



PRESS RELEASE

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ATTORNEY GENERAL PAXTON AFFIRMS CONSTITUTIONALITY OF COURTROOM PRAYER AND VOLUNTEER CHAPLAINS

After Judge Wayne Mack was “strongly cautioned” to stop opening court sessions in prayer and dismantle his volunteer chaplaincy program, Texas Attorney General says both practices are constitutional

Austin, TX – Today, Attorney General Ken Paxton issued a legal opinion affirming the constitutionality of Judge Wayne Mack’s volunteer chaplaincy program and his practice of allowing volunteer chaplains to open court sessions in prayer. [Read the opinion](#)

“This is a total victory for Judge Mack and for the citizens of Texas,” Kelly Shackelford, President and CEO of First Liberty Institute, says. “If the Supreme Courts of the United States and Texas can open with prayer, clearly, the law allows for Judge Mack’s court to open with an invocation by a volunteer chaplain. We are grateful Attorney General Paxton has brought clarity to this important issue, reaffirming the constitutionality of prayer in the public arena.”

In 2015, Judge Wayne Mack was brought before the Texas State Commission on Judicial Conduct due to a complaint about his inter-faith, volunteer chaplaincy program and his practice of allowing volunteer chaplains to open his courtroom sessions in prayer.

First Liberty Institute represented Judge Mack at a hearing before the commission, resulting in the commission dismissing the complaint. However, the Commission “strongly cautioned” Judge Mack to dismantle the chaplaincy program and end his opening ceremonies that included the courtroom prayer.

In February, Texas Lt. Governor Dan Patrick asked Attorney General Ken Paxton to issue a legal opinion clarifying the constitutionality of Judge Mack’s actions. Today, Attorney General Paxton affirmed that Judge Mack’s practices are well within the bounds of Texas law and the Constitution.

“This has been a long and arduous process,” Judge Wayne Mack says. “I’m thankful for Lieutenant Governor Patrick’s request for an opinion on this important issue and that Attorney General Paxton made clear that the Constitution permits judges to invite volunteer chaplains to open sessions of court with prayer. This is a clear victory for religious liberty.”

Read more about Judge Mack’s case at FirstLiberty.org/JudgeMack

About First Liberty Institute

[First Liberty Institute](http://FirstLiberty.org) is the largest legal organization in the nation dedicated exclusively to defending religious freedom for all Americans. *To arrange an interview, contact Kassie Dulin, Director of Legal Communications for First Liberty Institute. Email: kdulin@firstliberty.org, Direct: 972-941-9575, Cell: 214-542-4334.*

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