



FACT SHEET

Canyon Ferry Road Baptist Church v. Unsworth

ABOUT Canyon Ferry Road Baptist Church v. Unsworth

Canyon Ferry Road Baptist Church held a service in 2004 where its pastor preached about marriage, presented a religious video broadcast about marriage, and allowed congregants to sign petitions to support a pro-marriage amendment to the Montana Constitution. After receiving a complaint from the homosexual activist group Montanans for Families and Fairness alleging that the church violated the state's political practices law, the Montana Commissioner of Political Practices investigated the church and found that it failed to register with the state as an "incidental political committee." Attorneys with the Alliance Defense Fund subsequently filed a lawsuit against the commissioner, alleging that the Montana political practices law is unconstitutional.

CURRENT STATUS OF Canyon Ferry Road Baptist Church v. Unsworth AS OF 8/1/08

After ADF attorneys filed suit against Commissioner Linda Vaughey in 2004, a federal judge ruled in favor of succeeding commissioner Gordon Higgins in 2006, holding Canyon Ferry Road Baptist Church in violation of the Montana law requiring the church to register with the state. ADF attorneys promptly appealed the decision to the U.S. Court of Appeals for the 9th Circuit, alleging the law to be unconstitutional and overly burdensome. The appeal hearing date is set for Aug. 4. Dennis Unsworth is Montana's third commissioner of political practices since the case opened four years ago and is therefore now the defendant in the case.

FOCUS OF HEARING – WHAT IS AT STAKE?

This hearing is highly significant in that it will determine if common non-profit groups—like service clubs, churches, and charities—must become "political committees" under vague state campaign finance laws when they occasionally speak about the important moral and societal issues of our day. Churches should not be required to register with the state in order to exercise their First Amendment rights.

CONTACT

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ABOUT ADF

ADF is a legal alliance of Christian attorneys and like-minded organizations defending the right of people to freely live out their faith. Launched in 1994, ADF employs a unique combination of [strategy, training, funding, and litigation](#) to protect and preserve religious liberty, the sanctity of life, marriage, and the family.

ABOUT Dale Schowengerdt

Dale Schowengerdt serves as legal counsel for the Alliance Defense Fund out of its Kansas City Regional Service Center. A graduate of Regent University School of Law, Schowengerdt is admitted to the state bar of Arizona.