



## **FACT SHEET**

### ***The Children First Foundation v. Legreide***

#### ***ABOUT The Children First Foundation v. Legreide***

The New Jersey Motor Vehicle Commission repeatedly refused to grant applications for specialty license plates with the slogan “Choose Life” to a non-profit pro-adoption organization, The Children First Foundation, on the basis that the plates were too “controversial” and “political.” The officials later attempted to amend their censorship justification, saying the plate was rejected because it contained “advocacy.” But as the suit points out, the New Jersey special plate program was designed for advocacy, and the NJMVC has approved specialty plates for other organizations that present advocacy messages. Alliance Defense Fund attorneys filed suit against former NJMVC Chief Administrator Diane Legreide for violating the foundation’s First Amendment rights through viewpoint discrimination.

#### ***CURRENT STATUS OF The Children First Foundation v. Legreide AS OF 4/13/09***

ADF attorneys filed a lawsuit with the U.S. District Court for the District of New Jersey against the NJMVC in May 2004 on behalf of The Children First Foundation for unconstitutionally denying its applications for “Choose Life” specialty plates on numerous occasions. In March 2005, a federal judge denied the commission’s motion to dismiss the suit. In June 2008, a new judge appointed to the case granted the defendants’ motion to dismiss. ADF Senior Legal Counsel Jeff Shafer will present oral arguments for The Children First Foundation at a hearing before the U.S. Court of Appeals for the 3rd Circuit on April 14.

#### ***FOCUS OF HEARING – WHAT IS AT STAKE?***

The outcome of the hearing will determine whether New Jersey will be allowed to engage in unconstitutional viewpoint discrimination against a non-profit organization’s message when making decisions concerning the granting or rejection of applications for state specialty license plates.

#### ***OTHER ADF SPECIALTY PLATE LAWSUITS***

- [\*Ferris v. Stiver\*](#): Indiana suit concerning “BE GOD[’S]” plate
- [\*Byrne v. Rutledge\*](#): Vermont suit concerning “JOHN316” plate
- [\*Arizona Life Coalition v. Stanton\*](#): Arizona suit concerning “Choose Life” plates
- [\*Choose Life of Missouri v. Vincent\*](#): Missouri suit concerning “Choose Life” plates
- [Map](#) showing the status of “Choose Life” license plates across the U.S.

#### ***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 Jeff Shafer***

Jeffrey A. Shafer serves as senior legal counsel for the Alliance Defense Fund at its Washington, D.C., Regional Service Center. He has litigated religious liberty and free speech cases in federal and state trial and appellate courts throughout the United States. Shafer has been practicing law since 1997 and graduated with honors from the Regent University School of Law. Shafer joined ADF in 2005.