

SUPREME COURT 2025-2026: **Religious Liberty Cases to Watch**

DECIDED BY THE SUPREME COURT

***Chiles v. Salazar* (No. 24-539):**

Protecting compassionate counseling for transgender kids

Recent years have seen an explosion in the number of children identifying as transgender. Many of these children have been led down a path of “gender transition”—enduring a regime of drugs, hormones, and surgeries that often results in profound regret and permanent health harms. The harms are so significant that 25 states and several European countries have banned or strictly limited gender transitions for children, advocating instead for compassionate counseling for their distress. Unfortunately, Colorado bans this compassionate approach, forcing therapists like Kaley Chiles to turn away children and families or risk losing their licenses and suffer crippling fines.

Status: Alliance Defending Freedom filed a petition for a writ of certiorari on behalf of Chiles at the Supreme Court in 2025, and the Court agreed to hear the case. Oral argument took place on October 7, 2025. Becket filed a friend-of-the-court brief at the Supreme Court in support of Chiles, urging the Court to protect counselors’ ability to offer compassionate talk therapy to children experiencing gender dysphoria. On March 31, 2026, the Court ruled in favor of Chiles.

***First Choice Women’s Resource Centers v. Davenport* (No. 24-781):**

Safeguarding religious ministries’ vital care to women in need

First Choice Women’s Resource Centers is a pro-life, Christian ministry in New Jersey that offers free counseling, medical services, and material support to women facing unplanned pregnancies. In 2023, New Jersey tried to force First Choice to disclose how it applies its statement of faith, works with churches to support its ministry, relates to other pro-life organizations, and raises funds to support its ministry. First Choice is defending its ability to continue its religious ministry without government interference.

Status: Alliance Defending Freedom filed a petition for a writ of certiorari on behalf of First Choice at the Supreme Court in 2025, and the Court agreed to hear the case. Oral argument took place on December 2, 2025. Becket filed a friend-of-the-court brief in support of First Choice, urging the Court to protect the rights of faith-based ministries to access federal court and protect their religious governance from an overweening state investigation. On April 29, 2026, the Court ruled unanimously in favor of First Choice.

***West Virginia v. B.P.J.* (No. 24-43):**

Protecting religious institutions’ ability to distinguish on the basis of biological sex

West Virginia passed the Save Women’s Sports Act to ensure that girls’ athletic teams are based on biological sex—preserving fairness, safety, and equal opportunity for female athletes. A middle school student who identifies as transgender challenged the law, and the Fourth Circuit blocked it. West Virginia is now asking the Supreme Court to restore the state’s ability to maintain sex-based teams in public schools.

Status: West Virginia filed a petition for a writ of certiorari at the Supreme Court in 2024, and the Court agreed to hear the case. On the same day, the Court also granted review in *Little v. Hecox*, a challenge to a similar law in Idaho. Oral argument took place on January 13, 2026. Becket filed a friend-of-the-court brief supporting West Virginia, highlighting how decisions like the Fourth Circuit’s don’t stop with sports teams. They can have far-reaching consequences for religious schools, religious healthcare providers, and other faith-based institutions to operate according to their beliefs about sex. On June 30, the Supreme Court ruled that Title IX allows West Virginia to continue requiring public schools to separate sports teams by biological sex.

SUPREME COURT REVIEW GRANTED



St. Mary Catholic Parish v. Roy (No. 25-581):

Protecting religious schools' ability to participate in publicly available programs

In 2022, the Colorado legislature created a “universal” preschool funding program to provide all parents of prekindergartners with 15 hours per week of free preschool education at the private or public school of their choice. Colorado’s Department of Early Childhood, however, blocked parents who send their kids to Catholic preschools from participating in the program. In 2023, Becket filed a federal lawsuit against Colorado to protect the ability of families who send their children to Catholic preschools to participate in the State’s universal preschool program.

Status: On November 13, 2025, the Archdiocese of Denver, a group of Catholic preschools, and a Catholic family in Colorado asked the Supreme Court to stop the state from excluding them from the “universal” preschool program because of their faith. On April 20, the Supreme Court agreed to hear the case.

