

No. 25-840

IN THE
Supreme Court of the United States

INTERNATIONAL PARTNERS FOR ETHICAL CARE, INC.,
ET AL.,
Petitioners,

v.

BOB FERGUSON, GOVERNOR OF WASHINGTON, ET AL.,
Respondents.

*On Writ of Certiorari to the United States Court of
Appeals for the Ninth Circuit*

**BRIEF OF CEDAR PARK ASSEMBLY OF GOD
AS *AMICUS CURIAE* IN SUPPORT OF
PETITIONERS**

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INTEREST OF *AMICUS CURIAE*¹

Washington State has unleashed a familiar tactic of oppressive governments: injure citizens through a regulated intermediary, then argue the intended targets lack standing to sue. It has run that play against religious organizations for years—reaching them through a regulated middleman rather than by direct command. The Ninth Circuit endorsed that evasion below. This Court should reject it.

Cedar Park is a Christian church that ministers to thousands of congregants throughout the greater Seattle area. It believes and teaches that every person bears the image of God and is worthy of protection from the moment of conception to natural death. Consistent with that conviction, Cedar Park sought and obtained a health plan for its employees that excluded abortion and abortifacient-contraceptive coverage.

Then Washington intervened. The State’s Reproductive Parity Act commanded health carriers to embed elective abortion coverage in plans that offer maternity care coverage. Wash. Rev. Code § 48.43.073. Violators face fines and criminal penalties, including imprisonment. That mandate imposes no direct obligation on the church. Formally, it regulates insurers. But the law’s object was religious employers like Cedar Park, and the mandate operated as designed: the church’s carrier inserted abortion coverage into the church’s plan, over the

¹ No counsel for a party authored this brief in whole or in part, and no person other than amicus and its counsel made any monetary contribution intended to fund the preparation or submission of this brief.

church's objection, leaving Cedar Park with no comparable option.

When Cedar Park sued to restore a plan consistent with its faith, Washington centered its litigation strategy on ducking judicial review. For years, the State argued that Cedar Park lacks standing because its injury depends on the independent decisions of third-party insurers, and that no court could know whether an insurer would offer a comparable plan if a court invalidated the mandate. A divided Ninth Circuit panel initially agreed that Cedar Park lacked standing. *Cedar Park Assembly of God v. Kreidler*, 130 F.4th 757 (9th Cir. 2025). But after this Court ruled in *Diamond Alternative Energy, LLC v. EPA*, 606 U.S. 100 (2025), the panel withdrew its opinion, *Cedar Park Assembly of God v. Kuderer*, 146 F.4th 885 (9th Cir. 2025). Then, the day before this brief was filed, the Ninth Circuit issued an amended opinion holding that *Diamond* squarely established Cedar Park's standing. *Cedar Park Assembly of God v. Kuderer*, Nos. 23-35560 & 23-35585, Slip Op. at 20 (9th Cir. Sept. 14, 2026).

Just as *Diamond* foiled Washington's standing gambit against Cedar Park, it also thwarts those efforts against Petitioners here. The State that weaponizes its insurance regulations to undermine free-exercise rights in *Cedar Park* is the same State that now weaponizes its homeless shelters to destroy parental rights in this case. Finding no standing here would hand every government a blueprint for immunizing its most consequential policies from judicial review. Article III forbids that unjust regime.

SUMMARY OF THE ARGUMENT

Routing an unlawful act through a middleman does not put it beyond judicial review. That principle, drawn from this Court’s decision in *Diamond Alternative Energy, LLC v. EPA*, 606 U.S. 100 (2025), resolves this case and supplies the framework the Ninth Circuit ignored.

First, the object of a government action has standing to challenge it, even when the action formally regulates someone else. What makes a plaintiff the object is the government’s design—revealed by a law’s purpose, structure, and predictable effect—not whether the statute directly regulates the plaintiff.

Washington’s laws mark sex-affirming parents as their object on all three fronts: its purpose is to overcome parents who affirm their child’s sex, not their child’s gender confusion; its structure operates on those parents through the State’s shelters, withholding notice and stalling reunification; and its predictable effect is to send gender-confused children fleeing from their homes into state shelters, rupturing the parent-child bond the State set out to override. These laws injure Petitioners now—stripping their rights to notice and participation and dictating how they raise their children—and place them at substantial risk of greater injury to come.

Second, the decision below turned on causation, not injury in fact. The panel deemed Petitioners’ harm “self-inflicted” and dependent on the acts of others—but those are traceability objections, and they fail. An injury is fairly traceable when a third party’s harmful response to the government’s action is predictable rather than speculative.

Here, Washington built in that predictability: it commands the shelters—whose compliance is no independent choice—and created the incentives that drive a gender-confused child to flee. *FDA v. Alliance for Hippocratic Medicine*, 602 U.S. 367 (2024), is not to the contrary. The Court there found the causal link between the government actions and the alleged injuries too speculative and attenuated. That case did not involve an intentional sequence deliberately built to override the plaintiffs’ rights.

Third, redressability necessarily follows injury and causation. Because the same design that causes the parents’ injury can be dismantled, a favorable decision would relieve it.

A government that routes harm through a middleman cannot escape judicial accountability. Petitioners have standing.

ARGUMENT

I. Because Petitioners are the objects of Washington’s statutory design, they have standing.

This Court recently reaffirmed a bedrock principle of Article III standing: “When a plaintiff is the ‘object’ of a government regulation, there should ‘ordinarily’ be ‘little question’ that the regulation causes injury to the plaintiff.” *Diamond*, 606 U.S. at 114 (quoting *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 561 (1992)). That remains true even when the government reaches its object by regulating someone else. *Ibid*. And yet “nowhere [did] the panel opinion expressly” apply that rule and ask “whether the parents are the objects of the challenged law that

would give rise to standing.” Pet.App.58a (Tung, J., dissenting from denial of rehearing en banc). Had it asked, the answer is clear: because Washington designed its statutory regime to override parental rights, Petitioners have alleged an injury in fact. *Ibid.*

A. *Diamond* establishes that the object of a law may challenge it, even when the statute formally regulates someone else.

In *Diamond*, this Court recognized that sometimes a government may “seek to indirectly target a product or service ‘through a conduit’” rather than directly. 606 U.S. at 116. In those cases, whoever the action was ultimately intended to reach is the “object,” even though the injury occurs through a regulated third party. So “if the government bans hot dog sales in stadiums, then hot dog manufacturers, not just stadiums, might be considered objects of the regulation.” *Id.* at 115.

If a plaintiff had to be the entity named in the operative text, any government could immunize its actions from review by routing the harm through an intermediary—regulate the shelter, not the parent; the insurer, not the church; the automaker, not the fuel producer. “The government generally may not target” a party “through stringent and allegedly unlawful regulation, and then evade the resulting lawsuits by claiming that the targets of its regulation should be locked out of court as unaffected bystanders.” *Id.* at 125.

Some suggest that because the plaintiffs in *Diamond* were commercial actors, that creates a narrower rule that reaches only market participants

who can trace an injury through supply and demand. But that mistakes *Diamond*'s facts for its rule. True, *Diamond* considered "commonsense economic principles [to] support the fuel producers' standing." *Id.* at 116. But the fuel producers had standing not because they happened to sell a product connected to the regulated manufacturers' products, but because the very purpose of California's regulations was to *target* the fuel producers. *Id.* at 115–16. The commercial setting was the occasion for *Diamond*'s general rule, not its measure.

The doctrine's origins confirm as much. Object-status standing originated not in a commercial marketplace, but in the very parental-rights realm this case implicates. Over a century ago, this Court held that private schools could challenge a compulsory-education law. *Pierce v. Society of Sisters*, 268 U.S. 510 (1925). *Diamond* invoked *Pierce* for exactly that point, noting that the "affected schools had standing to sue, even though parents were the directly regulated parties," *not* the schools themselves. 606 U.S. at 114–15. Accord *Columbia Broad. Sys., Inc. v. United States*, 316 U.S. 407, 422 (1942) (broadcast networks could challenge licensing rules that bound only affiliated stations, not the networks).

Diamond broke no new ground: object-status standing has been invoked in commercial and non-commercial contexts alike. The fuel producers in *Diamond* were only its most recent beneficiaries. And if *Diamond*'s rule shields a fuel producer's stake in a commercial market, it a fortiori shields parents exercising "perhaps the oldest of the fundamental liberty interests recognized by this Court." *Troxel v. Granville*, 530 U.S. 57, 65 (2000) (plurality op.).

B. Washington designed its statutes to undermine Petitioners' parental rights.

Under this Court's precedent, what makes a plaintiff an object is the government's design—whom the action was built to target—regardless of who is named in the operative text. A law's design can be determined in multiple ways: by its purpose, its structure, or its predictable effect.

Here, all three of these indicators confirm that sex-affirming parents are the object of Washington's statutory regime.

Purpose. The legislative record leaves no doubt that Washington built these laws to overcome parents who dissent from the State's gender orthodoxy. One bill sponsor explicitly cast these parents as the obstacle: “hostil[e]” families were “standing between their young person and essential health care services.” Pet.App.90a. The solution? Avoid and delay the “reunification process [that] would separate that vulnerable young person from the health care that they're entitled to.” *Ibid.*

Another legislator declared that, by speaking biological truth, these parents engaged in “micro-aggressions” that rendered their homes “not safe.” Pet.App.95a. The solution? The State “must step in” and “provide a place for this child.” Pet.App.96a.

A third framed the bill as protecting “trans youth” from “rejection by their family,” which she (falsely) pinned as “the driving force” behind “suicide” and “homelessness.” *Ibid.* The solution? The State will intervene to provide the children with “support and love,” seeing as their parents lack “the ability to love.” *Ibid.*

The record is clear: the State’s purpose “is to ‘protect’ runaway children with gender dysphoria *from their parents* who might hinder their desired treatment. Those parents are the clear ‘targets’ of the law.” Pet.App.57a (Tung, J., dissenting from denial of rehearing en banc).

Structure. Washington targets parents through a regulated intermediary—the State’s shelters. The machinery is built to overcome parents at every step. It begins by placing sex-affirming parents “in the same category as parents who are abusive or neglectful.” Pet.App.52a. Because of that, when a shelter takes in such a child, it is “banned from notifying the parents and must instead report the incident to a state agency that would facilitate ‘gender-affirming’ treatment for those children.” Pet.App.60a. And the Department itself doesn’t need to contact the parents when the estranged child declines to provide their contact information. Wash. Rev. Code § 13.32A.082; Pet.App.184a–188a.

The amendments also discard the former three-day reunification deadline, leaving only a vague duty to “[o]ffer services designed to resolve the conflict and accomplish a reunification of the family,” on no fixed timeline. Wash. Rev. Code § 13.32A.082(3)(b)(ii). So, “by the law’s design, this could all be done without the parents’ knowledge or consent.” Pet.App.60a (Tung, J., dissenting from denial of rehearing en banc).

At each step, the State “clear[s] the path of obstacles”—that is, of *parents*—“for the child to receive ‘gender-affirming treatment.’” Pet.App.53a. That Washington regulated the shelters rather than the parents directly makes them no less “the objects

of the law for purposes of standing.” Pet.App.57a (citing *Diamond*, 606 U.S. at 115). The laws’ structure is designed to keep parents from discovering their child’s whereabouts or condition and “seeks to alter the parents’ behavior by compelling them to ‘affirm’ their child’s gender identity, or suffer the consequences of not being able to reunite with their runaway child and participate in their child’s treatment for gender dysphoria.” *Ibid*.

Predictable effects. These laws’ predictable effects also confirm the same target. Washington enacted these laws “to remove barriers” for gender-confused children to “access[] shelters that would facilitate ‘gender-affirming’ treatment.” Pet.App.63a. That result is no accident. “The whole point” is to enable youth to receive these services against their parents’ wishes, and Washington is “presumably defending” these amendments because they think the laws will do just that. *Diamond*, 606 U.S. at 118.

Under that machinery, the predictable effect—luring gender-confused children away from their parents and into the arms of the State—will destroy fit parents’ rights to control the upbringing and healthcare of their children. See *Parham v. J.R.*, 442 U.S. 584, 602 (1979). Purpose, structure, and predictable effects all point one way: these parents are the *reason* Washington amended its laws.

Consider the natural result of Washington’s design. A child can be hidden from her parents for months, subjected to government-imposed, life-altering, and experimental medical interventions without (and against) her parents’ consent. See *United States v. Skrametti*, 605 U.S. 495, 524 (2025)

(quoting England’s National Health Service’s report that there is “no good evidence on the long-term outcomes of [these medical] interventions to manage gender-related distress”). Meanwhile, those with the constitutional rights to that child’s care, custody, and control are left frantic and powerless—unable to learn where she is, whether she is safe, or whether she will ever return. And because Washington made reunification essentially a matter of the Department’s discretion, parents who refuse to relent to the State’s orthodoxy can be kept from their child for as long as the State wishes. These harms compound: beyond the experimental interventions worked on the child, the State’s prolonged separation fractures the parent-child relationship itself—a constitutionally protected bond that estrangement of this length may leave beyond repair.

C. Petitioners need not wait for their children to run away: Washington injures them now and places them at substantial risk of greater injury.

By branding sex-affirming homes unsafe and building the machinery to hide children from their families, Washington inflicts both present and future injuries.

As to present injuries, the challenged laws force these parents to change how they raise their children—to temper their convictions and to counsel their gender-confused children only as the State allows, “lest those children, prompted by Washington’s novel law, leave home for a state-run shelter that will help them undergo transition

procedures in secret.” Pet.App.36a (VanDyke, J., dissenting from denial of rehearing en banc).

The future injuries are also dire. A threatened harm confers standing when it is “certainly impending” or poses a “substantial risk” of occurring. *Susan B. Anthony List v. Driehaus*, 573 U.S. 149, 158 (2014); *Department of Com. v. New York*, 588 U.S. 752, 767 (2019). Washington’s machinery supplies that substantial risk *by design*. By requiring shelters to withhold parental notification and to funnel runaways toward “gender-affirming” services, the law “makes running away to those shelters attractive” for many gender-confused children. Pet.App.56a (Tung, J., dissenting from denial of rehearing en banc).

Notably, this case concerns not just any parents, but “parents with children who suffer from gender dysphoria and are [already] at risk of running away.” Pet.App.51a. For such children, Washington’s design is not a marginal nudge but a powerful inducement to run away, thereby making the resulting loss of parental control not a remote contingency but a substantial risk—especially when the State’s goal “is to prevent the parents from knowing . . . of their child’s arrival at the shelter and his or her receipt of ‘gender-affirming’ treatment.” Pet.App.55a.

The facts here prove this substantial risk. One Petitioner’s child has already run away over the parents’ refusal to affirm a transgender identity, and that child still identifies as transgender at school and sees a pro-transgender counselor there. Pet.App.60a–62a. Another child was encouraged “to run away” by a friend’s family for the same reason, and a third was

encouraged by a sibling to run away to a “safe place” to transition. Pet.App.53a–54a.

Washington’s design drastically increases these runaway risks. And if a gender-confused child takes the State up on its offer, she flees from home into a state-run shelter, undergoes “transition procedures in secret,” Pet.App.36a (VanDyke, J., dissenting from denial of rehearing en banc), and returns—if at all—bearing “permanent bodily and psychological damage” that no amount of compensatory damages can undo, Pet.App.53a, 56a (Tung, J., dissenting from denial of rehearing en banc) (describing the “potential irreparable damage wrought upon children by such treatment”). And all the while, parents are helpless and left in the dark.

Ultimately, parents who disagree with the State’s preferred treatment for their gender-confused child must either abandon their convictions about how to raise their child or accept the substantial risk of losing that child to the very harm the State intends to inflict. The Constitution tolerates no such ultimatum, and Article III does not require parents to “first subject their child to irreparable injury” before earning “their day in court.” Pet.App.48a (VanDyke, J., dissenting from denial of rehearing en banc).

II. An injury caused by a third party’s predictable response to government action is fairly traceable to that action.

Because Petitioners are the “object” of these amendments, there is “little question” that the laws cause their injury. *Diamond*, 606 U.S. at 114. But the court below never asked about object status. Instead,

the court treated these parents as strangers to the statutes, reasoning that the parents’ alleged harm would arise only through a “convoluted series of events” turning on the choices of others. Pet.App.22a.

That reasoning sounds in traceability, not injury in fact. And Petitioners can conclusively “show that the third parties” involved in this statutory scheme “will likely react in predictable ways that in turn will likely injure [Petitioners].” *FDA v. Alliance for Hippocratic Med.*, 602 U.S. 367, 383 (2024) (citation modified).

A. The panel’s “self-inflicted” and “speculative” rulings are causation holdings mislabeled as injury in fact.

The Ninth Circuit denied standing based on what it called a failure to allege an injury in fact. See Pet.App.14a (“The Individual Plaintiffs Lack Standing Based on Current Injuries”); Pet.App.19a (same as to future injuries). But that flawed logic sounded in traceability, not injury.

Start with the parents’ present injuries. The panel called that harm “self-inflicted,” suffered “in response to” the laws rather than because of anything the laws command. Pet.App.15a–16a (citation modified). But that is a causation holding, and the court below misunderstood the self-inflicted-injury rule it invoked. That rule says a harm flowing from the plaintiff’s own independent choice is not fairly traceable to the defendant. *Clapper v. Amnesty Int’l USA*, 568 U.S. 398, 417–18 (2013). What it forbids is a plaintiff manufacturing standing by injuring herself in reaction to an *imagined* risk. *Id.* at 416. What it

leaves untouched is the plaintiff whose protective response counters a harm the government intends to produce—there, the injury traces to the government, not the plaintiff’s own hand.

Turn next to the parents’ future injury. The panel held that those injuries depend on a “chain” of acts by others. Pet.App.30a. Injury that turns on “the independent action of some third party not before the court” is a paradigmatic causation question. *Lujan*, 504 U.S. at 560 (citation modified). To establish standing, plaintiffs must show that such third-party choices “will be made in such [a] manner as to produce causation.” *Id.* at 562. The panel again folded causation into injury in fact.

But elsewhere, the panel kept these standing elements apart, setting aside Petitioners’ argument based on *Massachusetts v. EPA*, 549 U.S. 497 (2007), because the quoted language went to “the redressability requirement, not the injury-in-fact requirement.” Pet.App.24a. Yet as to the two injuries above, the panel merged concepts. Had it asked the relevant causation question—whether the parents’ injuries are fairly traceable to the challenged laws—Petitioners’ standing would have been clear.

B. Because Washington engineered the predictable chain that produces Petitioners’ injuries, those injuries are fairly traceable to the State.

Injury that flows from a government action’s “predictable effect ... on the decisions of third parties” is fairly traceable to the government, even if those third parties are not before the court. *Department of*

Com., 588 U.S. at 768; *Diamond*, 606 U.S. at 112. The challenged laws work through two such actors: the shelters the State commands and the children it draws to them. Neither breaks the predictable—and intended—causal chain.

1. The shelters are not independent actors; the State licenses and directs how they treat (and harm) parents.

The shelters pose no traceability problem because a party acting under legal command is not an independent actor. The causation concern *Lujan* identified—injury that flows from “the independent action of some third party,” 504 U.S. at 560 (citation modified)—has no purchase where the third party has no independent choice to make.

As Part I.B details, Washington bans shelters from notifying parents about where their distressed children are and instead requires those shelters to route children into “gender-affirming” services. Pet.App.59a–60a (Tung, J., dissenting from denial for rehearing en banc). The State does not predict that response or hope for it; it compels it. And injury produced by the “determinative or coercive effect” of official action “upon the action of someone else” is fairly traceable to the government as a matter of law. *Bennett v. Spear*, 520 U.S. 154, 169 (1997). For the shelters, then, there is nothing to predict—only a command to obey.

2. Washington built the incentive to flee, so the child’s predictable response is attributable to the State.

The child’s decision to run away is exactly the kind of predictable response that preserves the causation chain. Causation does not fail merely because an injury passes through a third party’s choice. Courts must gauge predictability through commonsense inferences about incentives. *Diamond* itself relied on “commonsense economic principles” to conclude that others would respond as expected to the challenged standards. 606 U.S. at 116. Predictable effects are traceable; only speculative ones are not. *Department of Com.*, 588 U.S. at 768.

Here, the predictable effect is obvious. Washington does not merely foresee a child’s flight—it orchestrates it, wiring every incentive that pulls a gender-dysphoric child toward its shelters. The State brands sex-affirming homes as “not safe,” Pet.App.95a, and casts parents as “standing between their [child] and essential health care services,” Pet.App.90a, 95a–96a. And it promises these vulnerable children—already at odds with their parents—that its laws will “remove barriers” to the very “gender-affirming” services they seek. Pet.App.63a (Tung, J., dissenting from denial of rehearing en banc).

A gender-dysphoric child’s flight to such a shelter is no speculative contingency. The law bars the shelter from notifying the parents, and it leaves any contact the State makes with the parents entirely in the hands of the child, making the shelter the “most attracti[ve]” place for a child demanding medicalized transition against her parents’ wishes. Pet.App.61a.

Where the government structures incentives to drive particular third-party responses, that response is predictable as a matter of law, and the resulting injury is fairly traceable. *Diamond*, 606 U.S. at 112.

C. Alliance for Hippocratic Medicine does not control here.

Alliance for Hippocratic Medicine is not to the contrary. That case turned on what this Court characterized as a chain of decisions “too speculative or ... too attenuated to establish standing.” *Alliance for Hippocratic Med.*, 602 U.S. at 390. According to the Court, some of those links depended on the choices of third parties where neither those choices nor their “ripple effects” were predictable or proven by record evidence. *Id.* at 383. And no evidence showed an intent to target the petitioner doctors who were not the object of agency action. So the Court found no standing. *Id.* at 386.

Washington’s regime is the opposite. The State built each step deliberately to harm parents just like Petitioners. The child’s flight, the shelter’s silence, and the agency’s referral converge, by design, on the intended harm: the violation of these parents’ rights. While the harm to the petitioner doctors in *Alliance for Hippocratic Medicine* was not the government’s object, Washington designed a system to produce the very injury Petitioners suffer. Such a designed causal chain is governed by *Diamond*, 606 U.S. at 112, not *Alliance for Hippocratic Medicine*.

III. Redressability follows from injury and traceability: a favorable decision would relieve the injuries these laws inflict.

Redressability requires little more. “If a defendant’s action causes an injury, enjoining the action or awarding damages for the action will typically redress that injury.” *Alliance for Hippocratic Med.*, 602 U.S., at 381. A plaintiff simply needs to show that it is “likely, as opposed to merely speculative, that the injury will be redressed by a favorable decision.” *Lujan*, 504 U.S. at 561 (citation modified).

This Court has made the causation-redressability link explicit, treating them as “flip sides of the same coin.” *Alliance for Hippocratic Med.*, 602 U.S. at 380 (citation modified). It asks whether “third parties will likely react to the government regulation (or judicial relief) in predictable ways that will likely cause (or redress) the plaintiff’s injury.” *Diamond*, 606 U.S. at 112 (citation modified). Having shown that Washington’s design predictably produces Petitioners’ injuries, Petitioners have necessarily shown that dismantling that design would predictably relieve them.

A favorable decision would undo the barriers the amendments erected: shelters would no longer be forbidden from notifying parents when the State takes custody of a child, and the State’s open-ended hold on reunification would fall away. Lifting the State’s command also dissolves the incentive it built—a shelter no longer required to conceal a child’s arrival ceases to be the most attractive location for a gender-confused child seeking medicalized transition against her parents’ wishes. Petitioners have satisfied

every element of standing and may challenge the laws built to injure them.

CONCLUSION

The judgment of the court of appeals should be reversed.

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