

SCOTUS to Hear Key Religious Rights Case Involving Missouri Church

The U.S. Supreme Court on Wednesday will hear a closely watched dispute over supplying taxpayer money to religious entities in which a church accuses Missouri of violating its religious rights by denying it state funds for a playground project.

The case, which examines the limits of religious freedom under the U.S. Constitution, is one of the most important before the court in its current term. It also marks the biggest test to date for the court's newest justice, President Donald Trump's appointee Neil Gorsuch.

The court's conservative majority may be sympathetic to the church's views. But there are questions over whether the nine justices will end up deciding the merits of the case after Missouri's Republican governor, Eric Greitens, last Thursday reversed the state policy that banned religious entities from applying for the funds.

Even though Trinity Lutheran Church in Columbia, Missouri could now actually apply for money from the grant program that helps nonprofit groups buy rubber playground surfaces made from recycled tires, its lawyers and state officials asked the justices to decide the case anyway.

Trinity Lutheran runs a preschool and daycare center.

Missouri's constitution bars "any church, sect or denomination of religion" from receiving state money, language that goes further than the Constitution's First Amendment separation of church and state requirement.

Trinity Lutheran's legal effort is being spearheaded by the Alliance Defending Freedom conservative Christian legal activist group, which contends that Missouri's policy violates the U.S. Constitution's guarantees of free exercise of religion and equal protection under the law.

In court papers, the state said the ban did not impose a burden on the church's exercise of religion.

The American Civil Liberties Union and the advocacy group Americans United for the Separation of Church and State, which backed the state's ban, asked the justices to drop the case, saying it is now moot following Greitens' policy reversal.

A victory at the Supreme Court for Trinity Lutheran could help religious organizations nationwide win public dollars for certain purposes, such as health and safety. It also could buttress the case for using taxpayer money for vouchers to help pay for children to attend religious schools rather than public schools in "school choice" programs advocated by conservatives.

Three-quarters of the U.S. states have provisions similar to Missouri's barring funding for religious entities.

Trinity Lutheran sued in federal court in 2012. The St. Louis-based 8th U.S. Circuit Court of Appeals in 2015 upheld a trial court's dismissal of the suit, and the church appealed to the Supreme Court. {eo}

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