 927970 at *7 (holding association lacked standing where no member had an "actual or imminent injury as a result of [defendant's] conduct").

2. Dismissal for Lack of Standing Is Warranted For Claims on behalf of Plaintiffs' Counselees.

Likewise, Plaintiffs fail to sufficiently allege standing to bring claims on behalf of their counselees. Ordinarily a litigant must assert his or her own legal rights and cannot assert the legal rights of another. *In re African-Am. Slave Descendants Litig.*, 304 F. Supp. 2d 1027, 1052 (N.D. Ill. 2004). However, in very limited circumstances, a litigant may assert the rights of third parties if the litigant satisfies a three-part inquiry: (1) "the litigant must have personally suffered some

injury-in-fact adequate to satisfy Article III's case or controversy requirement"; (2) the litigant must have a close relation to the third party; and (3) there must exist some hindrance to the third party's ability to protect his or her own rights. *Id.*

As above, Plaintiffs have failed to allege that they have personally suffered an injury in fact because the Attorney General has not enforced or threatened to enforce the Act against the Plaintiffs. Consequently, Plaintiffs fail to establish standing to pursue claims on behalf of their counselees. *Id.* at 1053 (holding that plaintiffs could not establish third party standing where plaintiffs themselves failed to establish that they had personally suffered some injury in fact). Moreover, Plaintiffs provide insufficient detail on who the counselees are and insufficient detail on the nature of the claims on behalf of the counselees, alleging no facts explaining how the Act's ban on deceptive advertising impacts the counselees' rights in relation to Plaintiffs who make no allegation that they are engaged in trade or commerce and thereby subject to the Act. Such deficient allegations do not satisfy the second and third prongs to permit Plaintiffs to pursue claims on behalf of their counselees. For these reasons, Plaintiffs lack standing to pursue their claims and the counselees' putative claims must be dismissed.

II. Sovereign Immunity Deprives the Court Of Jurisdiction to Grant Declaratory Relief Because There Is No Ongoing Violation Of Federal Law.

The Eleventh Amendment precludes actions in federal courts against a state, state agency or state officials acting in their official capacities. *Council 31 of the Am. Fed'n of State, Cty. & Mun. Employees, AFL-CIO v. Quinn*, 680 F.3d 875, 881–82 (7th Cir. 2012). The Supreme Court in *Ex parte Young*, 209 U.S. 123, 159-60 (1908) carved out a limited exception to the Eleventh Amendment bar holding that a plaintiff may file a federal suit against a state official seeking prospective equitable relief for ongoing violations of federal law. As discussed above, Plaintiffs have not alleged that the Act has been enforced against them nor have they alleged an impending

threat from the Attorney General to enforce the Act against Plaintiffs. Where there is no ongoing or impending violation of federal law, a federal court may not issue declaratory relief. *Watkins v. Blinzinger*, 789 F.2d 474, 484 (7th Cir. 1986). Consequently, Plaintiffs' claims are barred by the Eleventh Amendment and must be dismissed.

III. Plaintiffs' As-Applied Challenges to the Act Must Be Dismissed Because Plaintiffs Have Failed to Sufficiently Allege that the Act Applies to Them.

Plaintiffs alternatively seek declaratory judgments that the Act as applied to Plaintiffs and as applied to Plaintiffs' counselees violates the U.S. and Illinois constitutions and the Illinois Religious Freedom Restoration Act. (Compl. Prayer ¶¶B-H.) However, Plaintiffs make no allegations supporting the assertion that the Act actually applies to them or that the Act is being applied against them. Plaintiffs' failure to state a cognizable cause of action is grounds for dismissal pursuant to Federal Rule of Civil Procedure 12(b)(6).

CONCLUSION

For the foregoing reasons, the Illinois Attorney General respectfully requests the Court to dismiss Plaintiffs' Complaint.

Date: October 27, 2016

Respectfully submitted,

LISA MADIGAN
Attorney General of the State of Illinois

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CERTIFICATE OF SERVICE

I, Krenice M. Roseman, an attorney, hereby certify that on this 27th day of October, 2016 before 5:00 p.m., I caused copies of the foregoing documents to be served on those who have appeared and are of record via the Court's electronic filing system.

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Exhibit A

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

51st Legislative Day 5/29/2015

SENATOR BISS:

Thank you, Mr. President, Members of the Senate. House Bill 217 creates the Youth Mental Health Protection Act, addressing so-called conversion therapy, which really should be called something else. It's not a therapy. It's a discredited practice wherein people make an effort to change the sexual orientation of individuals. This is something that used to happen all the time in the unfortunate days when homosexuality was viewed as a disease. Nowadays, we know that it's not and we also know that this practice doesn't work, which is why so many mental health organizations are strongly in support of this bill. Here's what it does: It affects minors only and it affects licensed professionals only, and what it says is, simply, that licensed professionals may not engage in this practice with minors. It doesn't ban therapy. It doesn't address adults. It doesn't address religious or non-licensed professionals. It simply says that licensed professionals can't engage in this practice with minors, and the reason is that the overwhelming consensus of the professions is this is not legitimate therapy; it's actually abuse. And the truth of the matter is that not everyone survives it. We had in committee yesterday one brave person who did survive it and he said something that really, really stuck with me. He said, "As I underwent this therapy" - which he underwent because he and his parents were confused and didn't realize that the person they were seeing was engaging in a practice that was not based in science - "as I underwent this, I began to feel myself disappear." It's dangerous. It's often coercive when done with minors. This bill is supported, as I said, by psychologists, psychiatrists, mental health professionals, social workers, therapists. I respectfully request your Aye votes and

That's right. This bill does not apply at all to a member of the clergy or, frankly, anyone else who is not a licensed professional.

PRESIDING OFFICER: (SENATOR LINK)

Senator Koehler.

SENATOR KOEHLER:

To the bill, Mr. President.

PRESIDING OFFICER: (SENATOR LINK)

To the bill.

SENATOR KOEHLER:

I think this is an important bill and I think it's important to kind of put this in perspective. We're not trying to tell the professional clinical psychologists how they should do their job. We're just telling them what really the bounds of -- of crossing the line that is really inappropriate are. And I'll -- I'll just talk about my experiences a bit. My training is -- is as a person coming out of the seminary and the clergy. I did do some counseling at a -- a guidance center, a -- at a clinical center in Ohio. You know, my belief is that a good counselor is not someone that has an agenda. And really what this is talking about is that if somebody has an agenda - in other words, if the impetus is coming from the outside for the change to take place - then that's not really appropriate; that's not counseling. Counseling is when, you know, you don't provide the answers so much as you ask the right questions and you help that person explore what they're about, and that's what this bill does. It -- it helps a person. And in your answer to -- to one of the questions that was raised - I thought was also appropriate - there's -- you know, young people have problems. They have questions about what's going on.

Exhibit B

STATE OF ILLINOIS
99th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

50th Legislative Day 5/19/2015

Clerk Hollman: "House Perfunctory Session will come to order. Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 19, 2015: recommends be adopted, referred to the floor is Floor Amendment #2 to Senate Bill 1921."

Speaker Lang: "The House will be in order. Members will please be in their chairs. We shall be led in prayer today by Reverend Bob Vanden Bosch who is with Concerned Christian Americans in Chatham. Reverend Vanden Bosch is the guest of Representative Poe. Members and guests are asked to refrain from starting laptops, turn off cell phones and rise for the invocation and Pledge of Allegiance. Reverend."

Reverend Vanden Bosch: "Thank you, Leader. Let's bow together in prayer. Father, as we come to You now, we're just so grateful that we live in this country that You have given us. We're grateful that You have given us the government of, by and for the people. And thank You for each of the Representatives here that represent different groups of people across this great state. And Father, I just thank You for the diversity that there is in those who are Leaders here and all the different experiences that are here to be able to help come together and be able to put together legislation that should be good for our state. I pray, Lord, that as the budget gets crafted that You would give wisdom to each one that's here and use the experiences that have been in their lives to help them make this a better place for the rest of the people of Illinois. We pray especially today for Frank Mautino and Lord, I just ask that You give him strength to help his strength to

Codes of Ethics and best practices of these organizations and prohibit efforts widely recognized as inappropriate and harmful. This Bill will ban the practice of conversion therapy on minors and takes into account the positions of these organizations and the studies that show that efforts to change someone's sexual orientation can cause great harm, increased familial… break down familial relationships, increase chances of depression, and self-harm. What this Bill does not do it prevents families from seeking counseling and discussing sexuality. It does not prevent a faith leader from discussing their religious views around sexuality and in fact, some of you have heard the story of the priest that I met with, with my mom. When I came out to my mom, having grown up in a very deeply religious, very conservative Catholic family, she asked me if I would meet with a priest with her. Thank you, Mr. Speaker. I was the youngest of seven kids. We had all found ways to… to challenge our parents as we all do. The first thing my mother said when I came out to her was, you had to come up with something different. The next thing she did was ask me if I would speak to a priest with her because she wanted to understand what this meant for us as a family. I was nervous because we had gone to a very conservative church. I'd been raised with these priests and I knew them to be fairly tough and I was nervous. We met together. The priest said that he wanted to meet with my mom first and then me and then us together. When I walked into the office I was surprised to see a priest I wasn't familiar with and he said so your mom's pretty freaked out. And the truth is, Catholicism doesn't have a whole lot of good things to say