

Judge Vindicated After Facing Punishment for Her Faith

A Texas district court has permanently blocked the State Commission on Judicial Conduct from disciplining a Christian judge who refused to officiate same-sex weddings, ordering the state body to pay \$630,000 in legal fees and awarding the judge \$10,000 in compensatory damages.

The ruling ends a years-long legal fight for Judge Dianne Hensley, who serves on a state district court and stopped officiating all marriage ceremonies following the Supreme Court's 2015 decision legalizing same-sex marriage. She later resumed performing weddings for opposite-sex couples only.

The final judgment permanently forbids the commission from "investigating, sanctioning, or disciplining Judge Hensley over her refusal to officiate at same sex weddings on account of her religious beliefs, regardless of whether Judge Hensley continues to perform marriages for opposite-sex couples."

The commission had sanctioned Hensley for the arrangement she offered as an accommodation: a referral list of local wedding officiants willing to perform same-sex ceremonies at her customary price. Regulators accused her of violating multiple provisions of the Texas Code of Judicial Conduct.



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Hensley responded with a lawsuit arguing the commission had violated her rights under the Texas Religious Freedom Restoration Act. The district court agreed.

"Judge Hensley always adhered to the law and the legal guidance provided by the Attorney General of

Texas,” said Hiram Sasser, executive general counsel for First Liberty Institute, the Christian legal organization that represented her. “We are grateful that this case has concluded and that Judge Hensley was vindicated.”

The ruling carries both a financial sting for the commission and a clear legal precedent. The \$630,000 in attorneys’ fees comes directly from the commission, which pursued disciplinary action against Hensley for years despite her religious accommodation efforts.

Her case drew additional legal grounding last October when the Texas Supreme Court amended the state’s Code of Judicial Conduct in a separate case, clarifying that judges cannot face discipline or sanctions from the commission for declining to perform wedding ceremonies based on a “sincerely held religious belief.” That amendment provided an independent legal backstop for Hensley’s position.

Hensley’s legal challenges did not stop at the state level. In December, she filed a federal lawsuit seeking to overturn *Obergefell v. Hodges*, the Supreme Court decision that established a constitutional right to same-sex marriage nationwide. That case remains pending.

First Liberty Institute, which is based in Plano, Texas, has litigated dozens of religious liberty cases in courts across the country. The organization has argued that public employees cannot be compelled by the government to perform duties that violate their sincere religious convictions.

The outcome represents one of the more concrete financial penalties imposed on a state judicial conduct commission for pursuing a religious liberty case. The commission’s decision to sanction Hensley rather than accept her referral accommodation will ultimately cost the body more than six times what it recovered in the original disciplinary action.

Hensley’s case drew attention nationally as a test of how far

religious liberty protections extend for government officials whose duties include performing legal ceremonies. The district court's ruling, combined with last year's Texas Supreme Court clarification, leaves little room for the commission to revisit the matter.

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