NATIONAL CATHOLIC REPORTER
Published on *National Catholic Reporter* (http://ncronline.org)

Supreme Court declines to give groups' HHS appeals preliminary review

Catholic News Service | Apr. 2, 2014
Washington

The U.S. Supreme Court's decision Monday not to consider preliminary appeals in lawsuits brought by several Catholic groups against the federal contraceptive mandate "means that the cases will proceed, without prejudice, in the lower federal court," according to Priests for Life.

Besides Priests for Life, the groups include the Washington archdiocese, The Catholic University of America, and Thomas Aquinas College.

Their cases are currently in the U.S. Court of Appeals for the District of Columbia Circuit.

According to Priests for Life, the groups used a special provision that allows an appeal to the Supreme Court, even while a case is in a lower court, provided the "case is of such imperative public importance as to justify deviation from normal appellate practice and to require immediate determination in this court."

Once the appeals court rules on the cases either the plaintiffs of the defendants can still seek a review by the Supreme Court.

Oral arguments in the cases are scheduled for May 8 at the appeals court.

"We are working with our attorneys to present the strongest possible case to the Court of Appeals, and at the same time are urging the public to stand with us, just as they are standing with Hobby Lobby," Fr. Frank Pavone, national director of Priests for Life, said in a statement.

He was referring to the arts and crafts chain, a for-profit secular company whose Christian owners object on moral grounds to complying with providing all of the contraceptive coverage the mandate requires. The high court March 25 heard oral arguments in the Hobby Lobby case and a case filed by Conestoga Wood Specialties Corp., whose Mennonite owners similarly object to being forced to provide the coverage for their employees.

About his own organization's lawsuit, Pavone added: "We will certainly appeal to the Supreme Court if the lower court does not rule in our favor. Moreover, no matter what any court says at any time, we will disobey this mandate. It is unjust, immoral, and intolerable," the priest said.

The Washington archdiocese said in a statement that the court's decision not to give an early review to its cases and those of its co-appellants "does not impact the status of the archdiocese's appeal in the D.C. Circuit, nor does it prevent the archdiocese from petitioning the Supreme Court in the future if the Court of Appeals rules against the archdiocese."

"The archdiocese and its co-appellants remain hopeful that the final disposition of this case will support religious freedom and rights of conscience," the statement said.

Under the federal Affordable Care Act -- and rules issued by the Department of Health and Human Services -- the mandate requires nearly all employers to provide their employees health insurance coverage for contraceptives, some abortion-inducing drugs and sterilizations.

It includes an exemption for some religious employers that fit its criteria. The mandate does not include a conscience clause for employers who object to such coverage on moral grounds.

There also is an accommodation for some employers to use a third party to pay for coverage they find objectionable, but Catholic and other entities that have brought lawsuits against the mandate say the accommodation still does not solve their problem over being involved in providing coverage they reject for moral reasons.

The Next Step FORWARD [1]

DONATE NOW [1]

Enjoy this article?
Help support more like it by **donating today!** [1]

Source URL (retrieved on *09/05/2015 - 10:38*): http://ncronline.org/news/politics/supreme-court-declines-give-groups-hhs-appeals-preliminary-review

Links:
[1] http://ncrnews.org/webathon/donate/article-end