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Mont. law school agrees to adopt reforms to settle lawsuit with Christian student group

MISSOULA, Mont. — The University of Montana School of Law has agreed to several reforms to their system of allocating funding to student groups, prompting Christian Legal Society and Alliance Defense Fund attorneys representing the CLS student chapter to withdraw a federal lawsuit. The reforms include many safeguards that will ensure that funds from student activity fees are distributed in a manner that does not unconstitutionally discriminate on the basis of the student group’s viewpoint and beliefs.

“Student group funding should not depend upon agreement with the group’s viewpoints,” said CLS Senior Counsel Kim Colby. “Before the lawsuit, the funding system lacked constitutionally required safeguards to ensure student fees were being distributed neutrally. In fact, the school conceded that the student government had considered the popularity of a group’s views. Under the settlement, this will change.”

In addition, the school has agreed to make the funding process more transparent, and CLS will enjoy the benefits of recognition that other student groups enjoy, including meeting space, access to channels of campus communication, participation in the student organizations’ fair, and inclusion on lists of student groups. CLS will continue to require its officers and voting members to share the beliefs of the group. In light of the reforms and because CLS students are entitled to receive funding from the school’s Community Grant Fund on the same basis as other groups, CLS has agreed not to sue if it is denied funding through the standard, annual funding process.

“Every UM student and student group deserves to have their student fees distributed in a manner that complies with the First Amendment and doesn’t favor certain views over others. This agreement will mean important changes at UM to protect the constitutionally protected rights of all students,” said ADF Senior Legal Counsel Casey Mattox.

The Student Bar Association executive board and dean have adopted a list of objective factors for funding student groups. They have agreed that the popularity of a group’s viewpoint or the existence of opposition to the group among the student body, the length of time the group has existed, and the amount of funding it has received in the past will not be used as criteria when allocating funding.

In addition to abiding by the viewpoint neutrality requirements and criteria, which will be posted on the Internet, the Student Bar Association will make the final budget proposal available on its website; budget meetings will be open to all and recorded; recordings will be publicly available to any student; the board will provide written reasons for grant or denial of a group’s funding request; and appeals will be streamlined.

In light of the [agreement](#) signed with the law school Thursday, CLS and ADF attorneys filed a [voluntary dismissal](#) Wednesday of the CLS student chapter’s lawsuit, *Christian Legal Society v. Russell*, which was [on appeal](#) to the U.S. Court of Appeals for the 9th Circuit. Matthew Monforton of Bozeman, one of more than 2,000 attorneys in the ADF alliance, served as local counsel in the case.

- [ADF “Speak Up” University website](#)
- [CLS resource page](#) for *Christian Legal Society v. Russell*

ADF is a legal alliance of Christian attorneys and like-minded organizations defending the right of people to freely live out their faith. The CLS Center for Law & Religious Freedom is the advocacy division of the Christian Legal Society, a nationwide association of Christian attorneys, law students, law professors, and judges.