

# **Bond Case Briefs**

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## **CONSTITUTIONAL LAW - UTAH**

### **Summum v. Pleasant Grove City**

**Supreme Court of Utah - January 30, 2015 - P.3d - 2015 UT 31**

After the United States Supreme Court, 555 U.S. 460, 129 S.Ct. 1125, rejected religious organization's free speech claim and the federal district court subsequently rejected organization's federal establishment clause claim, organization filed a complaint in state court, alleging that city had violated the religious liberty clause of the Utah Constitution. The Fourth District Court granted summary judgment in favor of the city. Organization appealed.

The Supreme Court of Utah held that religious liberty clause did not require city to install a proposed religious monument in a public park where a Ten Commandments monument was already situated.

Requiring city to erect a second religious monument would not render the allocation of public property and money to the two monuments neutral, displaying monuments that communicate the beliefs of only two religious viewpoints would not amount to an impartial distribution of public property among the spectrum of religious views held by Utah citizens, and because allocation of public money or property to a permanent religious monument was per se not neutral, the appropriate remedy for monument constituting "religious worship, exercise or instruction" would not be the forced installation of a second monument.