



**LIBERTY & LAW**

October 2019

Volume 28 Issue 5

# IJ RETURNS TO THE U.S. SUPREME COURT TO CHAMPION THE RIGHTS OF PARENTS AND CHILDREN

Published Bimonthly by  
the Institute for Justice

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### About the publication:

*Liberty & Law* is published bimonthly by the Institute for Justice, which, through strategic litigation, training, communication, activism, and research, advances a rule of law under which individuals can control their destinies as free and responsible members of society. IJ litigates to secure economic liberty, educational choice, private property rights, freedom of speech, and other vital individual liberties, and to restore constitutional limits on the power of government. In addition, IJ trains law students, lawyers, and activists in the tactics of public interest litigation. Through these activities, IJ challenges the ideology of the welfare state and illustrates the benefits of freedom to those whose full enjoyment of liberty is denied by government.

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# IJ Returns to the U.S. Supreme Court


## to Champion the Rights of Parents and Children

BY ERICA SMITH

IJ is heading back to the U.S. Supreme Court this term in our third appearance at the High Court in just one year. This time, we will represent Montana parents and children in a case that is the crescendo of nearly 30 years of strategic litigation by IJ to secure educational choice.

The case, *Espinoza v. Montana Department of Revenue*, will strike at the

heart of the biggest remaining legal obstacle to educational choice: Blaine Amendments. These state constitutional provisions, which ban public funds from aiding “sectarian” or religious schools, worked their way into state constitutions in the late 19th century, not to protect the separation of church and state, but to discriminate against newly arrived Catholics. At the time, both the country and its public schools were predominantly



Single mom **Kendra Espinoza** joined with IJ to ask the Supreme Court to vindicate, once and for all, her right to give her daughters the best possible education.



## Last year, the Montana Supreme Court became the first state supreme court to rely on a Blaine Amendment to strike down a tax-credit scholarship program. IJ intends to make it the last.

Protestant, and Catholic immigrants fought for funding for their own schools. Blaine Amendments allowed the country's elites to maintain the status quo by preventing funding for any "sectarian" (read "Catholic") schools, while allowing public schools to retain their nondenominational Protestantism.

Today, Blaine Amendments are the biggest barriers to educational choice and the teachers' unions' favorite tool for attacking choice

programs. Although IJ's landmark *Zelman v. Simmons-Harris* victory at the U.S.

Supreme Court in 2002 established the constitutionality of choice programs under the federal Constitution,

choice opponents still use these amendments in state constitutions to challenge programs in both courts

and legislatures. Seeking to end the challenge choice programs pose to the public school monopoly, opponents

argue that by allowing families who participate in these programs to choose religious schooling, the state is "aiding" religious schools. Their goal: for programs to be restricted—or eliminated altogether.

But as IJ has successfully argued before multiple courts over the past three decades, educational choice benefits families—not schools. No school receives a dime without the free and independent choice of parents

picking a school that they believe best meets their child's individual needs, whether that school is secular or religious. At the same time, depriving parents of educational options solely on the basis of religion violates their First Amendment rights.

IJ now has the opportunity to make this argument before the nation's highest court. Last year, the Montana Supreme Court became the first state supreme court to

rely on a Blaine Amendment to strike down a tax-credit scholarship program. IJ intends to make it the last.

We immediately petitioned the U.S. Supreme Court for review, asking it to rule—once and for all—that invalidating a student aid program simply because it allows students religious options violates the U.S. Constitution.

In June, the Court granted IJ's request to review the decision, and we will argue the case this winter. A victory will restore educational freedom in

Montana, unleash new educational opportunities in more than a dozen other states where Blaine provisions still impede choice programs, and vindicate all parents' right to give their children the education that is best for them. ♦



IJ client **Jeri Anderson** relies on Montana's tax-credit scholarship program to send her daughter, **Emma**, to the school of her choice. Without the scholarships, **Jeri** and **Emma** would suffer even greater financial hardship.

Erica Smith is an  
IJ attorney.







Upton's Naturals markets its vegan foods to consumers who are looking for alternatives to meat. But a new Mississippi law is attempting to ban the company's advertising to protect existing businesses from honest competition. That's why the company joined with IJ to challenge Mississippi's protectionist food labeling law.

# Meatless Burgers

## Meaty First Amendment Issues

BY PAUL SHERMAN

Nowadays, many summer cookouts may feature veggie burgers and vegan hot dogs along with the more traditional meaty offerings. But a new law in Mississippi threatens to destroy the market for these meat alternatives by making it illegal for vegetarian and vegan food manufacturers to use the name of any meat or meat product in their labeling.

That's right: Mississippi wants to stop businesses from calling a meatless

patty a veggie burger. This ban will have a devastating effect on companies like Upton's Naturals, a Chicago-based manufacturer of vegan foods. Upton's Naturals markets its products toward consumers who are specifically looking for alternatives to meat. Not surprisingly, then, the company's labels clearly disclose that its products are 100% vegan while also using terms, like "burger" and "bacon," that let the customers know the foods for which the products are substitutes. But under Mississippi's new





"Vegan food companies have a First Amendment right to use commonly understood terms on our labels," explains **Dan Staackmann**, founder and owner of Upton's Naturals, pictured with cofounder **Nicole Sopko** (left), and with **Justin Pearson**, lead IJ attorney on the case (right).

## Nobody thinks that vegan bacon comes from an animal. Simply put, context matters.

law, which went into effect in July, these and other similar labels are now illegal.

Although pitched as a consumer protection measure, nobody who buys Upton's Naturals products thinks they're buying meat. Instead, they seek out these products because they want to enjoy a tasty burger without compromising their health goals or ethical values by eating meat.

The real reason for Mississippi's law is obvious: Meat producers and the cattle lobby are feeling the pinch of competition as consumers seek out alternatives to beef and pork, and they want to insulate themselves from their competitors. But the government has no business keeping consumers in the dark—or prohibiting the use of terms that consumers actually

understand—in order to protect special interests from honest competition.

Mississippi's ban on meat or meat-related words on the labels of meatless foods violates the right to free speech.

Under the First Amendment, commercial advertising that is not false or inherently misleading enjoys substantial constitutional protection. Laws restricting this type of speech will be upheld only if the government can produce actual evidence that the laws address a real problem and burden no more speech than necessary to address that problem.

Here, there is nothing misleading about Upton's Naturals' use of terms like "bacon" and "burger." Nobody thinks that vegan bacon comes from an animal. Simply put,

**MS Veggie Burgers continued on page 18**





# (No) Crime and Punishment in Granite City, Illinois

BY ROBERT MCNAMARA

## BOOM BOOM BOOM.

The aggressive knock was unmistakably the knock of a police officer. IJ Attorney Sam Gedge and I looked at each other, wondering whether we should have brushed up on our Fourth Amendment law before we came to town. But the banging was not a precursor to a major law enforcement raid. Instead, the police had come to Jessica Barron and Kenny Wylie's house to serve an eviction notice to their landlord.

Sam and I were sitting in the living room in Jessica and Kenny's modest home in Granite City, Illinois, because we had heard that the St. Louis suburb had one of the nation's worst and most aggressively enforced compulsory eviction laws. Under these laws, landlords are compelled to evict their tenants if any member of their tenant's "household" commits a crime. Compulsory eviction laws exist in hundreds, perhaps thousands, of municipalities across the country and treat people who rent like second-class citizens, trampling their rights even when everyone agrees that they are innocent.

Jessica and Kenny are a perfect example. Though the couple did nothing wrong, town officials are bound and determined to turn the entire family out onto the street—against the wishes of their landlord—because a temporary houseguest committed a crime. This guest, a friend of Jessica and Kenny's teenage son who had stayed with the family off and on over the winter, had (unbeknownst to them) burglarized a restaurant across town. Even before the teen faced the legal consequences for his actions, Jessica and Kenny had seen his behavioral problems and told him he was no longer welcome in their home.

But that was not the end of things. This summer, Jessica ran into a local police officer who expressed surprise that she and her family still had a home. "I

am personally evicting you," the officer told Jessica, promising to arrest her landlord for his failure to evict the family.

The officer meant business. Even as Sam and I were on our way out to investigate the case, a Granite City police officer left an angry voicemail for Bill Campbell, Jessica and Kenny's landlord, telling him in no uncertain terms that "these people need to go." And then the door knocking started, resulting in perhaps

the first-ever IJ client meeting to be crashed by law enforcement. The letter the police served on Bill informed him that he would be fined and could even lose his business license if Jessica and Kenny were not promptly evicted.

Bill had 15 days to comply. That meant Sam and I had just two weeks to draft a federal lawsuit and a motion for a preliminary injunction so we could beat Granite City to the punch and keep Jessica and Kenny in their home.

The timeline was brutal, but our argument was simple: No one should be punished for a crime that someone else committed. A lease is a property right, just like a deed is, and whether Jessica and Kenny are evicted should be between them and their landlord. Government officials cannot compel a private landlord to evict tenants against his or her will just because those tenants know someone who committed a crime.

IJ's case in Granite City is designed to ensure that innocent people—renters and owners alike—don't have to worry about scary knocks on the door from people looking to punish them for other people's misdeeds. But until those knocks stop, IJ will be there to answer them. ♦

**No one should be  
punished for a crime that  
someone else committed.**

Robert McNamara is  
an IJ senior attorney.







After a houseguest was arrested, city officials in Granite City, Illinois, are trying to evict **Kenny Wylie**, **Jessica Barron**, and their three teenage children from their home.

# DISPENSING JUSTICE in Texas

## IJ Challenges Protectionist State Health Care Law

BY JOSHUA WINDHAM

The last thing sick patients want to do after seeing their doctors is stand in line at a pharmacy for basic medication—and in most of the country, they don't have to. Forty-five states and the District of Columbia allow doctors, if they choose, to dispense medication directly to patients in their offices. This practice, known as “doctor dispensing,” is a safe and effective way for doctors to increase patients’ access to the medications they need.

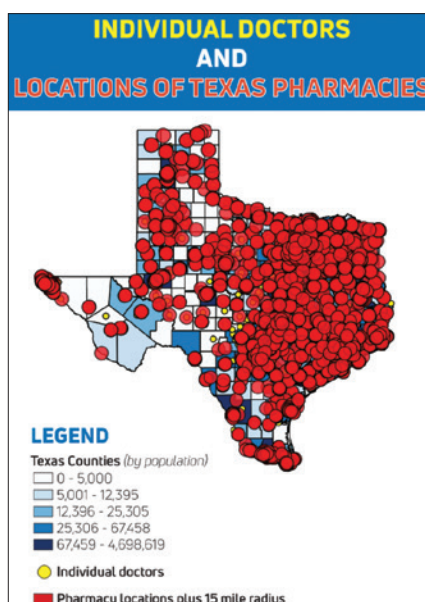
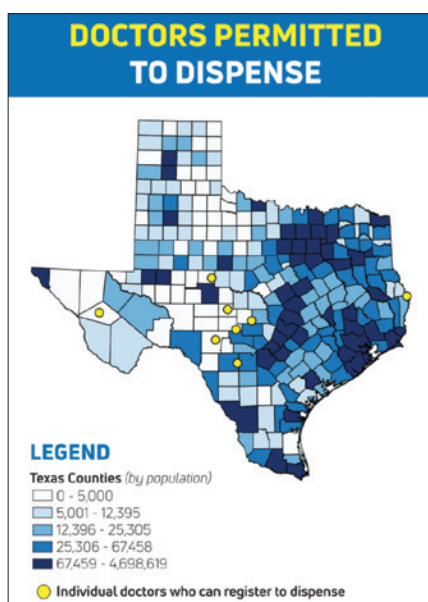
But not in Texas. There, unlike in the vast majority of states, doctors are generally banned from dispensing unless they work in certain “rural” areas more than 15 miles from a pharmacy. Those rural

doctors are permitted to dispense non-controlled prescription medications and even to recover their costs. But over 99% of Texas doctors work too close to a pharmacy to qualify.

This ban has nothing to do with protecting real patients. Texas doctors are just as qualified as their peers across the country to dispense medication safely and ethically. And doctors who work in more populated parts of Texas are just as qualified as their rural peers to provide identical services. Research also shows that it's just as safe for doctors to dispense medication as it is for pharmacies.

But Texas’ ban does serve another purpose: protecting pharmacies from competition. Under the

Doctors in Texas are prohibited from dispensing medication to their patients unless they practice in certain rural areas away from a pharmacy—a condition that prevents most of the state's doctors from providing this beneficial service. IJ's strategic research team produced these maps showing just how sweeping the restriction is.





law, pharmacies enjoy a 15-mile zone of protection from competition by the nearest doctor. The results are telling: Only eight doctors in a state of 29 million residents are legally permitted to dispense medication they prescribe.

The law has real consequences. Up to 30% of all prescriptions in America go unfilled due to factors like cost and inconvenience, resulting in complications for patients and billions of dollars annually in avoidable medical expenses for the broader health care system. Dispensing

## Up to 30% of all prescriptions in America go unfilled due to factors like cost and inconvenience.

need—often at a fraction of the price offered by nearby pharmacies.

It is easy to see why Texas' scheme does not sit well with Texas doctors, like IJ client Dr. Kristin Held, who would like to

offers doctors a way to help alleviate these problems by providing patients with immediate access to the medications they

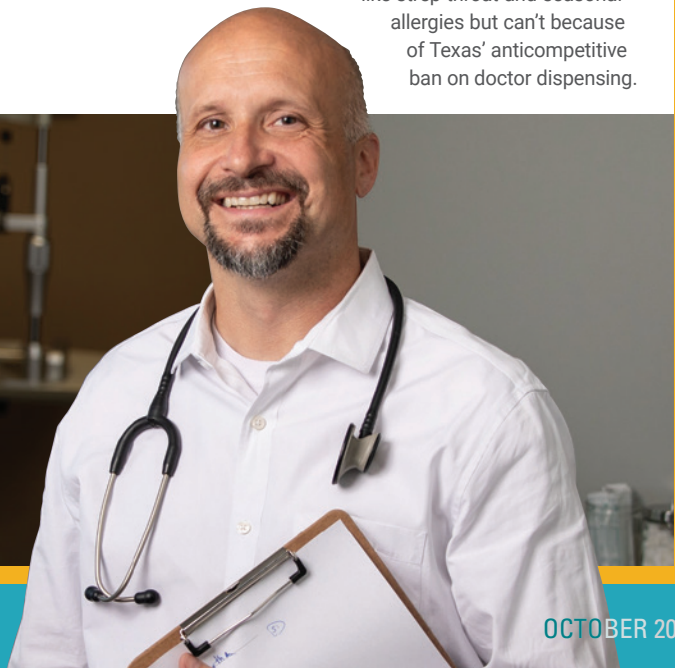
dispense medication to their own patients. Dr. Held is an ophthalmologist based in San Antonio who performs eye surgeries and would like to send patients home with the antibiotic and anti-inflammatory eye drops they need to



TX Dispensing continued on page 18

Ophthalmologist **Dr. Kristin Held** prescribes medications virtually every day as part of routine checkups or post-surgical care. Under Texas' law, she is prohibited from dispensing safe, affordable medication to her patients because she works in a populated area.

**Dr. Michael Garrett** is a family doctor based in Austin who wants to offer patients more convenient access to medications for common ailments like strep throat and seasonal allergies but can't because of Texas' anticompetitive ban on doctor dispensing.





# Want to Write a Novel? You'll Need a License for That

BY RENÉE FLAHERTY

Novelist John Hart describes his job as “making a living off pure imagination.” But even this best-selling author of literary thrillers couldn’t have imagined that the simple act of typing at his dining room table would make him a criminal in his hometown of Charlottesville, Virginia.

This past summer, Charlottesville tax collectors sent John and fellow author Corban Addison letters demanding thousands of dollars in overdue business license taxes, which they had unknowingly been accruing for years.

But John and Corban aren’t businesses. They don’t have a storefront that requires city infrastructure—the costs of which business license taxes are intended to

defray—and their readers span the globe. What’s more, if they wrote magazine or newspaper articles instead of novels, they would be automatically exempt from any business license taxes.

Charlottesville’s new campaign to tax the city’s creative community is a transparent attempt to fill its coffers at the expense of honest, hardworking residents. The city’s selective targeting of writers is made possible in part because Charlottesville’s business license tax language is so vague that it gives local government officials the power to tax—or not tax—virtually whomever they wish.

This unequal treatment isn’t just unfair—it’s unconstitutional. The U.S. Supreme Court has made it clear that discriminating between different kinds of speakers

Best-selling authors **John Hart** (left) and **Corban Addison** (right) joined with IJ to fight for their right to speak for a living without being burdened by discriminatory business licensing taxes.





The city's selective targeting of writers is made possible in part because Charlottesville's business license tax language is so vague that it gives local government officials the power to tax—or not tax—virtually whomever they wish.

violates speakers' First Amendment rights. The Court has also long held that, under the 14th Amendment's due process guarantee, laws must be "sufficiently explicit" so they cannot be arbitrarily enforced and so citizens can understand exactly what conduct is punishable. Charlottesville's business tax license fails both tests.

IJ has long litigated cases affirming that individuals like John and Corban do not need the government's permission to communicate with others—regardless of whether they earn a living through that speech. This case builds on that work by ensuring that cities like Charlottesville can't discriminate between creative entrepreneurs—like those who write novels—and the traditional press.

Charlottesville prides itself on being home to a vibrant community of writers, artists, and other freelance creatives. John and Corban have teamed up with IJ to ensure it remains that way and to keep the city from treating them and other creative entrepreneurs like ATMs. ♦

Renée Flaherty is an  
IJ attorney.



## Looking for a Savvy Way to Support IJ? Make a Gift From Your IRA!

If you are age 70½ or older, you can transfer up to \$100,000 tax free from your IRA to qualified charitable organizations like the Institute for Justice. These kinds of gifts are great options for those who must take a required minimum distribution but don't need the funds and don't want to add to their taxable income for the year.

Making a qualified charitable distribution, or QCD, allows 100% of your hard-earned IRA dollars to go to work in support of IJ's mission, rather than to fund an even bigger government. And these gifts are easy to make:


1. Write to your IRA administrator.
2. Tell the administrator you want to make a qualified charitable distribution from your retirement account.
3. Provide the administrator with IJ's name, address, and tax ID number (52-1744337).

If you have questions or would like to learn more about giving to IJ through your IRA, please contact Megan Cook at [mcook@ij.org](mailto:mcook@ij.org) or (703) 682-9320 ext. 230, or visit [ij.org/IRA-gifts](http://ij.org/IRA-gifts). ♦

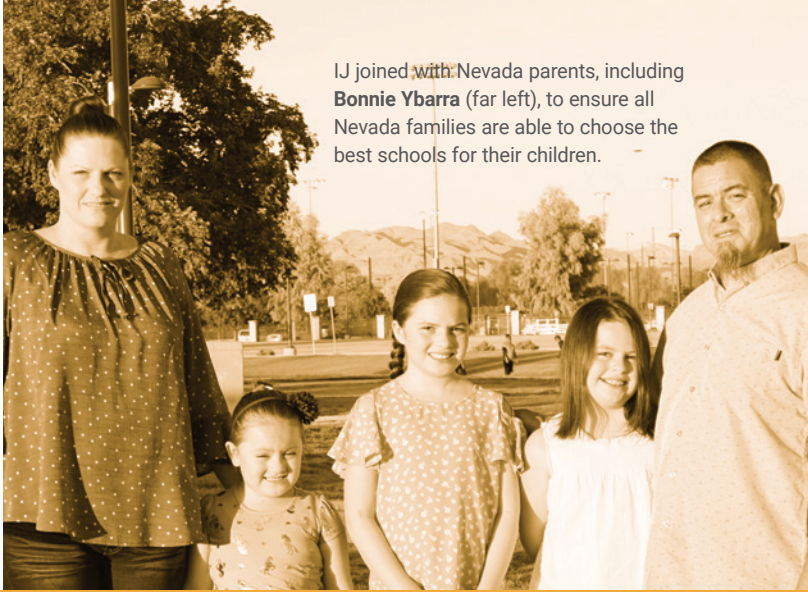
**USING AN IRA CHECKWRITING FEATURE IN 2019?**  
Your gift must arrive at IJ by **December 15, 2019**, to ensure it qualifies as a 2019 distribution.







"We simply can't afford to stay in [my son's] current school without assistance," explained IJ client **Flor Morency** (second from left).



IJ joined with Nevada parents, including **Bonnie Ybarra** (far left), to ensure all Nevada families are able to choose the best schools for their children.

# Nevada Families Sue to Restore Tax Credits for Scholarship Donations


BY TIM KELLER

As students nationwide return to school, some Nevada children are facing a heart-breaking reality: They can't go back to the schools where they were thriving.

That's because, earlier this year, the Nevada Legislature significantly altered the state's

Educational Choice Scholarship Program, eliminating a provision that annually increased the amount of tax credits available to businesses that contribute money to scholarship-granting organizations.

Enacted in 2015, Nevada's scholarship program has empowered thousands of families



Nevada, like 29 states and the District of Columbia, gives parents like **Keysha Newell** genuine school choice. That choice should be expanded, not taken away.



**With education costs rising, the state's population growing, and critical tax incentives cut off, scholarship organizations couldn't serve as many qualified students as they anticipated, and families who had been expecting renewed scholarships instead received rejection letters.**



to choose the schools that best suit their children's needs. Scholarships are funded through tax-credit-eligible donations, and the 2015 law included a provision that increased the amount of tax credits available to donors by 10% each year.

The Legislature's de facto cap on these tax credits this year came with devastating consequences for families. With education costs rising, the state's population growing, and critical tax incentives cut off, scholarship organizations couldn't serve as many qualified students as they anticipated, and families who had been expecting renewed scholarships instead received rejection letters.

Flor Morency and Bonnie Ybarra are typical of the many financially struggling parents whose children lost their scholarships. Flor is the mother of twins, one of whom was bullied in his public school. After receiving scholarships and enrolling both children at a Catholic school, Flor has seen a marked improvement in her son's happiness—and his grades. Bonnie's two oldest daughters struggled academically at their prior public schools, receiving dismal grades. Both girls were awarded scholarships to attend a private school where they have turned their academic

careers around. Neither family can afford the cost of tuition without their lost scholarships, putting their children at risk of having to return to schools that previously failed them.

The Nevada Legislature was not only wrong to hamstringing this vital choice program—it was acting outside the law. The Nevada Constitution clearly states that measures intended to raise government revenue—including cutting back on tax credits—require a two-thirds vote in both legislative chambers. Advocates of this scholarship-killing measure fell short of that threshold in the Senate but simply decided to ignore this constitutional requirement.

In August, Flor, Bonnie, and several other families harmed by this unconstitutional legislative action, along with a scholarship organization and several business donors, teamed up with IJ to fully restore Nevada's vital—and only—educational choice program. Our lawsuit will ensure that even more Nevada families are able to choose the best schools for their children and will enforce essential state constitutional limits on government power. ♦

Tim Keller is an IJ senior attorney.



# Keeping Up WITH THE Institute for Justice

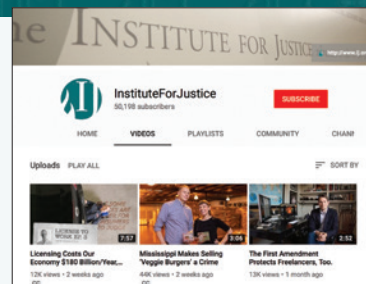
BY MELANIE HILDRETH

As you can see from this “case launch” issue of *Liberty & Law*, IJ is in the midst of an unprecedented amount of activity. We’re filing and winning a record number of cases while at the same time getting information about our litigation, clients,

and issues to new audiences in ever more ways.

If you want to gain a deeper understanding of what we’re doing, or even just to dig into a few specific cases, here are some ways to keep up while waiting for *Liberty & Law* to hit your mailbox.

**Subscribe to IJ’s YouTube channel.** With over 50,000 subscribers and videos that have been viewed more than 14 million times, IJ’s YouTube channel is a great way to get a fun, fresh perspective on IJ’s work, hear directly from our clients and attorneys, and see firsthand the impact of your support. You can visit and subscribe at [YouTube.com/InstituteForJustice](https://YouTube.com/InstituteForJustice).



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#### *Short Circuit:*

IJ attorneys and special guests discuss important or interesting federal appeals court decisions. Informative and informal, Short Circuit is IJ’s flagship podcast. To listen or to sign up for the weekly email newsletter, visit [ij.org/Short-Circuit](https://ij.org/Short-Circuit).



#### *Bound by Oath:*

Documentary-style investigation into the history and meaning behind specific aspects of the Constitution. Season 1 traces the dramatic story of the 14th Amendment and includes interviews with legal scholars, historians, and individuals whose lives the Amendment affects today. To listen, go to [ij.org/Bound-By-Oath](https://ij.org/Bound-By-Oath).



#### *Deep Dive:*

In-depth, 30-minute conversations with IJ attorneys and staff about various aspects of our work. Ever wonder when—and why—we file amicus briefs? Curious where Blaine Amendments came from? Check out Deep Dive at [ij.org/Deep-Dive](https://ij.org/Deep-Dive).



#### *How's Business?:*

Part of the IJ Clinic’s advocacy for Chicago entrepreneurs, this series of interviews with company founders details their experiences getting—and staying—in business in the Windy City. Hear from them at [howsbusinesschi.com](https://howsbusinesschi.com).





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Melanie Hildreth is IJ's vice president for external relations and editor of *Liberty & Law*.



IJ Attorney Anya Bidwell (second from right) became IJ's third Elfie Gallun Fellow in Freedom and the Constitution in July 2019.

## Anya Bidwell Named New Elfie Gallun Fellow in Freedom and the Constitution

In July, IJ announced that attorney Anya Bidwell would succeed attorney Sam Gedge as the Institute's third Elfie Gallun Fellow in Freedom and the Constitution. As you may recall from previous issues of *Liberty & Law*, this prestigious fellowship was established in 2014 by longtime IJ supporters Elfie and Ned Gallun.

Elfie's deep appreciation for liberty was forged through her experience of living without it. As a child, she endured Hitler's Germany only to be trapped in Stalin's East Germany. At the age of 19, Elfie risked everything to escape communist rule, crawling across a river in the dead of night on the remains of a dismantled railroad bridge to reach West Germany.

You can read more about Elfie's harrowing journey to freedom—and see President Reagan's heartfelt letter responding to her story—at [ij.org/gallun-fellowship](http://ij.org/gallun-fellowship).

Having grown up herself in the former Soviet Union, Anya shares Elfie's deep appreciation of the fragile and precious nature of liberty. She joined IJ in 2017 and has worked on a number of high-profile cases, including serving as co-counsel in IJ's landmark U.S. Supreme Court case vindicating the rights of small-business owners Doug and Mary Ketchum to earn an honest living. As IJ's new Gallun Fellow, Anya will carry on Elfie's legacy by publishing, speaking, and litigating in support of vital constitutional rights.

"Elfie Gallun is a personal hero and a role model," said Anya. "I look forward to spreading the word about liberty and the Constitution in her name." ♦

Driven by a deep yearning for freedom, **Elfie Gallun** (pictured with her husband, **Ned**, in 2016) risked her life to escape communist East Germany as a young girl. Her story of courage and determination inspires us all in our ongoing fight for liberty.





#### MS Veggie Burgers continued from page 7

context matters. People shopping for meat substitutes know that what they're buying doesn't come from animals—after all, it says right there on the box that Upton's Naturals products are "100% Vegan."

That's why, the same day Mississippi's law went into effect, Upton's Naturals and the Plant Based Foods Association teamed up with the Institute for Justice to file a federal lawsuit challenging Mississippi's unconstitutional attempt to ban their advertising. This case is just the latest in IJ's nearly 30-year

history of protecting the right of individuals and businesses to advertise their goods and services free from unreasonable government regulation. And with the support of readers like you—carnivore, herbivore, and omnivore alike—IJ looks forward to taking a big bite out of government censorship in the Magnolia State. ♦

Paul Sherman is an  
IJ senior attorney.



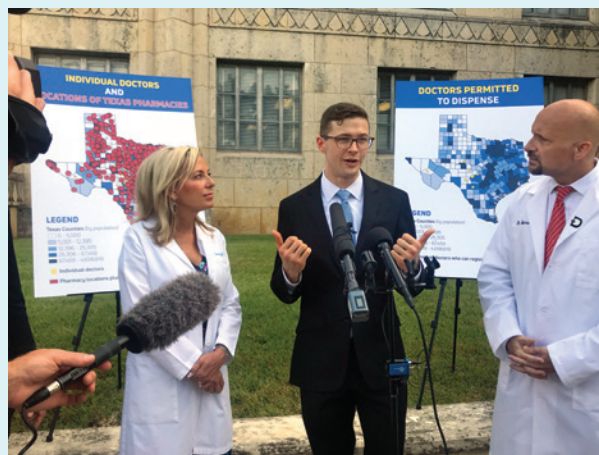
#### TX Dispensing continued from page 11

recover. She simply wants to dispense in the same manner as her rural peers, but because she works in a big city near pharmacies, she is banned from doing so.

For years, Dr. Held and Dr. Michael Garrett, another IJ client, have advocated for change at the legislative level—often with the support of the Texas Medical Association, the largest state doctors' association in the country. Over the years, these efforts have produced several promising bills that would have reformed or repealed Texas' dispensing ban. But every time, powerful pharmacy groups and their lobbyists have exerted their considerable influence to defeat the bills.

Now, Dr. Held and Dr. Garrett are taking their cause to the courts. In June, the doctors and IJ filed a constitutional lawsuit to strike down Texas' protectionist ban on doctor dispensing. As IJ's 2015 victory in *Patel v. Texas Department of Licensing and Regulation* made clear, the Texas Constitution provides strong protections for economic liberty. We look forward to showing that these protections also apply to licensed medical professionals—and that naked economic protectionism has no place in the Lone Star State. ♦

Joshua Windham is  
an IJ attorney.



IJ Attorney Joshua Windham, joined by Dr. Kristin Held and Dr. Michael Garrett, speaks at a press conference launching their case earlier this summer.





# IJ MAKES HEADLINES

These articles and editorials are just a sample of recent favorable local and national pieces IJ has secured. By getting our message out in print, radio, broadcast, and online media, we show the real-world consequences of government restrictions on individual liberty—and make the case for change to judges, legislators and regulators, and the general public.

You can access the articles by clicking on the headlines in the online edition of *Liberty & Law* at [iam.ij.org/october-2019-headlines](http://iam.ij.org/october-2019-headlines).



**A Florida Woman Was Fined  
\$100,000 For A Dirty Pool And  
Overgrown Grass. When Do Fines  
Become Excessive?**

July 22, 2019



**Vegan 'Meat' Makers Sue  
Mississippi Over What To Call It**

July 2, 2019



**Mom Hopes Lawsuit Will Save  
Her Daughters' Opportunity  
Scholarships**

August 17, 2019



**Church, School And  
The Supreme Court**

June 30, 2019



**Home Cooking For Profit?  
Sure, Just Not In New Jersey**

August 13, 2019



**Texas Doctors Prescribe Drugs.  
Why Can't They Dispense Them?**

July 26, 2019



**Federal Lawsuit Claims Granite  
City's Crime-Free Housing Rules  
Are Unconstitutional**

August 1, 2019




**An Inside Look At Chicago's Seedy  
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A photograph of Charlie Birnbaum, a middle-aged man with glasses, wearing a blue striped button-down shirt, standing with his arms crossed in a home setting. In the background, there is a grand piano, a clock on the wall, and a fireplace mantel with photos.

New Jersey wanted to take my family's home  
for the benefit of a bankrupt casino.

In America, no one should lose their home to  
eminent domain for someone else's private use.

I fought to keep my property.

And I won.

*I am IJ.*

Charlie Birnbaum  
Atlantic City, New Jersey

[www.IJ.org](http://www.IJ.org)

Institute for Justice  
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