



*Judge Wayne Mack, Montgomery County, TX Justice of the Peace  
(Photo credit: courtesy of First Liberty Institute)*

## **JUDGE SEEKS TO DISMISS LAWSUIT ATTACKING MULTI-FAITH CHAPLAIN INVOCATIONS**

*With the support of Texas Attorney General Ken Paxton, Judge Wayne Mack's legal team defends the constitutionality of opening court with an invocation*

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**Conroe, TX** – Today, First Liberty Institute and the law firm of Gibson Dunn & Crutcher LLP, on behalf of their client Judge Wayne Mack, are asking a Texas federal court to dismiss a lawsuit seeking to end to the practice of opening court sessions with an invocation. Read the [response](http://FirstLiberty.org/JudgeMack) at [FirstLiberty.org/JudgeMack](http://FirstLiberty.org/JudgeMack). Texas Attorney General Ken Paxton intervened in the lawsuit in support of Judge Mack.

“If the Supreme Court, Congress, and cities and towns across the country can open their meetings with an invocation, then Judge Mack can certainly do so,” said Hiram Sasser, Deputy Chief Counsel for First Liberty Institute. “Judge Mack simply allows chaplains from all faiths to provide invocations in the same manner recently approved by the United States Supreme Court.”

In the lawsuit, Plaintiffs allege that, despite a rich, national history of opening public meetings with an invocation and several Supreme Court decisions upholding the practice, Judge Mack’s practice is unconstitutional. In response, First Liberty attorneys point to the fact that both the Texas Supreme Court and the Texas legislature open their sessions with an invocation.

"I was stunned to learn that I had been sued because I provide the opportunity for chaplains from all faith traditions to offer an invocation. I thought the Attorney General's opinion settled this issue," Judge Mack says. "I look forward to putting this behind me so I can get back to the important business of serving the citizens of Montgomery County."

U.S. Congressman Kevin Brady from Texas rallied behind our client, saying, "Make no mistake, this hollow federal lawsuit is designed specifically to intimidate Judge Mack and others who are following our national traditions in the footsteps of the Founding Fathers. It will fail. Judge Mack has the courage to stand strong for our history and tradition, and I, and many others in our nation, are proud to stand with him."

In 2015, a complaint was filed with the Texas State Commission on Judicial Conduct about Judge Mack's inter-faith, volunteer chaplaincy program, and his practice of allowing volunteer chaplains to open his courtroom sessions with an invocation. First Liberty Institute represented Judge Mack at a hearing before the Commission.

In February of 2016, Texas Lt. Governor Dan Patrick asked Attorney General Ken Paxton to issue a legal opinion clarifying the constitutionality of Judge Mack's actions. In August of 2016, Attorney General Paxton affirmed that Judge Mack's practices are well within the bounds of Texas law and the Constitution.

Read more about the case and view photos at [FirstLiberty.org/JudgeMack](http://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.

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