



AMERICAN
CONSTITUTION
SOCIETY FOR
LAW AND POLICY

Experts on Both Sides Address Major Campaign Finance Cases Regarding the First Amendment Rights of Unions

MEDIA ADVISORY

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WHAT: Discussion of two consolidated Supreme Court cases questioning whether the First Amendment protects political activity by unions paid for with non-member fees.

WHO:

- **Larry Gold**, Associate General Counsel, AFL-CIO & of counsel, Lichtman, Trister & Ross, PLLC
- **James Bopp, Jr.**, General Counsel, James Madison Center for Free Speech & Member, Bopp, Coleson & Bostrom
- Moderator, **Amanda Frost**, American University Washington College of Law

WHEN & WHERE: Currently [available online](#).

On January 10, the Supreme Court will hear oral argument in *Davenport v. Washington Education Association* and *Washington v. Washington Education Association*, cases that deal with the extent to which the First Amendment protects unions from campaign finance restrictions. In 1986, the Supreme Court held that unions that engage in collective bargaining on behalf of both members and non-members must give non-members the opportunity to "opt-out" of fees that could be spent on political activity. Twenty years later, the Court will now consider whether states may further restrict political speech by unions, or whether the First Amendment forbids an "opt-in" regime, where non-member fees may not be spent on political activities without the non-member's affirmative consent. Our panel will feature attorneys on both sides of this case, with expertise in both campaign finance and labor law.

Streaming video of this event is now available at <http://www.acslaw.org/node/4026>.

Members of the media interested in speaking to a legal expert on these cases should contact Ian Millhiser at IMillhiser@ACSLaw.org.

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