



Press Release

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Contact: Lacey McNiel, media@firstliberty.org

Direct: 972-941-4453

Federal Judge Allows Lawsuit Challenging Multi-Faith Invocations to Proceed

First Liberty attorney says decision inconsistent with history, tradition

CONROE, Texas—A Texas federal judge today allowed a lawsuit against Montgomery County, Texas, to continue its challenge against courtroom invocations of its Justice of the Peace, Judge Wayne Mack, allowing voluntary chaplains to open courtroom ceremonies with an invocation and the pledge of allegiance. The volunteer chaplaincy program included leaders from multiple faiths, including Christian, Buddhist, Hindu, and Mormon religious leaders.

“Censorship is not part of our tradition and values,” said Chelsey Youman, Counsel for First Liberty. “If the U.S. Supreme Court and the Texas Supreme Court can open their sessions with prayer, why not Judge Mack? It’s a shame that a group from Wisconsin is wasting taxpayer dollars, forcing Montgomery County to defend something the Supreme Court of the United States has twice said is legal.”

First Liberty Institute represented Judge Mack in this lawsuit in his personal capacity until he was dismissed from the suit in that capacity on January 10, 2018. On Friday, January 19, 2018, a federal district judge permitted the lawsuit to continue against Montgomery County, Texas.

The U.S. Supreme Court has spoken twice on the constitutionality of invocations before government proceedings. The Court found in *Marsh v. Chambers* (1983) and *Town of Greece v. Galloway* (2014) that invocations before government meetings are fully consistent with the Constitution and an important part of America’s history and tradition. In 2016, Texas Attorney General Ken Paxton issued a legal opinion affirming that Judge Mack’s practices are well within the bounds of Texas law and the U.S. Constitution.

To learn more, visit FirstLiberty.org/JudgeMack.

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About First Liberty Institute

[First Liberty Institute](http://FirstLiberty.org) is a non-profit public interest law firm and the largest legal organization in the nation dedicated exclusively to defending religious freedom for all Americans.

To arrange an interview, contact Lacey McNiel at media@firstliberty.org or by calling 972-941-4453.