**Group 5 Information Discovery Scaffold**

**Same Sex Marriage - *Obergefell v. Hodges*, 2015**

**The court was the right institution to decide the issue of same sex marriage**

***Use the timeline in the first section of your web resources:***

1. Find 5-6 examples of the court pushing to legalize same sex marriage even when other branches of the government, activists, and public opinion did not necessarily support their decision.
2. How do you think the court’s leadership in spite of public resistance led to the eventual legalization of same sex marriage in the *Obergefell* decision?
3. What if the court’s had not acted in these cases? How would waiting for popular opinion have influenced marriage rights for all citizens now?

***Examine the map in the second section of your web resource. Make sure that you scroll down to watch an interactive display of state decisions throughout history.***

1. Using the blank U. S. map provided, record the year each state recognized same sex marriage before 2015.
2. How many states total had legalized same sex marriage by the end of 2014?
3. What happened in the U.S. after the 2015 *Obergefell v. Hodges* Supreme Court decision?
4. What trends can you identify in the legalization of same sex marriage that could be used to illustrate the point that the court played a significant role in pushing for marriage equality for all citizens?

***Read excerpts from The Hollow Hope found in the third section of your web resource supplying information about litigation and specific state government decisions regarding same sex marriage beginning in the 1990’s to 2003.***

1. What evidence can you find to support your position that the courts led the charge for marriage equality well before the 2015 Supreme Court decision?
2. Hawaii:
3. Vermont:
4. Massachusetts:
5. Find 2-3 arguments (in your own words) from these excerpts indicating the court had an important impact on the push for marriage equality.

***Using the fourth section of your web resource, identify trends in statistics concerning the shift in public opinion after major court decisions.***

1. Locate 2-3 statistics/quotes that illustrate how judicial activism played a critical role in influencing the acceptance of marriage equality in the United States.
2. Why would judicial activism be important for changing political opinion?

***Use the fifth section of your web resource to solidify your argument that the 14th Amendment gives the Supreme Court the authority to decide the same sex marriage debate.***

1. Summarize the 14th Amendment in your own words.
2. How does the Equal Protection Clause of the 14th Amendment apply to your specific argument?
3. Develop 2-3 compelling arguments as to why the same sex marriage decision should be made by the Supreme Court and not left up to individual state governments to decide.
4. What are some connections you can make to previous civil rights cases that paved the way for the Supreme Court to feel that had the authority to decide the same sex marriage debate?

