



November 18, 2008

**MADIGAN PREVAILS IN SPECIALTY LICENSE PLATE SUIT*****Secretary of State Not Required to Issue Special  
"Choose Life" License Plates***

Chicago — Attorney General Lisa Madigan successfully convinced a federal appellate court that Secretary of State Jesse White should not be compelled to issue a specialty license plate bearing the slogan "Choose Life." In November, a three-judge panel of the U.S. Court of Appeals for the Seventh Circuit ruled that state officials are not violating the First Amendment by declining to issue specialty license plates relating to the subject of abortion.

In its ruling, the Seventh Circuit held that because the state has excluded the "entire subject" of abortion from its specialty license plate program, its decision to reject a "Choose Life" license plate is viewpoint neutral and, thus, permissible under the First Amendment. The Court found that the state's decision to exclude the subject of abortion from license plates is based on the "reasonable rationale that messages on specialty license plates give the appearance of having the government's endorsement, and Illinois does not wish to be perceived as endorsing any position on the subject of abortion."

Choose Life, Inc. initially filed this lawsuit after the Secretary of State's office denied its request to create the specialty plate. The District Court found in favor of Choose Life, Inc. and ordered the Secretary of State to begin producing the license plates. The Seventh Circuit overturned that ruling, making it clear that the Secretary of State is not required to do so.

Assistant Attorney General Richard Huszagh handled the case for Attorney General Madigan's Civil Appeals Division.

-30-

[Return to November 2008 Press Releases](#)**TOP**