

The *Chelsey Nelson* Case

Case Name: Chelsey Nelson Photography LLC v. Louisville/Jefferson County Metro Government et al

Case Status: Lawsuit filed in U.S. District Court for the Western District of Kentucky, Louisville on November 19, 2019

Significance: Whether the government can force creative professionals to violate their core beliefs.



Background: Chelsey Nelson is a Kentucky wedding photographer, editor, and blogger. Her photography celebrates the lifelong commitment of marriage between one man and one woman, and she is guided by her deeply held beliefs about God’s vision for marriage. But a Louisville law forces Chelsey to participate in same-sex wedding ceremonies and to use her photography, editing, and blogging skills to promote same-sex weddings if she does so for weddings between one man and one woman. Chelsey serves all people, but she cannot use her artistic talents to promote all messages. But the law restricts this freedom and also forbids Chelsey and her studio, Chelsey Nelson Photography LLC, from explaining to clients or explaining on her studio’s own website and social media sites the religious reasons why she can only celebrate weddings between one man and one woman.

Key Points

- Free speech is for everyone, not just those who agree with the government.
- Photographers and bloggers don’t surrender their freedom of speech when they choose to make a living by creating custom expression.
- No one should be forced to participate in a sacred ceremony that conflicts with their beliefs.
- The government should not banish people from the marketplace based on their views on marriage.

Key Facts

- Chelsey works with all people; she just doesn’t promote all messages.
- The Louisville law threatens Chelsey with unspecified damages, compliance reports, and court orders to force her to participate in and to create photographs and blogs celebrating same-sex wedding ceremonies—all because she does the same to celebrate weddings between a man and a woman.

This is Like...

- Forcing an LGBT filmmaker to create a film against same-sex marriage for a church.
- Forcing an Atheist singer to sing at a church’s Easter service.
- Forcing a Muslim print shop owner to design a synagogue’s flyer criticizing Islam.
- Forcing a Democratic speechwriter to write speeches promoting the Republican Party.

The Bottom Line: Artists should be free to choose the messages they promote.