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Troutman Pepper Lands Supreme Court Victory for New York Synagogues

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WASHINGTON, D.C. – A few minutes before midnight on Thanksgiving Eve, the U.S. Supreme Court granted an injunction sought by Troutman Pepper against the limits on attendance at religious services that had been imposed by New York Governor Andrew Cuomo. The plaintiffs were Agudath Israel of America, an umbrella group representing the interests of Orthodox Jews, and several affiliated synagogues.

Avi Schick, a partner in Troutman Pepper's New York office, filed the emergency application with the Supreme Court challenging the restrictions as impermissibly targeting religious groups and as improperly disfavoring religious activity as compared to secular conduct.

In a 5-4 ruling, the Court agreed, concluding that “Even in a pandemic, the Constitution cannot be put away and forgotten. The restrictions at issue here, by effectively barring many from attending religious services, strike at the very heart of the First Amendment’s guarantee of religious liberty.”

The Court also agreed with Troutman Pepper that an injunction was necessary even after the Governor altered the restrictions while the case was pending at the Supreme Court, finding that “The Governor regularly changes the classification of particular areas without prior notice. If that occurs again, the reclassification will almost certainly bar individuals in the affected area from attending services before judicial relief can be obtained . . . Orthodox Jews pray in [Agudath Israel’s] synagogues every day.”

Schick explained that “this landmark decision will ensure that religious expression will be protected from government rules that do not treat religion with the respect demanded by the Constitution.” Schick regularly represents clients in constitutional and other high stakes litigations, investigations and enforcement actions.

The Troutman Pepper team included [Misha Tseytlin](#), [W. Alex Smith](#) and Sean Dutton.

Troutman Pepper attorneys routinely handle the most complex matters for their clients, from the trial courts through the United States Supreme Court. Firm partners include numerous former federal and state prosecutors and regulators from across the country, several former state solicitors general and former law clerks at the U.S. Supreme Court, state supreme courts, and federal courts of appeals.

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