

# Attorneys General Raoul And Ford Issue Statement Regarding Opinion In Equal Rights Amendment Lawsuit

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CHICAGO - Illinois Attorney General Kwame Raoul and Nevada Attorney General Aaron Ford issued the following statement in response to an opinion issued today by the U.S. Court of Appeals for the District of Columbia Circuit in their lawsuit asking the federal government to acknowledge the Equal Rights Amendment (ERA) as the 28th Amendment to the U.S. Constitution. The opinion affirmed the dismissal of a lawsuit filed by Raoul and Ford seeking to ensure the ERA's recognition.

“We filed this lawsuit because we believe all of the requirements have been met for equal rights for all Americans to be enshrined in the U.S. Constitution, and we do not believe that Congress’ arbitrary deadline for ratifying the Equal Rights Amendment is lawful. Although the court of appeals did not direct the federal government to certify and publish the ERA, it is important to recognize what today’s opinion does not say. It does not say that the federal government cannot acknowledge the Amendment’s successful ratification, and it does not say that Congress cannot clarify that there is no deadline for ratification. Today, the Senate Judiciary Committee held a hearing on the Equal Rights Amendment. We encourage Congress to continue to act. In fact, the court’

s opinion makes it all the more important for the federal government and Congress to act – today – to ensure that the Amendment is acknowledged as the 28th Amendment to the Constitution.

“Despite today’s ruling, we will continue to fight for a published Constitution that explicitly prohibits all forms of discrimination, including discrimination based on sex.”

Illinois ratified the ERA in 2018. When combined with Nevada’s ratification in 2017 and Virginia’s ratification in January 2020, a total of 38 states have now ratified the ERA, passing the constitutional threshold required for the ERA to become the 28th Amendment.

Attorney General Raoul, Attorney General Ford and former Attorney General Mark Herring of Virginia filed a lawsuit in 2020 to ensure that the Equal Rights Amendment is acknowledged as the 28th Amendment, enshrining equal rights for women in the Constitution. The lawsuit is supported by amicus briefs filed by approximately 86 business groups, 85 advocacy groups, 19 states and the District of Columbia, former state legislators and constitutional law scholars. With the ERA, the U.S. Constitution provides an explicit guarantee of protection against discrimination based on sex.