



News Release
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Texas Justice of the Peace Seeks to Overturn Decision Invalidating Invocations in Courtroom

The practice is consistent with the nation's rich historic tradition of opening judicial proceedings with invocations

New Orleans, LA— First Liberty Institute and the law firm of Gibson, Dunn & Crutcher LLP, on behalf of their client Judge Wayne Mack, filed a brief asking the U.S. Court of Appeals for the Fifth Circuit to reverse a lower court decision that invalidated Mack's practice of recognizing volunteer chaplains—including Muslim, Jewish, Buddhist, and Christian religious leaders—who sometimes open court sessions with a brief invocation.

A copy of the brief can be read [here](#).

“The brief ceremony honors the community service of volunteer chaplains from a wide array of faiths and follows a long, historic tradition of opening judicial proceedings with an invocation,” said Allyson Ho, a partner at Gibson, Dunn & Crutcher.

“I simply provide the opportunity for our volunteer chaplains from all faith traditions to offer remarks and, if they choose, a brief invocation,” said Judge Mack. “It is frustrating that this lawsuit against a longstanding, historic practice continues to distract us from the business of serving the people of Montgomery County.”

“American has a rich tradition of opening public meetings—including judicial proceedings—with an invocation,” Jeremy Dys, Special Counsel for Litigation and Communications for First Liberty, said. “Welcoming a volunteer chaplain to lead an invocation according to the tradition of his or her faith reflects the very best of our nation's values.”

In July, the Fifth Circuit issued a stay permitting Judge Mack, a Montgomery County Justice of the Peace, to continue allowing volunteer chaplains to offer invocations at the start of his court sessions while a lawsuit against him is considered.”

Mack, whose duties include serving as a coroner for Montgomery County, created a volunteer chaplaincy program to aid members of the community while he conducts independent death investigations. In his role as Justice of the Peace, Judge Mack allows the multi-faith, volunteer chaplains to open his courtroom ceremonies with a brief invocation and the pledge of allegiance in order to honor their service. The chaplaincy program includes leaders from multiple faiths, including Christian, Sunni Muslim, Buddhist, and Hindu religious leaders.

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About First Liberty Institute

[First Liberty Institute](#) is the largest legal organization in the nation dedicated exclusively to defending religious freedom for all Americans.

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