

## Thomas More's Win in KD Supreme Court Case Protects All Charitable Donors

(July 1, 2021, Washington, D.C.) Kaufman Dolowich & Voluck, LLP's six-year legal battle with the California Attorney General ended today with the Supreme Court of the United States' 6 to 3 decision that the firm's client, Thomas More Law Center, an advocacy group for faith-based principles, cannot be forced to turn over to the state its list of major donors. The Court's ruling broadly protects all IRS-recognized 501(c)(3) charities from such demands, as the Court found the regulation unconstitutional on its face, not simply as applied to the Law Center.

Louie Castoria, a partner in Kaufman Dolowich & Voluck's (KD's) San Francisco office, filed the case against the state in 2015, won in a bench trial and brought the case through the appellate process to the point of petitioning the Supreme Court for review. John Bursch, a frequent Supreme Court advocate with Alliance Defending Freedom, joined the case as lead counsel and working closely with Castoria in the Supreme Court phase, right up to today's ruling.

"This is a great day for all Americans who cherish their First Amendment rights of peaceable assembly and free speech, the same rights that our Founders exercised in advocating for independence and ratification of the Constitution," said Castoria. "In the last year, we've seen how volatile the marketplace of ideas has become, attacking one another, stigmatizing people for their cultures and deeply held beliefs, and assaulting the foundations of our society.

"This opinion safeguards our client's donors from the threats of governmental misuse and public disclosure of their identities and addresses—whether intentional, mistaken, or by electronic theft," Castoria added.

The protected charities and their donors range the ideological spectrum from the NAACP and ACLU to more conservative advocacy groups, like the Law Center. Twenty-two states and hundreds of charities submitted briefs urging the Court to strike down California's regulation.

Writing for the majority, Chief Justice John Roberts declared, "[W]e conclude that California's blanket demand for Schedule Bs is facially unconstitutional. . . . The gravity of the privacy concerns in this context is further underscored by the filings of hundreds of organizations as amici curiae in support of the petitioners. Far from representing uniquely sensitive causes, these organizations span the ideological spectrum, and indeed the full range of human endeavors: from the American Civil Liberties Union to the Proposition 8 Legal Defense Fund; from the Council on American-Islamic Relations to the Zionist Organization of America; from Feeding America—Eastern Wisconsin to PBS Reno. The deterrent effect feared by these organizations is real and pervasive, even if their concerns are not shared by every single charity operating or raising funds in California."

Associate Justice Sonia Sotomayor wrote a dissenting opinion, in which Associate Justices Kagan and Breyer concurred. The dissent does not detract from the legal effect of the majority's holding.