
Cahill Files Amicus Brief in U.S. Supreme Court on Behalf of National Women’s Law Center

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Cahill has filed an amicus brief in the Supreme Court of the United States in *St. Mary Catholic Parish, Littleton, Colorado v. Roy*, No. 25-581, on behalf of the National Women’s Law Center, child care providers, and child care advocacy organizations. Filed in support of respondents, the brief addresses whether Colorado may condition participation in its Universal Preschool Program (“UPK”) on compliance with a nondiscrimination requirement that applies equally to all participating providers—religious and secular alike.

Colorado established UPK to give every eligible child access to high-quality preschool through a mixed-delivery system encompassing public, private, and faith-based providers. The program requires all participating providers that accept public funds to serve eligible children and families without regard to protected characteristics, including sexual orientation and gender identity. Petitioners contend that the nondiscrimination requirement violates their Free Exercise rights. The amici argue that the nondiscrimination requirement is integral to UPK’s mission of ensuring universal access to high-quality early education, and that the *Carson v. Makin* line of cases does not control because Colorado’s statute does not exclude religious providers—it welcomes them and actively solicits their participation.

Drawing on legislative history, testimony from parents and providers across Colorado, and extensive social science research, amici demonstrate that early childhood education yields lasting benefits for children’s development and family economic security, and that permitting publicly funded providers to exclude children based on family status would disproportionately harm LGBTQ+ families and undermine the universality the Colorado legislature intended in enacting UPK.

The Cahill team includes partners Landis C. Best and Tammy L. Roy, counsel Lauren Perlgut, associates Jessica M. Stookey and Sarah J. Marron, and law clerk Rachel A. Nolan.

To read the amicus brief, [click here](#).

To read the NWLC press release, [click here](#).

Attorneys

- Landis C. Best
- Tammy L. Roy
- Lauren Perlgut
- Jessica M. Stookey
- Sarah J. Marron
- Rachel A. Nolan

Practices

- Commercial Litigation
- First Amendment & Media Litigation

