



The Future of the Freedom of Religion: *A Dialogue*

Thursday, May 17, 2007

*Offices of Sidley Austin LLP,
Washington, DC*

Sponsored by

*Interdisciplinary Program in
Law & Religion:*

The Catholic University of America,

*American Constitution Society
for Law and Policy,*

and Sidley Austin LLP

This one day seminar, presented from various points of view, will focus on current issues in the area of religious freedom, especially topics facing religious institutions.

Thursday, May 17, 2007

9:00 a.m.-4:00 p.m.

Sidley Austin LLP
1501 K Street N.W.
Washington, D.C. 20005

Agenda

- 9:00 - 9:10** **Welcome — Edward McNicholas, Sidley Austin LLP**
- 9:10 - 9:50** **Keynote— The Religion Clauses in the Roberts Court
Carter Phillips, Sidley Austin LLP**
- What do the changes in the Supreme Court portend for its religion jurisprudence?
 - How do those changes affect the understanding and approach of a Supreme Court advocate or Circuit Judge?
- 9:50 - 10:20** **Recent Jurisprudence Update —
Robert Destro, Catholic University School of Law**
- Update on recent cases in the pipeline to the Supreme Court.
 - Reactions: Melissa Rogers, Wake Forest University Divinity School.
- 10:20 - 10:30** **Morning Break**
- 10:30 - 11:15** **A View from the Trenches: Religious Liberty on the Line**
- Roundtable update from general counsels of religious organizations about the cases and issues they are facing.
James F. Sweeney, California Catholic Conference
Robert Kyte, Seventh-day Adventist Church
Ingrid Mattson, Islamic Society of North America
- 11:15-12:00** **A View from the Legislature: What are the Issues Facing Religious
Institutions in Congress and the State Legislatures?**
- Panel discussion of the issues affecting religious organizations in the legislative arena.
Bob Gilligan, Catholic Conference of Illinois
Marc Stern, American Jewish Congress
Aaron Schuham, Americans United for the Separation of Church and State
- 12:00-12:45** **Luncheon Keynote—Tony Mauro Supreme Court Correspondent,
*Legal Times and American Lawyer***
- 12:45-1:00** **Break**
- 1:00 – 1:40** **Federal Religious Liberty Enforcement Priorities — Eric Treene, U.S.
Department of Justice, Civil Rights Division**
- The Civil Rights Division's cases involving religious discrimination in employment, public accommodations, public facilities, education, and housing; the protection of houses of worship from discrimination in zoning law; the religious rights of inmates; and Justice Department's efforts to protect Muslims, Sikhs, Arab-Americans, and Asian-Americans from discrimination and crimes resulting from the war on terror.

1:40 – 2:30 **The Future of Faith-Based Initiatives For Social Services**

- Religious liberty issues facing social service providers and aid recipients.
Chip Lupu, George Washington University School of Law
Bob Tuttle, George Washington University School of Law
Robert Destro, The Catholic University of America
Bill Marshall, University of North Carolina School of Law, facilitator

2:30 – 2:45 **Afternoon Break**

2:45 – 3:30 **Break-out Panels: Religion in American Life Labor and Employment Issues —**

- Some believe that existing religious exemptions in state and federal labor and employment laws strike a practical, constitutional balance that works, while others advocate that religious organizations should be wholly exempt or should enjoy broader exemptions. What is the current state of the law? What changes are being sought and why? What factors do and should courts consider?

Jeffrey Berman, Sidley Austin LLP, facilitator
Jeff Sinensky, American Jewish Committee
Kent Hansen, Loma Linda University and Medical Center
Marty Lederman, Georgetown University Law Center

Zoning and Property Disputes —

- Examination of the key zoning and property dispute issues created by the expansion of large congregations in the age of RLUIPA.

Daniel Mach, American Civil Liberties Union
Anthony R. Picarello, Jr., Becket Fund, facilitator
Paul Zidlicky, Sidley Austin LLP

3:30 – 4:45 **Current Tax Issues Facing Religious Institutions**

- Examination and discussion of the tax issues currently faced by religious institutions, particularly in light of their political activities.

Michael A. Clark, Sidley Austin LLP, facilitator
Deirdre Dessingue, United States Conference of Catholic Bishops
Judith Kindell, Internal Revenue Service
Bill Marshall, University of North Carolina School of Law
Marc Owens, Caplin & Drysdale

To R.S.V.P. or with questions, contact:

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or visit the ACS website at www.acslaw.org/religiondialogue*

Please register by May 11, 2007.

Admission and lunch are compliments of the sponsors.
Please let us know if you require special accommodations
or have special dietary needs.

CLE Credit will be available.

Please note: This non-transitional program is approved for NY MCLE credits for experienced attorneys only. It is not acceptable for newly admitted attorneys. Sidley Austin LLP is a California State Bar approved provider. This program is approved for 4.5 hours of MCLE credit.

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The Interdisciplinary Program in Law and Religion at **Catholic University's Columbus School of Law** was created in 1985 with funds from the Henry R. Luce Foundation. Its purpose is to explore the relationship of law to religion and of religion to public policy by supporting student internships, continuing professional education, interdisciplinary research, conferences and publications. In keeping with the view that interdisciplinary cooperation benefits legal scholars, law students, lawmakers and practicing attorneys, the Program encourages creative interaction between and among a wide range of professionals and academics from the United States and abroad. Students are placed in law firms, nongovernmental organizations and government agencies, including Congress, where they receive front line experience applying theory to practice. The Program also provides continuing-education programs, informational materials, and clinical support services for lawyers, public policy specialists, health and social service professionals, educators, clergy, church administrators and others with an interest in law, religion and ethics. Its highly-regarded "Middle East Dialogue Program" is developing similar opportunities for scholars, students, and lawyers from that part of the world.



The **American Constitution Society for Law and Policy (ACS)** is one of the nation's leading progressive legal organizations. Founded in 2001, ACS is a rapidly growing network of lawyers, law students, scholars, judges, policymakers and other concerned individuals. Our mission is to ensure that fundamental principles of human dignity, individual rights and liberties, genuine equality, and access to justice enjoy their rightful, central place in American law. The views of speakers are their own and should not be attributed to ACS. For more information about the organization, which has established student chapters at 155 law schools around the country and lawyer chapters in over 25 cities, please visit www.acslaw.org.



Sidley Austin LLP's nationwide Religious Institutions Practice Group combines the broad resources of the firm with specific experience in the issues that uniquely affect religious institutions. Over the past several years, we have assisted a diverse array of religious organizations, including churches, religious schools and universities, religious broadcasters, religious health care institutions, and religiously-affiliated philanthropic and community organizations. Our lawyers have often had a leading role in shaping the law governing these institutions. Sidley's experience in representing religious institutions is enhanced by the firm's national practices in such areas as trial and appellate litigation, constitutional law, labor and employment law, health care, higher education law, administrative law, land-use and zoning, intellectual property, and communications.



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