

Religious Freedom/First Amendment Litigation

Religious liberty is a core constitutional principle in which everyone has a stake. As a law firm representing your religious organization or association, we know it's important to you to be able to freely and fairly live out your faith. You want to worship free from discrimination and burdensome regulations, grow your congregation, and effectively carry out your ministry. Our priority in Gallagher's Religious Freedom/First Amendment Litigation practice is to zealously advocate for your right to worship freely and to meet the needs of your congregants.

Why Hire Us?

- Our team of litigators has experience navigating complex cases involving land-use and other governmental regulations that impact houses of worship, religious schools, and other ministries.
- We have a deep understanding of the intricate regulatory, statutory, and constitutional protections for religious liberty, ecclesiastical autonomy, and free exercise.
- Our cases reflect our representation of clients with a variety of beliefs and practices. We recognize that diversity of religious expression is a defining characteristic of our society, and we are proud to represent clients of many faith traditions.
- Our attorneys bring a depth of experience and a track record of excellence in litigating religious freedom cases in state and federal court. We have achieved crucial victories for our clients, including in cases in which courts have awarded significant monetary damages and entered injunctive relief in favor of religious organizations.

Our experience includes:

- First Amendment and Religious Freedom Restoration Act (RFRA) litigation
- Religious land use (RLUIPA) litigation
- Church property disputes

- Employment issues, including in cases involving the rights of religious employers
- Commercial disputes arbitrated before rabbinical tribunals
- General non-profit matters

Representative Cases:

Gallagher achieves RLUIPA victory in remote trial in Maryland Federal Court

In the first multi-day trial litigated in federal court in Maryland by remote proceedings, *The Redeemed Christian Church of God (Victory Temple) Bowie, Maryland v. Prince George's County, Maryland*, a federal judge in Greenbelt found that Prince George's County violated the Religious Land Use and Institutionalized Persons Act of 2000, or RLUIPA.

Gallagher receives unanimous ruling in case involving free speech rights of non-profit religious organization

In *Greater Baltimore Center for Pregnancy Concerns, Inc. v. Mayor and City Council of Baltimore*, 879 F.3d 101 (4th Cir. 2018), a case raising novel constitutional issues with widespread implications for free speech and religious freedom, and after extensive discovery, legal briefing, and oral arguments, Gallagher won a final, unanimous ruling from the U.S. Court of Appeals for the Fourth Circuit, striking down on First Amendment grounds a Baltimore City ordinance that singled out a religious charitable organization.

Reaching Hearts Int'l, Inc. v. Prince George's County, Maryland, is a landmark RLUIPA action that Gallagher aggressively litigated in federal district court and on appeal that resulted in injunctive relief and a seven-figure damages verdict in favor of Reaching Hearts.

In *Pitz vs. Hess*, which appears to be the first case in the country to involve allegations of, in essence, a "negligent baptism," the Circuit Court for Anne Arundel County granted Gallagher's motion to dismiss on the ground that the "church autonomy doctrine," a corollary to the First Amendment's Establishment clause, prohibited the court's adjudication of the claims.

In *Gharbawi v. Saint Mary Coptic Orthodox Church of Maryland, Inc.*, the Circuit Court for Howard County granted summary judgment to a hierarchical church, rejecting claims by former church members who sought to interfere with a real estate transaction and recover donations they had made to the Church. The Court found that the former members' claims would have excessively entangled the Court in matters of religious doctrine, in violation of the First Amendment.

For more information or to consult with a Gallagher attorney about a religious freedom or First Amendment dispute, please contact us at 1stamendment@gejlaw.com.

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