

# **Bond Case Briefs**

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## **FIRST AMENDMENT - NORTH CAROLINA**

### **Lund v. Rowan County, N.C.**

**United States District Court, M.D. North Carolina - May 4, 2015 - F.Supp.3d - 2015 WL 2072345**

County residents brought § 1983 action against county, alleging that county violated establishment clause of First Amendment by using commissioner-led prayers to open meetings of county board of commissioners. Residents moved for summary judgment.

The District Court held that board practice violated establishment clause.

Practice of county board of commissioners in opening meetings with commissioner-led prayers did not fit within legislative prayer exception for purposes of determining whether practice violated establishment clause of First Amendment. The practice inherently discriminated and disfavored religious minorities, since all faiths but those of the five elected commissioners were excluded.

Practice of county board of commissioners in opening meetings with commissioner-led prayers constituted unconstitutional coercion in violation of the establishment clause of the First Amendment. Board maintained exclusive and complete control over content of prayers, practice inherently excluded religious views of any but five elected commissioners, audience members were invited to stand for the prayer and the immediately-following pledge of allegiance to the flag, and commissioners made public statements indicating frustration and disapproval of minority religious views.