

Lawyer Loses First Amendment Challenge to Use of Bar Dues

Bloomberg Law **reports** that a North Dakota lawyer can't pursue his First Amendment claims against the state bar association over compulsory membership and annual dues.

Bloomberg's Jennifer Bennett explains: "Arnold Fleck sued after learning the State Bar Association of North Dakota was using some of his dues to oppose a state ballot measure he supported. He accused the state bar of violating his right to affirmatively consent before it spent his dues on non-germane political or ideological activities. Fleck also argued that requiring attorneys to belong to SBAND in order to practice law infringes on his 'right to freedom of association and to avoid subsidizing speech with which he disagrees,' Judge James B. Loken's opinion said."

The case was back in the U.S. Court of Appeals for the Eighth Circuit after the U.S. Supreme Court granted Fleck's petition, summarily vacated the Eighth Circuit's decision, and remanded the suit for reconsideration.

Read the Bloomberg Law article.