Amicus briefs filed at the U.S. Supreme Court in support of the Town of Greece, N.Y. in *Town of Greece v. Galloway*

Amici	Author(s)	Summary
United States	*Office of the United States Solicitor General*: Donald B. Verrilli, Jr.; Stuart F. Delery; Edwin S. Needler; Sarah E. Harrington; Mathew M. Collette; Lowell V. Sturgill, Jr.	The clear precedent of the Supreme Court affirms that legislative prayers are constitutional and the lower court erred by finding the town's practice unconstitutional because of the Christian content of the prayers or the prevalence of Christian prayer-givers.
34 members of the U.S. Senate	*Winston & Strawn*: Steffen Johnson; Gene C. Schaerr; Elizabeth P. Papez; Andrew C. Nichols; Linda T. Coberly; Michael D. Bess; William P. Ferranti	For more than 200 years, chaplains and guest chaplains have delivered prayers before Congress that are given in the unique faith tradition of the prayer-giver. The lower court's decision threatens this tradition. The First Amendment prevents the courts from making distinctions about what is and is not acceptable in a prayer, and the court's dictating of the content of legislative prayer interferes with the internal operations of a co-equal branch of government.
85 members of the U.S. House of Representatives	*Family Research Council*: Kenneth A. Klukowski	Lawmakers need the court to provide a principled and consistent interpretation of the Establishment Clause. Legislative prayers are consistent with a principled understanding of the Establishment Clause, and tests that focus on perceived "endorsement" by an imagined observer, like the one used by the lower court, have led to inconsistent and irreconcilable results that make it impossible for lawmakers to know what is and is not constitutional.
States of Indiana, Texas, and 21 additional states represented by their respective attorneys general **plus a separate** letter of support from the State of Hawaii	*Office of the Attorney General for Texas*: General Greg Abbot; Daniel T. Hodge; Jonathan F. Mitchell; Adam W. Aton / *Office of Attorney General for Indiana*: Thomas M. Fisher; Heather Hagan McVeigh	The Supreme Court should affirm prior precedent supporting legislative prayer offered according to the conscience of the prayer-giver and reject the "endorsement" test applied by the lower court. The court should take this opportunity to set a clear, workable standard that is faithful to the history and text of the First Amendment.

State of South Carolina	Office of the Attorney General for South Carolina: General Alan Wilson; Robert D. Cook; Brendan McDonald; Tracey C. Green	The historical evidence of the original understanding of the Establishment Clause in the context of Legislative Prayer leads inescapably to the conclusion that the First Amendment does not forbid prayers by and for deliberative bodies.
8 counties and municipalities who were each sued for their legislative prayer practices	*Elon University School of Law*: Professor Scott W. Gaylord / *National Center for Life & Liberty*: David C. Gibbs III; Barbara J. Weller	The test adopted by the lower court is inconsistent with Supreme Court precedent on legislative prayer and the government speech doctrine, which focus on governmental motive. The town's practice is constitutional because the lower court properly found the town did not have an impermissible motive.
League of California Cities	*Stradling Yocca Carlson & Rauth*: Allison E. Burns; Joseph M. Adams	The constitutionality of legislative prayer is determined based on the legislative body's conduct, not the conduct of prayer-givers or the content of the prayers. The lower court improperly requires legislative bodies to select prayer-givers based upon religious affiliation or prayer content.
Brevard County, Florida	*Brevard County Attorney:* Scott L. Knox	The Supreme Court should take this opportunity to adopt a new standard for evaluating the Establishment Clause which demonstrates that the town's practice is constitutional.
9 constitutional scholars	*Paul Hastings LLP*: Stephen B. Kinnaird; Christopher H. McGrath; Rebecca L. Eggleston; Ryan M. Enchelmayer	Legislative prayer is a practice deeply rooted in our constitutional tradition and expresses America's conviction that we are "one nation, under God" and is consistent with Supreme Court precedent and the Constitution.
Center for Constitutional Jurisprudence	Edwin Meese, III / *Center for Constitutional Jurisprudence at Chapman University*: Professor John Eastman, Professor Anthony T. Caso	The First Amendment was intended to protect personal liberty, particularly religious liberty. The test used by the lower court fails to protect religious liberty, and the Supreme Court should clarify a principled understanding of the Religion Clause in line with its purpose and original understanding.

10 theologians	*Liberty Institute*: Kelly J. Shackelford; Jeffrey C. Mateer; Hiram S. Sasser, III; Justin E. Butterfield	For a court to determine that a prayer is religiously "neutral," it must impermissibly consider the content of the prayer and compare it with a state established orthodoxy of neutrality. Requiring "neutral/nonsectarian" prayers is impossible because every prayer adopts particular religious beliefs and is therefore not religiously "neutral."
Rev. Dr. Robert E. Palmer	*Baker Botts, LLP*: Evan A. Young; Aaron M. Streett; Julie Marie Blake; Lauren Tanner	Rev. Palmer provides the perspective of the chaplain whose prayers were approved by the Supreme Court in the touchstone case of *Marsh v. Chambers*. Rev. Palmer highlights the *Marsh* record and the fact that the prayers previously considered were known to the Supreme Court to be distinctly Christian and correctly found to be consistent with a historical and proper understanding of the First Amendment while the lower court's decision will chill permissible legislative prayer.
Nathan Lewin	*Lewin & Lewin, LLP*: Nathan Lewin; Alyza D. Lewin	Orthodox Jewish faith respects and encourages sincere prayers offered in the individual tradition of the prayer-giver. As a former Supreme Court clerk, professor of constitutional law at Columbia University, and Supreme Court advocate, Mr. Lewin offers a unique perspective on prior cases before the Supreme Court in which he was directly involved and with which have helped shape the Supreme Court's understanding of the Establishment Clause to support his conclusion that legislative prayers are indeed constitutional, even those that make distinctly Christian references.
Chaplain Alliance for Religious Liberty	*Nelson Mullins Riley & Scarborough, LLP*: Jay T. Thompson; William C. Wood, Jr.; Miles E. Coleman; Brnadon S. Smith	The rationale of the lower court's opinion threatens chaplaincy programs, a historic religious accommodation. If applied to chaplain programs, it would force chaplains to abstain from their religiously compelled ministries. Additionally, the lower court's reasoning requires the government to pick and choose between religions and causes in violation of the Constitution.

7 citizens who offered prayers at the Town of Greece	*ActRight Legal Foundation*: Barry A. Bostrom; Kaylan L. Phillips	The lower court improperly viewed the constitutionality of the prayers offered before the town in light of the Establishment Clause and failed to recognize that the content of the prayers is private expression protected by the Free Speech and Free Exercise clauses of the First Amendment.
Southern Baptist Convention Ethics & Religious Liberty Commission	*Whitehead Law Firm, LLP*: Michael K. Whitehead; Jonathan R. Whitehead	A legislative prayer offered by a volunteer citizen does not violate the Establishment Clause because the speakers are expressing themselves in a limited public forum. A court cannot require a "perspective that is substantially neutral amongst creeds" without unconstitutionally comparing the content of the prayer with a state-established concept of neutrality. Every prayer expresses a particular religious viewpoint and is therefore not "neutral," so to require such neutrality is to eliminate the practice of legislative prayer.
American Center for Law and Justice	*American Center for Law and Justice*: Jay Alan Sekulow; Colby M. May; Stuart J. Roth; Walter M. Webber;	The expression that respondents object to is private speech, not government speech, and simply being "offended" by something one hears is not sufficient to satisfy constitutional standing requirements to bring a suit in federal court.
American Civil Rights Union	*American Civil Rights Union*: Peter J. Ferrera	The lower court applied the wrong test. Establishment Clause cases should be governed by the coercion test, which is faithful to the text and history of the Constitution. Legislative prayers, like those offered by the town, do not violate the Establishment Clause because they do not involve coercion.
Becket Fund for Religious Liberty	*Becket Fund for Religious Liberty*: Eric C. Rassbach, Luke W. Goodrich, Diana M. Verm, Daniel Bloomberg	The Supreme Court's controlling opinion in *Marsh v. Chambers* is consistent with the founders' understanding of the Establishment Clause and affirms that legislative prayer is an important acknowledgement of the founding-era political philosophy of limited government and inalienable rights.
Justice and Freedom Fund	*Justice and Freedom Fund*: James L. Hirsen; Deborah J. Dewart	Any policy that requires the government to evaluate the content of legislative prayer faces insurmountable legal hurdles. Legislative prayer is a unique genre that survives under any recognized standard for identifying the boundaries of the Establishment Clause.

Southeastern Legal Foundation	*Southeastern Legal Foundation*: Shannon Lee Goessling; Kimberly Stewart Hermann	The lower court disregarded Supreme Court precedent and instead utilized a test hostile to constitutionally protected religious accommodation. The Supreme Court should uphold the town's practice and articulate a test focusing on the government's actions and intent.
Foundation for Moral Law	*Foundation for Moral Law*: John A. Eidsmoe	Judging prayers based on their theological content requires judges to engage in analysis that they are neither permitted nor competent to make. Further, the practice of the town is consistent with a long and unbroken history of religious accommodation permitted by the Constitution, and the lower court's error was amplified by its suggestion that the town should look for prayer-givers beyond its borders to foster a perception of diversity and acceptance.
The Rutherford Institute	*The Rutherford Institute*: John W. Whitehead; Douglas R. McKusick / *Knicely & Associates, PC*: James J. Knicely	The town's prayers are consistent with the controlling precedent in *Marsh v. Chambers*, and the Supreme Court should take this opportunity to clarify that "sectarian" references in a prayer do not render them unconstitutional absent a finding of improper governmental motive or intentional governmental exploitation, proselytization, or disparagement of one faith over another.
Virginia Christian Alliance, Concerned Women for America, Congressional Prayer Caucus Foundation, Frederick Douglass Foundation of Virginia, The Valley Family Forum, Fredericksburg Rappahannock Evangelical Alliance, The Black Robe Regiment of Virginia, and Members of the Virginia Senate and Virginia House of Delegates	*Virginia Christian Alliance*: Rita M. Dunaway	The endorsement test and the lower court's application as part of the effects prong of the *Lemon* test reflects an interpretation of the Establishment Clause that undermines the rationale for its incorporation into the Fourteenth Amendment. The test should be abandoned in favor of one that focuses on governmental coercion in order to bring coherence, logical integrity, and predictability to Establishment Clause jurisprudence.

Wallbuilders	*National Legal Foundation*: Steve W. Fitschen	The lower court used the improper test for evaluating legislative prayers. The controlling test enunciated in *Marsh v. Chambers* is consistent with the framers' desire to protect the rights of both the majority and the minority by preventing true establishment of religion. The town's legislative prayer practice is merely an acknowledgement and accommodation of religion and falls far short of the "establishment" envisioned by the Constitution's framers.
Liberty Counsel	*Liberty Counsel*: Mathew D. Staver; Anita L. Staver; Horatio G. Mihet; Stephen M. Cramption; Mary E. McAlister	"Offended observers" should not be permitted to challenge a public acknowledgement of religion based on "psychological discomfort." The subjective test adopted by the lower court is flawed and should be abandoned in favor of an objective standard. The test adopted by the lower court effectively incorporates a "heckler's veto" that demonstrates the flaws in the test.