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## **America's Future Files Brief in Religious Freedom Lawsuit**

Florida – October 27, 2023 – America's Future, Inc., a national leader in the fight to preserve individual rights, promote American values and traditions, and protect the nation's Constitutional Republic, announced that it filed an [Amicus brief](#) with the Texas Supreme Court in *Hensley v State Commission on Judicial Conduct, et al.*, Tx. Sup. Ct. Dkt. No. 22-1145, a case concerning the religious freedom of a judge, a government employee. The brief was filed on October 18, 2023, with four other nonprofits.

Following dismissals by the lower courts for lack of jurisdiction due to statutory "exhaustion of remedies" requirements, the brief urges the Texas Supreme Court to reverse the lower court's dismissal in support of plaintiff-petitioner, Hon. Dianne Hensley, a justice of the peace judge who is authorized but not required to officiate weddings in over 821 Texas courts, commonly referred to in other states as a "small claims" court.

The question before the court is: Did the lower courts err in dismissing the lawsuit filed against the State Commission on Judicial Ethics (and its members) for violating religious freedom protections conferred by the Constitution and enacted under the [Texas Religious Freedom Restoration Act \(TRFRA\)](#)?

In Judge Hensley's [Petition](#) to the Texas Supreme Court, she explains that she "is a Christian and her Christian faith forbids her from officiating at any same-sex marriage." She goes on to explain that it is her sincerely held religious belief that a marriage should only be between one man and one woman.

Her lawsuit provides that a sanction imposed on her by the Commission – a Public Warning that her recusal from officiating same-sex marriage "cast doubt on her capacity to act

impartially in violation of [Rule 4A\(1\) of the Texas Code of Judicial Conduct](#),” had in fact, violated her religious rights under TRFRA by substantially burdening her exercise of religion.

Judge Hensley is seeking declaratory and injunctive relief along with compensatory damages, arguing that the lower court’s dismissal was improper because the remedy she seeks is prospective and, therefore, not available to her through any statutory remedy.

“America’s Future urges the Texas Supreme Court to reverse the lower court’s dismissal and enter a summary judgment order in favor of Judge Hensley,” said Mary O’Neill, Executive Director of America’s Future. “Citizens’ rights should never be infringed, including Judge Hensley’s.”

To read more details about this filing, along with other briefs filed by America’s Future, please visit our Law & Policy page on our website at [www.AmericasFuture.net](http://www.AmericasFuture.net).

#### **ABOUT AMERICA’S FUTURE, INC.**

Founded in 1946, America’s Future, Inc. is a 501(c)(3) nonprofit organization committed to protecting the individual rights of every American and our Judeo-Christian values that make America exceptional. We do our work through educational and informational initiatives, strategic partnerships, communications, and networking opportunities that empower Americans to get involved in the fight to preserve the American way of life, now and for generations to come. For information, visit [www.AmericasFuture.net](http://www.AmericasFuture.net).