

Federal Court Rules in Favor of Religious Liberty

A federal court ordered North Carolina State University to immediately halt its policy that requires Christian students to obtain a permit before gathering.

Last week, the Alliance Defending Freedom-allied attorney Edmund LaCour of Bancroft PLLC represented the Grace Christian Life student group in a hearing before the U.S. District Court for the Eastern District of North Carolina. Two days later, Chief Judge James C. Dever III issued his order, which applies to any kind of non-commercial student speech or communication anywhere on campus.

“Because the only permit required for free speech on a public university campus is the First Amendment, we welcome the court’s decision to put a stop to NC State’s policy,” ADF Senior Counsel Tyson Langhofer said. “NC State is acting inconsistently with its own calling as a marketplace of ideas with this unconstitutional restriction on free speech. Students of any political, religious, or ideological persuasion should be able to freely and peacefully speak with their fellow students about their views without interference from government officials who may prefer one view over another.”

According to the preliminary injunction order, it was issued because Grace Christian Life has established that:

- it is likely to succeed on the merits of its claim that North Carolina State University’s Non-Commercial Solicitation policy (including the permit requirement in the policy) facially violates the First Amendment;
- it is likely to suffer irreparable harm absent preliminary relief;

- the balance of the equities tips in plaintiff's favor;
and
- a preliminary injunction is in the public interest.

While the order is not the end of the case, it signals a likelihood that it will soon be settled. ADF attorneys say it is "unlikely" the university will appeal Dever's order.