



**To all persons under the age of 18 and their parents and guardians where the minors received gender-affirming hormones or would wish to receive them because of their transgender or gender-diverse status**

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As you may know, since 2023, Indiana law has prohibited medical practitioners from providing gender-affirming hormones to minors who are transgender or gender diverse when the purpose of the hormones was to address a disconnect between the minor's birth-assigned gender and their gender identity. We are the attorneys who filed a case challenging the law, *K.C. v. Individual Members of the Medical Licensing Board of Indiana*, No. 1:23-cv-595-JPH-KMP (Southern Dist. of Indiana).

On behalf of the minors, we claimed in the lawsuit that the law violated equal protection. On behalf of parents and guardians, we claimed that the law violated the due process right of parents and guardians to obtain necessary medical care for the young persons. The case was certified as a class action, meaning that we represented not just our clients, but all minors in a similar situation as well as their parents and guardians. We represent the class as well as the plaintiffs filing the case.

Although we were successful in obtaining a preliminary injunction stopping the law, it was reversed on appeal. The appeals court found that we were unlikely to succeed on either the due process or equal protection claim. And after the appeals court decision was issued, the Supreme Court, in a case called *Skrmetti*, held that a Tennessee law containing a prohibition similar to Indiana's did not violate equal protection.

Inasmuch as the trial court only issued the now-reversed preliminary injunction and there has been no final decision in our case, the case remains pending. However, given the decision of the appeals court and the Supreme Court, it makes no sense to continue the case as these prior decisions are binding and therefore conclusive of the legal claims that they resolved. Therefore, we are proposing to dismiss the case. The attorneys for the State are requiring that the dismissal of the class claims noted above be "with prejudice." This means that the case cannot be filed again and this applies to class members as well as the plaintiffs who filed the case. However, the State agrees that if there is a change to the law in the future such that the law can be successfully challenged, a plaintiff minor or parent/guardian can seek to reopen the case.

Because this is a class action, the law requires that the case cannot be dismissed without notice to the class and without the Court determining that the dismissal is a fair, reasonable, and adequate resolution of the case. This notice is designed to inform you of the proposed dismissal.

If you have any comments about the proposed dismissal, please notify us within 30 days of June 24, 2026. You can do so by email or by letter to the address below. The Court will hold a hearing following this period and will determine whether the dismissal should be allowed. We will summarize the comments we receive without mentioning the name of the person making the comment. If you would like us to mention your name and disclose your comment, please put on your comment, "I AUTHORIZE THIS DOCUMENT TO BE PROVIDED TO THE COURT." Please note that anything filed in court is a public record, which means that your comment will be available to the public if you authorize its disclosure.

Thank you very much. Ken Falk, Gavin Rose, Stevie Pactor, ACLU of Indiana, [kfalk@aclu-in.org](mailto:kfalk@aclu-in.org)