



**PRESS RELEASE from
LIBERTY JUSTICE CENTER**

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**Lawsuit challenges campaign contribution limits to judicial races in
Illinois**
***Federal lawsuit says new restrictions banning out-of-state contributions violate
free speech***

CHICAGO (Aug. 3, 2022) — A new federal lawsuit says limits on political donations in Illinois judicial races are illegal and violate the U.S. Constitution. In the last year, Illinois has enacted two bills that restrict contributions only in judicial campaigns by, among other things, prohibiting out-of-state donations to candidates and placing arbitrary limits on contributions to independent expenditure committees. Now, a longtime Illinois resident and two affected groups are suing the Illinois State Board of Elections, members of the Board, and Illinois Attorney General Kwame Raoul to stop the illegal restrictions.

Matt Chancey, a former Illinois resident, Fair Courts America, and Restoration PAC wish to speak through their contributions in upcoming Illinois judicial elections. Illinois' limits on their ability to support judicial candidates violates their free speech rights provided by the First Amendment of the U.S. Constitution. They have filed a federal lawsuit with representation from attorneys at the Liberty Justice Center, a national, nonprofit law firm dedicated to protecting Americans' constitutional rights.

“Political donations are a way for donors to show support for candidates and have been repeatedly protected as speech by the U.S. Supreme Court,” said **Jeffrey Schwab, senior attorney at the Liberty Justice Center and lead attorney on the case**. “Any government efforts to limit donations, and therefore limit speech, must pass a high level of scrutiny to be upheld. Illinois' new restrictions in only judicial races do not pass this test and must be struck down.”

Chancey is a licensed attorney who recently retired out of state after 63 years in Illinois. Under an Illinois law signed by Illinois Governor JB Pritzker in 2021, he is barred from contributing to the judicial campaigns for friends and former colleagues.

“Illinois' new law restricting out-of-state donors seems like a solution in search of a problem,” said **Matt Chancey, plaintiff, and longtime Illinois resident**. “As a 63-year resident of Illinois and an attorney there are many friends and colleagues I'd like to support in upcoming elections. This ban is an unnecessary and illegal limit on my right as an American to speak in politics through my support for candidates.”

Two Illinois-based independent expenditure committees, Fair Courts America and Restoration PAC, are also seeking to participate in judicial campaigns in the state and are now prohibited from accepting donations over \$500,000.

"It's obvious that Illinois politicians have passed laws trying to disenfranchise their opponents by restricting their political speech," said **Restoration PAC Founder and President Doug Truax**. "That's unconstitutional and anti-American and both laws need to be struck down immediately."

Background

Senate Bill 536, enacted in Nov. 2021, prohibits candidates for Supreme Court, Appellate Court, or Circuit Court from accepting "contributions from any out-of-state person." The U.S. Supreme Court has said that "the First Amendment stands against ... restrictions distinguishing among different speakers, allowing speech by some but no others." The government cannot place restrictions on one group of people—in this instance "out-of-state persons." This is a clear violation of the First Amendment right of these Americans to support or oppose Illinois judicial candidates.

Enacted in May 2022, House Bill 0716 says any independent expenditure committee to support or oppose a judicial candidate "may not accept contributions from any single person in a cumulative amount that exceeds \$500,000 in any election cycle." It also requires that any amount received that exceeds \$500,000 must be immediately forwarded to the State Treasurer who will deposit the funds into the State Treasury. Only committees for judicial candidates are restricted by Illinois law. Similar groups established to support any other candidate may receive an unlimited amount of money from any person.

The lawsuit, *Chancey v. Illinois State Board of Elections*, was filed Aug. 3, 2022, in the United States District Court for the Northern District of Illinois, Eastern Division. Case filings are available here: <https://libertyjusticecenter.org/media/illinois-judicial-campaign>

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The Liberty Justice Center is a nonprofit, public-interest litigation center that fights to protect fundamental constitutional rights. The Liberty Justice Center is best known for its 2018 U.S. Supreme Court victory in *Janus v. AFSCME*. Learn more about the Liberty Justice Center at [LibertyJusticeCenter.org](https://libertyjusticecenter.org).