



LIBERTY JUSTICE CENTER

2024

ANNUAL REPORT

LibertyJusticeCenter.org

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WELCOME LETTER

DEAR LJC PARTNER,

These are exciting times at the Liberty Justice Center, and I'm pleased to share this update with you. But first, a quick review of where we've been.

I was one of three attorneys who worked for LJC when we opened our doors in 2011. At that time, we had a simple, but broad, mandate: bring lawsuits to advance liberty in Illinois. And, the state of Illinois, the city of Chicago, and other local governments in the state gave us plenty of work. We had to adapt quickly to battle whatever Illinois politicians threw

at us: campaign finance restrictions to tilt elections in the political establishment's favor; protectionist restrictions on economic liberty to stop newcomers from competing with established businesses; tax schemes that exempted politically connected businesses while forcing an ever-greater burden onto everyone else; and much more.

Then we gained national attention when we sued one of the state's most powerful political players, AFSCME, to challenge a law that forced government employees to pay union fees. We took our client Mark Janus's case all the way to the U.S. Supreme Court—and we won.

With that victory—and the financial support it attracted—we were able to expand our work with lawsuits nationwide to enforce and build on the landmark *Janus* decision. Then we expanded further to bring lawsuits across the country to protect individual rights and enforce constitutional limits on government power in other ways—against states, local governments, and eventually the federal government.

For example, in our first case against the federal government, we filed the nation's first lawsuit challenging the OSHA mandate that would have forced millions of private-sector employees to choose between taking a COVID vaccine and losing their jobs. The day after we filed, a federal appeals court granted our motion to block the mandate. The Supreme Court upheld that decision, and the mandate never took effect.

We've also broadened our portfolio to take on one of the most pressing issues

of our time: educational freedom. We've successfully defended Tennessee's first Education Savings Account program before the Tennessee Supreme Court and defeated a union-backed challenge to North Carolina's Opportunity Scholarship Program. As a result of these victories, thousands of families are now able to access their education funding to attend the school of their choice.

In the past year, we've become the leading legal experts on a related timely and important issue: parental rights. In 2023, California's Chino Valley Unified School District adopted a policy to notify parents if their children started identifying as a different gender at school—for example, by using a different gender's pronouns, restrooms, or locker rooms, or playing on a different gender's sports team. The policy also includes provisions to notify parents if their child is bullied at school. California Attorney General Rob Bonta sued the district to stop the policy, making a baseless argument that it violated California law. We stepped in to defend the district—and won a victory that has allowed the most important part of the parental-notification policy to go into effect. And now we're prepared to defend other school

districts that have signed on as our clients if they're sued over their own parental-notification policies.

Representing public school districts is unusual for us—normally we sue government bodies rather than represent

them. But this illustrates how LJC is unique among liberty-oriented firms: we're flexible in our approach, so we can quickly and effectively respond to the latest threats to liberty, while staying inflexible in the principles we fight for.

And, as you'll see in this report, there's much more.

We're able to do so much work—we've now brought 121 lawsuits in 35 states—thanks to our growing team of talented lawyers who believe deeply in our cause. In 2023, we hired three new senior attorneys, including one dedicated exclusively to advancing educational freedom. All of these new senior lawyers had outstanding resumes and jobs at private-sector firms but decided, on seeing the unprecedented assaults on freedom during the COVID-19 experience, that they'd rather pursue more meaningful mission-driven work. We also hired an exceptionally capable staff attorney and our first litigation fellow, serving a one-year term after graduating from law school.

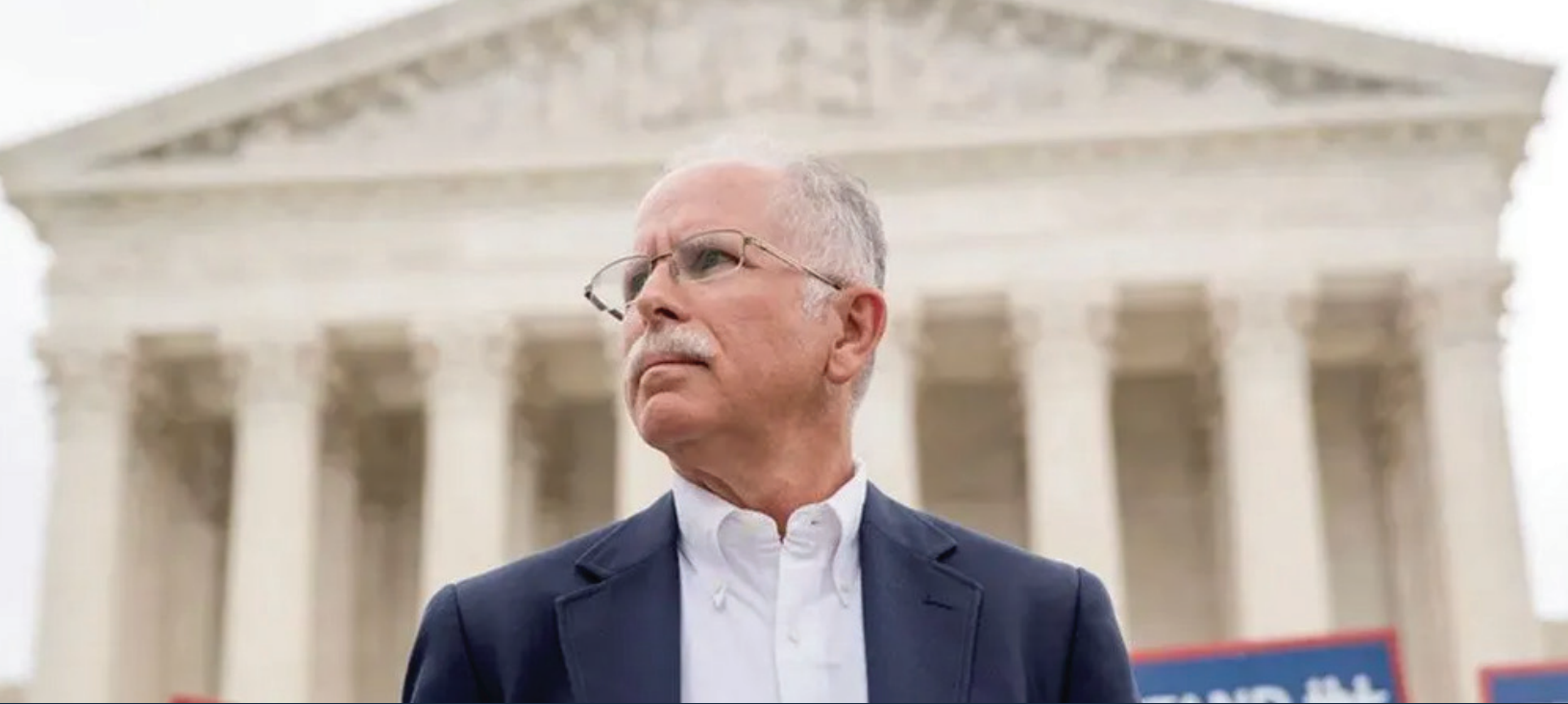
Additionally, we've benefited greatly from the addition of new board members. In 2022, we were thrilled to add Dr. Corey DeAngelis, one of the nation's leading

advocates for school choice. And we were recently honored to add Professor Richard Epstein, the world's foremost libertarian legal scholar, and one of the most cited of all legal scholars, who taught at the University of Chicago Law School for some 38 years before taking his current position at the NYU School of Law.

Of course, none of this would be possible without generous donors who believe in what we do and want to see more of it, for whom we—and our clients—are most grateful. I hope as you review this report, you'll agree that it's work worth supporting.



JACOB HUEBERT, PRESIDENT



JANUS V. AFSCME:

How the Liberty Justice Center Beat the Unions and Won Back Millions of Government Employees' First Amendment Rights

For decades, millions of government employees across the United States—from school teachers to police to firefighters—were forced to give part of every paycheck to a union, in the form of dues or fees, whether they wanted to or not.

That meant those workers were giving money to advance a union's political agenda, whether they agreed with it or not.

That changed—permanently, for all of them—in 2018, when the United States

Supreme Court issued its decision in *Janus v. AFSCME*. In *Janus*, the Court declared that forcing government employees to pay fees to a union means forcing them to pay for union political speech—which violates employees' First Amendment rights.

The Liberty Justice Center is proud to have represented plaintiff Mark Janus in that landmark case—and proud that we're still working alongside Mark, now a senior fellow at LJC, to protect workers' rights to free speech and freedom of association.

THE FORCED FEES ERA

Before *Janus*, forced fees were the law of the land for government employees in 22 states. A 1977 Supreme Court decision, *Abood v. Detroit Board of Education*, said the fees didn't violate the First Amendment, as long as unions used them for things that were "germane" to collective bargaining on employees' behalf and not for politics.

That decision had some glaring problems. For one, it was hard to say which union expenses were "germane." Besides, employees typically didn't have any way to know what the union was spending their money on.

More importantly, the *Abood* rule ignored a key fact about government unions: virtually everything they do is political. When unions bargain with the government, they tell the government things like how much it should spend on employee salaries and benefits, and how it should run its programs. When anyone

else talks to the government about those topics, it's called lobbying—which everyone recognizes as political speech.

That means that anyone who is forced to pay any money at all to a public-sector union is forced to pay for someone else's political speech—and that's something the First Amendment virtually never allows.

In decisions issued in the four decades after *Abood*, the Supreme Court slowly began to recognize these problems. Finally, in a 2014 case called *Harris v. Quinn*, Justice Samuel Alito explained how *Abood's* reasoning was flawed at every step. *Harris* didn't overturn *Abood*, though, but just declined to extend it to a new context (forced union fees for private home care providers paid through Medicaid).

But *Harris* signaled that, given the right case, the Court could be willing to overturn *Abood*.



BRINGING JANUS AND ENDING FORCED FEES

In 2015, Illinois' new Republican Governor, Bruce Rauner, tried to give the Court that opportunity. He brought a lawsuit in Chicago's federal district court arguing that the Illinois law authorizing the state to take union fees from employees who weren't union members violated those employees' First Amendment rights.

But Rauner's case soon ran into trouble. The State's Attorney General argued that Rauner didn't have standing to challenge the fees because it was the workers who were forced to pay the fees, not the governor. The court appeared likely to accept that argument and end Rauner's case.

So the Liberty Justice Center stepped in and took action to save it.

The Liberty Justice Center's team—based, at the time, in Illinois—set out to find state employees who objected to being forced to pay union fees and would be willing to stand up for their rights.

Eventually we found three of them—including Mark Janus, a child-support specialist for the state who disagreed

with many of the positions his union, AFSCME, took when it bargained on his (supposed) behalf.

We intervened in the governor's lawsuit on their behalf. The governor was then dismissed from the case as expected—but LJC's clients were allowed to proceed.

Then the case got put on hold. The Supreme Court had just agreed to hear another case challenging public-sector union fees brought by a California school teacher, *Friedrichs v. California Teachers Association*. Presumably the Court's decision in that case would resolve the First Amendment issue for the entire country—so there was nothing to do in *Janus* but wait for that decision.

Unfortunately, the *Friedrichs* decision never

came because Justice Antonin Scalia died soon after the Court heard arguments in the case. Without Scalia, the case ended in a four-four tie, keeping the law as it was.

The Chicago federal court then unfroze *Janus* and dismissed it—as it had to, because the *Abood* decision remained in force. The Seventh Circuit Court of Appeals swiftly affirmed—as LJC’s attorneys requested—to move that case along to the Supreme Court.

Meanwhile, President Trump appointed, and the Senate approved, Justice Scalia’s replacement, Neil Gorsuch, restoring the Court to nine justices.

We asked the Court to hear Mark Janus’s case (by then, he was the only plaintiff remaining), and in September 2017, it announced that it would do so. The Court heard arguments in February 2018 and issued its decision on the last day of the term, July 27, 2018.

In a majority opinion by Justice Alito, the Court overturned *Abood* and recognized that the government violated “the free speech rights of nonmembers by compelling them to subsidize private speech on matters of substantial public concern.” The Court ruled that government employers could

only take union dues or fees from an employee if the employee affirmatively consented to pay.

In other words, the Court held that the First Amendment demands that employees have a choice.

Thanks to that decision, some five million unionized government employees nationwide, who had been forced to pay money to a union whether they wanted to or not, now had a choice. Employees who weren’t union members—but had been forced to pay union “agency fees” anyway—saw the deductions from their paychecks end immediately.

That was a huge win for employees’ First Amendment freedom to decide for themselves which political groups they will and won’t support with their money.

It was also a huge blow to unions’ coffers, as they no longer enjoyed the benefit of their ill-gotten gains. Since *Janus*, nearly 1.3 million people have opted out of paying a union. In the 22 states affected by the decision, membership has declined by an average of 22.2%. And the decision is expected to have saved workers—and cost unions—\$730 million nationally.

AFTER JANUS

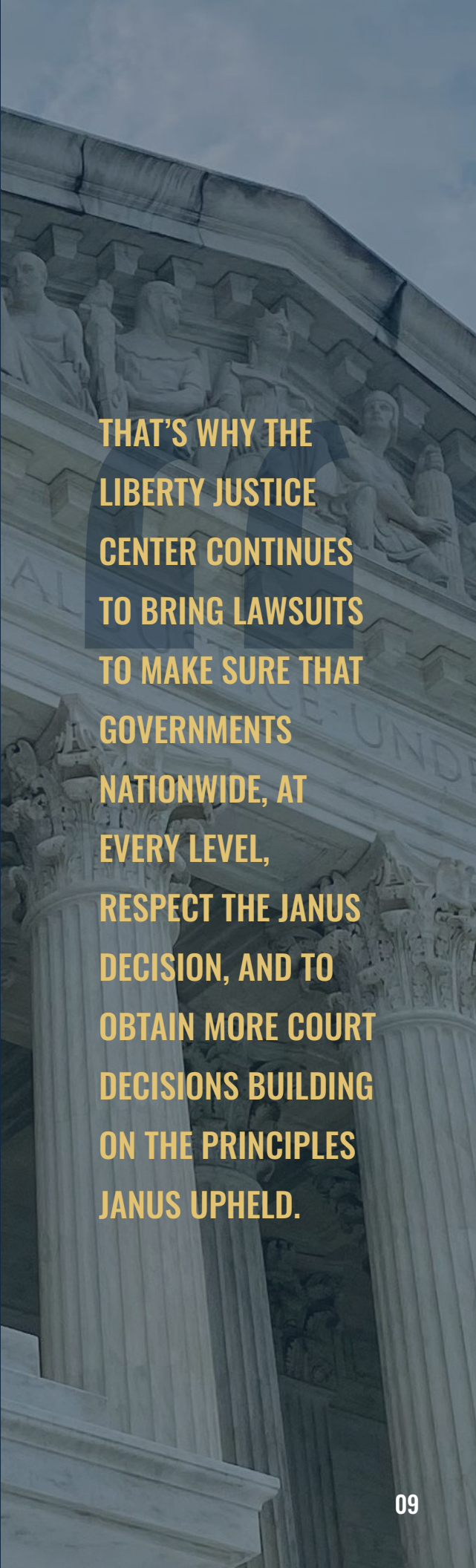
As important as the *Janus* victory was, it was not the end of the battle for government employees' First Amendment rights.

Unions still use every tool at their disposal—including laws passed by their allies in state legislatures in the wake of *Janus*—to take employees' money, whether the employee wants to pay or not.

For example, in many places, governments don't inform new employees of their "*Janus* rights"—so unions can still easily pressure or deceive new hires into signing membership agreements that can lock them into paying dues against their will for years.

And some people who are nominally employed by private entities—but paid by government—are still being forced to pay fees.

That's why the Liberty Justice Center continues to bring lawsuits to make sure that governments nationwide, at every level, respect the *Janus* decision, and to obtain more court decisions building on the principles *Janus* upheld.



THAT'S WHY THE LIBERTY JUSTICE CENTER CONTINUES TO BRING LAWSUITS TO MAKE SURE THAT GOVERNMENTS NATIONWIDE, AT EVERY LEVEL, RESPECT THE JANUS DECISION, AND TO OBTAIN MORE COURT DECISIONS BUILDING ON THE PRINCIPLES JANUS UPHELD.

THE WALL STREET JOURNAL.

The Legally Dubious Campaign Against Kentucky School Choice

Officials seem to violate a state law that bars using tax money to campaign against Amendment 2, a ballot measure.



LOU DOBBS DEAN MCGEE

Bloomberg Law

Employers Banned From Pushing Politics Under Emerging State Laws



The Washington Post

North Carolina high school student suspended for using the term 'illegal alien'

The Washington Post

Opinion

Unions are scoring big wins for workers. Why isn't membership surging?

Judge rules unconstitutional Gov. J.B. Pritzker-backed election law that aided Democrats in November

A Lawsuit Seeks to Stop the National Destruction of Trucking Through the DOL Indep. Contractor Rule

Chicago Tribune

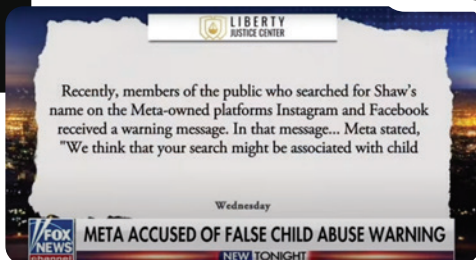
License plate cameras help solve crimes, but are creating a backlash over privacy concerns

MEDIA HITS FOR 2023 & 2024

CBS NEWS

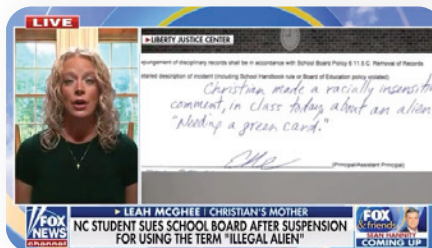
Gov. Gavin Newsom sued by Southern California school district over new law on children's gender identity

CA school district sues Newsom over bill banning schools from notifying parents of child's gender identity



LOCAL NEWS

California attorney general issues warning to school districts with forced outing policy



The Washington Post

North Carolina high school student suspended for using the term 'illegal alien'

DAILY WIRE

College Graduate Sues After Learning Mandatory Tuition Fee Went To Liberal Student Activist Group

POLITICO

Wyoming GOP Gov. Removes Doctor From State Board For Opposing Transing Children

North Carolina student sues school board after suspension for using the term 'illegal alien'

CHALLENGING THE BAN — The Chino Valley Unified School District and several parents [sued California on Tuesday](#) over a new law preventing schools from forcing teachers to alert parents if their child is transgender or gay.

Chino Valley's conservative-majority board passed the state's first policy mandating such communications only to have it gutted in state court in response to a legal challenge from Attorney General **Rob Bonta**. The new lawsuit, carried by the Liberty Justice Center, adds to an existing challenge from the Thomas More Society — which asked a federal judge to block the new law as part of an existing lawsuit against the Escondido school district.

The last two years have been banner years for the Liberty Justice Center in the media, with rapidly increasing coverage and growing public awareness of our work.

In addition to coverage in hundreds of print publications, TV and radio interviews with our attorneys have appeared on major networks, including Fox News, One America News Network, News Nation, and Gray Media channels, with hundreds of local stations picking up those stories to share with their audiences as well. We have also successfully pitched dozens of opinion editorials highlighting our clients' cases and the march for liberty and freedom.

45

TV
APPEARANCES

60

PODCAST
APPEARANCES

21

RADIO
APPEARANCES

52

OP-EDS

149

PRESS RELEASES/
MEDIA ALERTS

3,398

MEDIA HITS

3,576

TOTAL EARNED MEDIA

WHO WE ARE

BETTER KNOW OUR STAFF

Liberty Justice Center has recruited top talent—pulling attorneys away from private practice at some of the nation’s top law firms because they believe in our mission-driven work of fighting for the constitutional rights of American families, workers, advocates, and entrepreneurs.

12

ATTORNEYS

8

RESIDING
IN 8 STATES

14

BARRED IN 14
DIFFERENT STATES

6

ATTORNEYS WITH PRIVATE
PRACTICE EXPERIENCE

INTERNSHIP PROGRAM

The Liberty Justice Center invests heavily in their interns in a variety of ways: by bringing in speakers from outside the organization to talk about a variety of topics from job hunting to media training, having weekly one-on-one meetings with an assigned mentor attorney, to doing **“lunch and learn”** conversations with LJC attorneys.

Beyond this, one of most valuable aspects of interning with LJC was knowing that my time and labor was going toward a cause that I believe in.

Compared to something like a commercial litigation internship, I spent my summer helping fight important legal battles that impact our country at both the local and national level. I felt valued by the people at LJC and I know that they truly want to see me succeed after law school, regardless of where I end up.”

- FORMER LJC INTERN

8-10

LEGAL INTERNS A YEAR FROM TOP 50 LAW SCHOOLS ACROSS THE COUNTRY INCLUDING:

Harvard, Columbia, Georgetown, Wake Forest, University of Chicago, and Brigham Young

GROWTH

AFTER INTERNSHIP

Interns have gone on to prestigious law firms, clerkships, and public policy jobs.



STAFF HIGHLIGHT

Meet Our Newest Attorney, **Bridget Conlan**

Why did you decide to go to law school?

I became frustrated with the (pre-COVID) limitations on food businesses in Illinois as well as the COVID restrictions on individuals and businesses. The constantly changing standards and lack of justifications given for infringing on basic individual freedoms seemed to suggest that individuals should accept any authoritarian rule without further inquiry or challenge. Contrarian to my core, this had the effect of making me more suspicious of overreach by government actors at all levels.

What excites you most about joining LJC full time after you graduate from law school?

Many plaintiffs would struggle to have their case heard without LJC's assistance; fair litigation of these issues is key to stopping government actors that go too far and violate people's rights. I am passionate about fighting back against government overreach, so I look forward to contributing to LJC's efforts in this area.



EDUCATIONAL FREEDOM



STAFF HIGHLIGHT

Get to Know Our Educational Freedom Attorney, Dean McGee

What did you do before joining LJC?

I started my career with a large international firm defending corporate clients in high-stakes securities litigation. In 2020, I moved my family to New York's beautiful Hudson Valley, where I was named partner and head of litigation at a top regional firm in Poughkeepsie. I currently live in the Hudson Valley with my wife and three children.

What interested you in joining LJC?

While I have had a longstanding interest in civil liberties litigation, it was the government's response to the COVID pandemic—particularly the draconian school closures and mandates in my home state—that compelled me to refocus my career from business litigation to constitutional law. LJC was the perfect fit, not just because I had long admired their game-changing First Amendment victory in *Janus v. AFSCME*, but also because of their recent stand for civil liberties during the COVID pandemic and steadfast support for educational freedom.

Why is educational freedom so important?

It is becoming increasingly clear that the educational freedom movement is the cornerstone of the modern civil rights movement. Educational freedom in all its forms—including ESA programs, charter schools, microschooling and homeschooling—represents a lifeline for students who would otherwise be stuck in failing inner-city or rural government-run schools, and for families with individualized needs that are better addressed in alternative educational settings.

What is the greatest threat to educational freedom right now that you are seeing?

Public-sector unions and other entrenched interests have rolled out an aggressive nationwide campaign to undo the recent successes of the educational freedom movement. In the last year alone, major lawsuits have been filed in state supreme courts seeking to destroy school choice programs, including attempts to take down Wisconsin's first-in-the-nation school choice program, Oklahoma's expansion of charter school contracts to religious schools, and South Carolina's nascent Educational Savings Trust Account Program. In Texas, teachers' unions successfully lobbied to kill a school choice bill that would have increased their own members' salaries at public schools just to ensure that students are left without other educational options. And in LJC's founding state of Illinois, we witnessed a feckless state government enact a union-driven moratorium on charter schools and allow for the expiration of a school choice program that was successfully serving 9,600 low-income students. In addition, we are seeing increased censorship, ideological indoctrination,

and the suppression of parents' rights at public schools, all of which undermine the principles of educational freedom.

What should people know about the work that LJC is doing to support educational freedom?

LJC is committed to a multifaceted strategy to advance educational freedom. One pillar of that strategy is to defend currently existing school choice programs against the union-driven lawfare campaign to destroy them.

Another pillar of our strategy is to identify opportunities to go on the offensive and eliminate barriers to educational freedom programs. For example, LJC presented oral arguments before the Mississippi Supreme Court in *Parents for Public Schools v. Mississippi Department of Finance and Administration*, arguing that the state's Blaine Amendment—an 1890 provision in the state's constitution designed to discriminate against education of racial and religious minorities in private schools—was unconstitutional. Eliminating the state's Blaine Amendment

(and those remaining in a few other states) will pave the way for broad school choice programs in the state. LJC also looks for opportunities to influence public policy. To that end, I was proud to draft LJC's first piece of model legislation—the Prohibiting Educational Deed Restrictions Act (PEDRA)—which seeks to prohibit the pernicious practice of local school districts prohibiting the sale of vacant school buildings to charter schools, private schools, and other independent educational organizations. That model legislation passed the Iowa legislature this year and became law.

How can people help support educational freedom?

People can support educational freedom by staying informed about education policy issues, advocating for school choice and parental rights in their communities, and supporting organizations like the Liberty Justice Center that are actively defending educational freedom through litigation and advocacy.



OUR EDUCATIONAL FREEDOM WORK ACROSS THE COUNTRY



CALIFORNIA

LJC Stands up to California Attorney General; Defends Parental Notification Policies

On August 28, 2023, California Attorney General Rob Bonta filed a lawsuit and sought a preliminary injunction against Chino Valley Unified School District for its new parental notification policy that protected parents, students, and teachers.

On September 11, 2023, Chino Valley asked Liberty Justice Center to represent them in their fight against the State of California's attempt to erode parental rights and keep secrets from parents about their own children.

The policy at issue requires schools to notify parents when their children request to socially transition their gender at school by requesting to use new names, pronouns, or bathroom facilities, joining a sports team of a gender different from their birth sex, or requesting to change their official or unofficial school records. At the preliminary injunction hearing on October 19, 2023, the Court denied Bonta's request to block the policy as to students requesting to change their school records to reflect a different gender.



WE DON'T CO-PARENT WITH NEWSOM



On July 15, 2024, California Governor Gavin Newsom signed AB 1955 into law, which makes it illegal for school districts in California to adopt parental notification policies.

On July 16, 2024, on behalf of Chino Valley Unified School District and eight California parents with children in public schools, Liberty Justice Center filed an action to invalidate AB 1955. The new anti-parental rights law violates the Fourteenth Amendment right to parent, the First Amendment right to free exercise of religion, and the Federal Educational Rights and Privacy Act (FERPA), and it forces school board members to either (i) violate their oaths to the Constitution by allowing policies that violate parents' constitutional rights, or (ii) violate AB 1955 by enforcing policies that ensure parents are told when their children are transitioning their children at school.

After the Liberty Justice Center stepped in to defend Chino Valley's parental notification policies, numerous other school districts have retained Liberty Justice Center to help them defend similar policies that protect parental rights, including Anderson Union High School District, Rocklin Unified School District, Orange Unified School District, and the Orange County Board of Education. The Liberty Justice Center has also filed several amicus briefs supporting parental notification policies, including two briefs defending California schools' policies, and two briefs supporting petitions for certiorari asking the U.S. Supreme Court to take up this issue. Liberty Justice Center continues to pursue and seize opportunities to support school boards that seek to keep parents informed of what their children are doing at school via parental notification policies.



NEW YORK

LJC Secures Win for Transparency in New York School District

LJC successfully represented an upstate New York mother after she discovered that her school board was illegally discussing controversial topics in closed executive sessions instead of public meetings. LJC served a demand letter educating the board about its obligations under the state's Open Meetings Law, resulting in a top-to-bottom reformation of the district's policies.



OKLAHOMA

LJC Defends Religious Minorities in Critical Oklahoma Case Impacting Educational Freedom & Religious Liberties

The Liberty Justice Center filed an amicus brief in the U.S. Supreme Court on behalf of the Jewish Coalition for Religious Liberty, Abraham Knowledge Academy, and the Islam and Religious Freedom Action Team of the Religious Freedom Institute, urging the U.S. Supreme Court to review the Oklahoma Supreme Court's decision prohibiting religious organizations from operating charter schools in the state.

Guided by the expertise and experiences of our partners, our brief emphasized that religious charter schools benefit the community at large while also meeting the unique needs of the members of minority religious groups. Invoking the Supreme Court's decision in *Masterpiece Cakeshop v. Colorado*, our amicus brief highlighted the Oklahoma Attorney General's repeated disparagements of minority religions in Oklahoma in connection with his efforts to stop the school, arguing that government action motivated by such animus violates the First Amendment.



MARYLAND

Liberty Justice Center Fights Fourth Circuit Decision Preventing Parents from Challenging Schools' Secretive Gender Transition Policies

The Liberty Justice Center, the Wisconsin Institute for Law & Liberty, and Dr. Erica Anderson—a clinical psychologist with over 40 years of experience, focusing primarily on children and adolescents dealing with gender-identity-related issues—jointly filed an amicus brief in the U.S. Supreme Court in support of the petitioners in *John and Jane Parents 1 v. Montgomery County Board of Education*. The petitioners are Maryland parents challenging a school policy that requires teachers and administrators to conceal students' social transition to a new gender identity at school from parents. The Fourth Circuit, while recognizing the “staggering” implications of the school's parental inclusion policy, found that the parents lacked standing to challenge it because their children were not impacted by the policy. The brief draws on Dr. Anderson's years of experience with gender-questioning youth to advocate for transparency and parental involvement as the best policy for schools and families.





TENNESSEE

LJC Continues to Defend School Choice in Tennessee

As Tennessee contemplates expanding its Educational Savings Account program, LJC continues to defend the state's ESA pilot program against attacks on behalf of schools and families who benefit from the programs. After LJC successfully defended the state's program against municipal plaintiffs, the Tennessee Court of Appeals recently ruled that a group of parents still had standing to challenge the program. If the case proceeds to the Tennessee Supreme Court, LJC will again defend the program there.



TEXAS

LJC Helps Secure Historic Indictment of School Administrators Illegally Using Taxpayer Resources to Fight Against School Choice

Administrators at a Denton County, Texas, school sent employees emails demanding that they vote against Republican primary candidates who support school choice. So LJC worked with Denton County voters to invoke a little-used Texas law that allows citizens to petition their local district attorney to investigate election crimes. On April 2, the Denton County District Attorney announced the first-ever indictments of school officials for illegal electioneering. LJC board member Corey DeAngelis and Educational Freedom Attorney Dean McGee placed an op-ed in the Wall Street Journal detailing the case. Liberty Justice Center worked with voters in Harris County to secure an investigation into similar conduct by the superintendent of the Huffman Independent School District. The results of that investigation are still pending.



OREGON

LJC Defends Parents' Free Speech Rights in Oregon

LJC filed a lawsuit on behalf of Glenda Scherer, an Oregon mother and educator who was censored, blocked, and temporarily banned from attending her local school board meetings after she raised criticisms of the District's policies. LJC contends that the Board's prohibition on criticizing any district administrators or board members by name or title violates the First Amendment.



NORTH CAROLINA

LJC Fights for Free Speech Rights of North Carolina Student Suspended for Saying "Illegal Aliens" and First Grader Punished after "Black Lives Matter" Lesson

Central Davidson High School in North Carolina suspended 16-year-old Christian McGhee for three days, out of school, because he used the phrase "illegal aliens" during a class discussion. Christian's parents were told that he needed to be punished with the same severity as if he had used "the N word." The school would not permit any appeals. One month later, LJC filed a federal lawsuit in the Middle District of North Carolina to vindicate Christian's First and Fourteenth Amendment rights. The case has inspired a bipartisan bill in the North Carolina Senate that would strengthen due process protections for students throughout the state. LJC also filed an amicus brief before the Ninth Circuit on behalf of a California first grader who, after her school district introduced a lesson on Black Lives Matter, was punished for drawing a picture of her friends with the phrase "Black Lives Mater" [sic], adding "any life" below it. Conflating the first grader's innocent use of "any life" with the politicized phrase "All Lives Matter," school administrators forced B.B. to publicly apologize, prohibited her from drawing at school, and forced her to sit on the bleachers during recess for weeks. LJC's amicus brief focused on the dangers of courts being overly deferential to school administrators.



MISSISSIPPI

LJC Challenges Mississippi's 1890 Blaine Amendment Being Used to Deny \$10 Million in Funding to over 450,000 Students

Senior Counsel Buck Dougherty argued against Mississippi's Blaine Amendment at the Mississippi Supreme Court in *Parents for Public Schools v. Mississippi Department of Finance and Administration*. LJC represents the Midsouth Association of Independent Schools, a group representing 125 private schools in the state. A lower court denied the organization \$10 million in COVID relief funds that the state legislature had allocated for the private schools because the state constitution's Blaine Amendment supposedly prohibits private schools from receiving state-allocated funding. LJC's argument focused on the racial and religious animus underlying the Amendment.



SOUTH CAROLINA

LJC Leads Coalition of Five Educational Freedom Litigation & Policy Organizations to Defend School Choice in South Carolina

LJC submitted an amicus brief with the American Federation for Children, Reason Foundation, Americans for Prosperity Foundation, and Manhattan Institute for Policy Research in defense of South Carolina's nascent Educational Savings Trust Account program designed to expand school choice options for low- and middle-income families throughout the Palmetto State. The amicus brief directly confronts school choice opponents' argument that ESA programs are discriminatory by highlighting the direct benefits to a diverse array of students, including children with disabilities, religious minorities, and children of veterans.



IOWA

Passes LJC’s Model Legislation to Expand Educational Entrepreneurs’ Access to Educational Facilities

In 2024, LJC drafted its first piece of model legislation. The Prohibiting Educational Deed Restrictions Act (PEDRA) was drafted to prohibit the pernicious practice of local school districts prohibiting the sale of vacant school buildings to charter schools, private schools, and other independent educational organizations. On May 17, Iowa enacted SF 2368, modeled on PEDRA, which permanently ended educational deed restrictions statewide. A policy team at the Oklahoma Department of Education has also expressed an interest in evaluating PEDRA for their state.

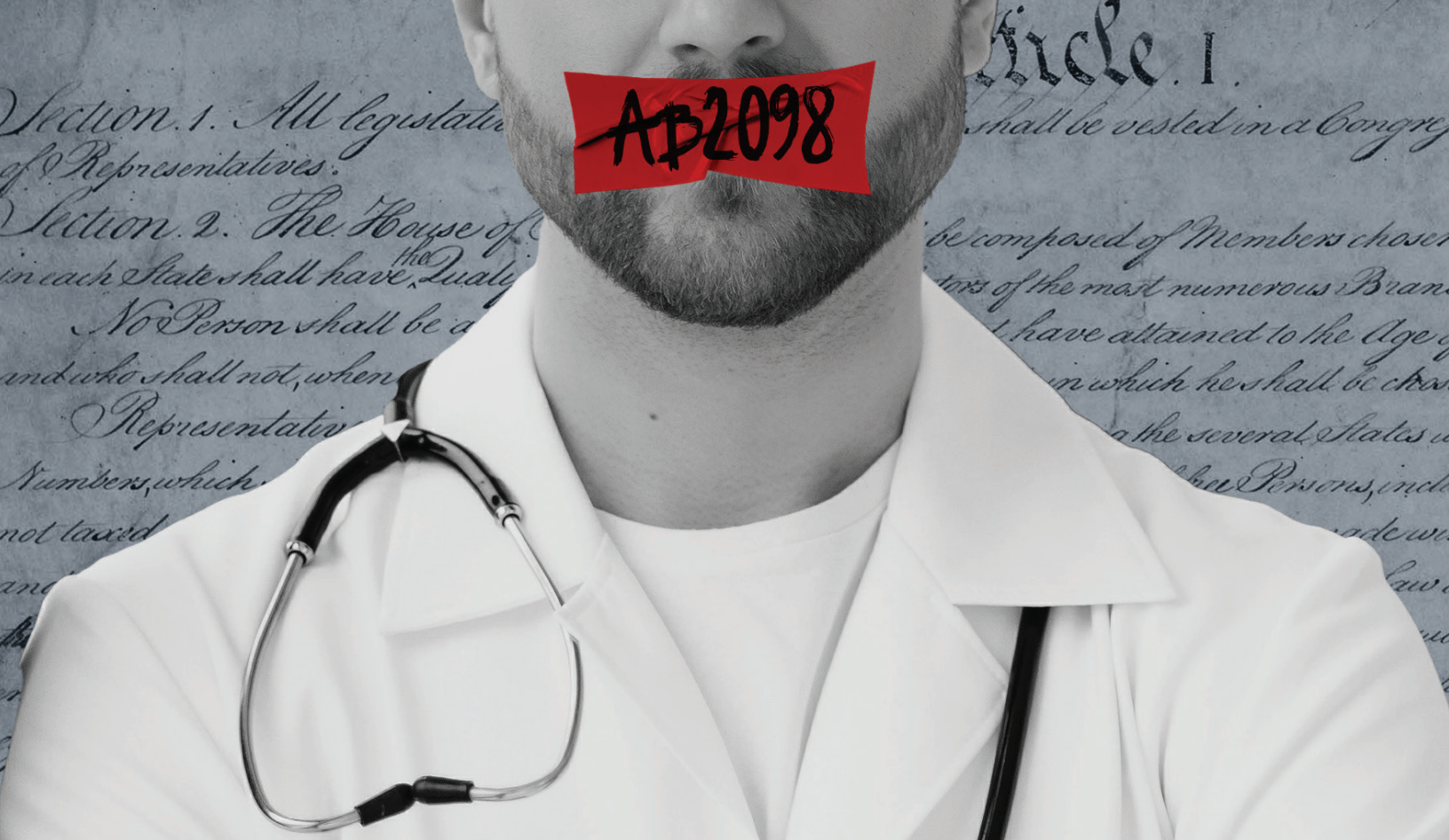


KENTUCKY

LJC Defends Taxpayers Against Illegal Use of Public Resources to Oppose School Choice

In November 2024, Kentucky voters considered Amendment 2, a ballot measure that could open doors to critical school-choice initiatives for families across the state. When LJC Board Member Corey DeAngelis exposed that the Pulaski County School District Superintendent along with other school administrators were illegally using taxpayer resources to lobby against Amendment 2, LJC immediately took action.

We filed a formal complaint with the Attorney General, published a Wall Street Journal op-ed to raise public awareness, and sent a series of demand letters to the districts involved. In response to national attention, the Attorney General issued statewide guidance reaffirming that “the use of school resources to advance a political viewpoint—even one viewed as pro-education—violates Kentucky law.” The Pulaski County School District then removed its posts opposing Amendment 2.



FREE SPEECH

Liberty Justice Center advocates for the free speech rights of individuals across the country—from medical professionals to track and field coaches to young entrepreneurs. Here are just a few of our cases from 2024.

Cubin v. Gordon

On August 29, the Liberty Justice Center filed a lawsuit to defend the First Amendment rights of Dr. Eric Cubin, a radiologist whom the Governor of Wyoming forced to resign from the Wyoming Board of Medicine for privately writing a letter in support of a proposed bill that the Governor himself eventually signed into law.

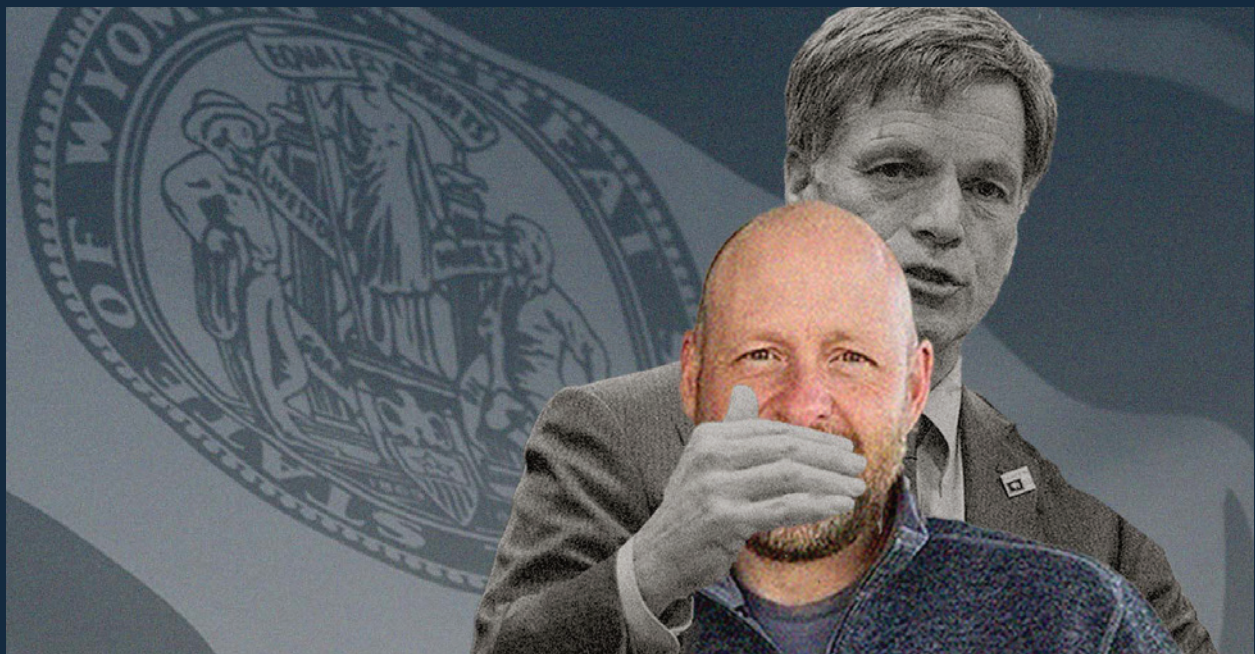
Dr. Cubin is a member of the Wyoming Medical Society (WMS), a voluntary organization of Wyoming doctors that claims to represent the interests of physicians across the state.

In early 2024, the organization expressed its opposition to a proposed bill known as Chloe’s Law, which would restrict Wyoming physicians’ ability to perform gender reassignment surgeries on, or prescribe

hormone therapy for, minors.

Because the WMS’s public position on Chloe’s Law did not reflect the perspective held by all of its members, Dr. Cubin contacted the WMS to request that the organization poll its members and present physicians on both sides of the issue. The organization repeatedly ignored his concern that the WMS was not accurately representing the views of Wyoming physicians.

“DR. CUBIN WAS REMOVED FROM THE BOARD BECAUSE HE TOOK A STAND TO UPHOLD HIS HIPPOCRATIC OATH AND PROTECT CHILDREN.”





Parks v. Lake Oswego School District

Oregon track and field coach John Parks has trained athletes at the high school, collegiate, and Olympic levels for over four decades. This June, however, the Lake Oswego School District and the Lake Oswego School Board fired him from his position as head track and field coach.

In May 2024, Coach Parks wrote a letter to the Oregon School Activities Association (OSAA) suggesting that Oregon adopt a similar open division, bringing Oregon into alignment with international rules of competition.

In this letter, Coach Parks shared his personal opinion that the OSAA's current policies place excessive pressure and national media attention on transgender student athletes. He advocated for an open division as a place where transgender athletes could

compete without facing harassment and where their athletic achievements could be celebrated. Coach Parks's letter also shared his opinion that the OSAA's current policies are unfair to female student athletes. He proposed that an open division would protect female athletes' opportunities for success by giving them the chance to advance to international competitions without having to compete against individuals with innate biological and physical advantages over them.

On July 24, the Liberty Justice Center filed a lawsuit against the Lake Oswego School District and the Lake Oswego School Board on Coach Parks's behalf, arguing that the District and Board fired him in retaliation for writing the letter in his personal capacity and private time and thereby violated his constitutional rights to free speech and to due process.

~~DUES~~
"ASSESSMENTS"

WORKERS' RIGHTS

Giangrasso v. UA Local 9

In *Giangrasso v. UA Local 9*, Nicolo Giangrasso, a New Jersey plumber employed by the Hamilton Township School District, resigned his union membership and requested the union stop deducting dues from his paychecks. UA Local 9 refused, falsely claiming that the Supreme Court's decision in *Janus v. AFSCME* did not apply because the payments it took from Mr. Giangrasso were "assessments" rather than agency fees or dues.

On August 1, 2024, LJC sued the union on Mr. Giangrasso's behalf for violating his First Amendment rights. *Janus* held that neither dues, agency fees, "nor any other form of payment to a public-sector union" can be withheld from employees who have not agreed to the withholding. The money being withheld from Mr. Giangrasso's paychecks, regardless of the name the union gave it, violated his First Amendment rights. In November, Mr. Giangrasso and the union agreed to settle the lawsuit.

Levine v. Association of Legal Aid Attorneys

The Liberty Justice Center filed a First Amendment lawsuit on behalf of Arnold Levine and Allen Popper, two Jewish New York City public defenders who, as a condition of being public defenders, are being forced to pay dues to a union that holds positions that they consider antisemitic.

The City of New York contracts with the not-for-profit Legal Aid Society to provide attorneys whose sole job is to serve as public defenders for the City, including Mr. Levine and Mr. Popper. Legal Aid Society has a collective bargaining agreement with the Association of Legal Aid Attorneys, which requires all employees to pay dues or their equivalent to the union to keep

their jobs. The lawsuit alleges that the City, the Legal Aid Society, and the union are violating Mr. Levine and Mr. Popper's First Amendment rights by requiring them to pay the union as a condition of their employment.

In *Janus v. AFSCME*, the Supreme Court held that a government could not force its employees to pay a union as a condition of their employment. It follows that the City cannot avoid this constitutional requirement by obtaining its full-time public defenders through a private entity. The case is currently being considered by the United States District Court for the Southern District of New York.





GOVERNMENT OVERREACH

In Nebraska, LJC is fighting to stop city governments from defying a state law that protects the right to bear arms. In 2023, the state enacted a law that established “constitutional carry” statewide. It also nullified all local firearm regulations—and prohibited local governments from passing new ones. But the mayors of Omaha and Lincoln immediately defied the law with executive orders banning weapons

on city property—even parks, trails, and (in Omaha) sidewalks. They also enacted new weapons regulations and (in Lincoln) kept old ones on the books. LJC brought lawsuits on behalf of the Nebraska Firearms Owners Association and law-abiding Nebraska residents to make these city governments respect Nebraska law and Nebraskans’ rights.

CTM Holdings v. USDA

CTM Holdings v. USDA is challenging a portion of the USDA law called “Swampbuster.” Swampbuster requires farmers to avoid using “wetlands” on their property—and effectively give the government a conservation easement—to receive any USDA benefits. LJC’s lawsuit argues that this violates the Fifth Amendment and imposes an unconstitutional condition on federal benefits. LJC’s client, CTM Holdings, owns more than 1,000 acres of farm land in Iowa and leases to small farmers. The managing member of the CTM Holdings comes from a farming family, grew up in Iowa, and has brought this case to fight for the constitutional rights of all farmers.

Scholl v. Illinois State Police

In *Scholl v. Illinois State Police*, LJC represents a pair of Cook County, Illinois, residents challenging Illinois State Police’s system of Automated License Plate readers—hundreds of cameras that have been put up in a dragnet around Chicago, and which will be expanded throughout the entire state. LJC argues that this mass surveillance system—which tracks every citizen everywhere they drive, and stores those movements for future use by law enforcement without any sort of warrant, probable cause, or even the barest suspicion—violates citizens’ Fourth Amendment rights. If successful, this case would break significant new ground in Fourth Amendment law, most of which was developed in the age of beepers and pay phones. The Supreme Court has begun to recognize over the past decade that these rules need to be updated for the era of low cost, ubiquitous digital surveillance.



CLOSING INFORMATION

We have several exciting cases on the horizon, so be sure to sign up for our updates, follow us on all our social media, and don't hesitate to contact our team via email at: help@libertyjusticecenter.org.

Please feel free to share details about our legal internship and fellowship programs with any law students or young lawyers you know. If you're interested in partnering

with us as local counsel, we'd love to connect! We're always expanding our network of local attorneys, law firms, and nonprofits.



LIBERTY JUSTICE CENTER

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