In the
Supreme Court of Ohio

STATE EX REL. LIFEWISE, INC. 5375 Grace St. Hilliard, Ohio 43026 Relator, vs. OHIO CIVIL RIGHTS COMMISSION 30 East Broad Street 5th Floor Columbus, Ohio 43215 Respondent.	Case No. _____ Original Action Writ of Mandamus or, in the alternative, Writ of Prohibition

COMPLAINT FOR WRIT OF MANDAMUS OR, IN THE ALTERNATIVE, PROHIBITION AND AFFIDAVIT IN SUPPORT

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INTRODUCTION

American government provides citizens with a "'double security' for their liberties, which are guaranteed by two Constitutions, state and federal." *State ex rel. Cincinnati Enquirer v. Bloom*, 2024-Ohio-5029, ¶ 19 (quoting Madison, The Federalist No. 51, at 323 (Clinton Rossiter Ed. 1961)). The federal constitution "provides a *floor* below which state court decisions may not fall." *Arnold v. Cleveland*, 67 Ohio St. 3d 35 (1993), syl. ¶1 (emphasis added). But the Ohio Constitution is itself "a document of independent force." *Id.* And, when the text, history, and tradition of a state constitution call for it, "state courts are unrestricted in according greater civil liberties and protections to individuals and groups." *Id.* Independent interpretation of a state constitution—as opposed to lockstepping with the United States Supreme Court—"ensure[s] that citizens are not deprived of rights guaranteed to them by that document." *Bloom* at ¶ 20.

This action provides this Court with the opportunity to recognize the effect of one of the Ohio Constitution's most important provisions: the religious freedom provision in Article I, Section 7.

The relator, LifeWise, Inc., seeks a writ of mandamus against the Ohio Civil Rights Commission ("OCRC"). A former LifeWise employee, Rachel Snell, who was employed in a ministerial role, brought a charge of discrimination against LifeWise before the OCRC after she voluntarily resigned her position with LifeWise. Soon after she was hired, she

began demonstrating insubordinate behavior by working more hours than she was authorized to and attempting unilaterally to expand the scope of her work. Because of her consistent refusal to work within her authorized amount of hours and other insubordinate behavior, she received numerous directives by her supervisor not to work beyond her authorized hours and to focus on her actual job duties. Unfortunately, these efforts failed. Eventually she received a progressive discipline notice and counseling session with senior staff of LifeWise. She did not take this well. She made unfounded accusations against her manager. LifeWise placed her on paid administrative leave to look into her allegations. While on paid leave, she offered to resign, and did resign. But later she tried to retract her resignation. After LifeWise declined to let her retract her resignation, she filed a charge of discrimination with the OCRC.

The merits of Snell's charge are baseless. But her charge faces a greater obstacle: no state civil tribunal has jurisdiction over the ministerial employment decisions that a religious body like LifeWise makes in connection with ministers like Snell. The Ohio Constitution expressly prohibits "any interference with the rights of conscience" and mandates the protection of "every religious denomination in the peaceable enjoyment of its own mode of public worship, and to encourage schools and the means of instruction." Ohio Const., art. I, §7. And history and tradition show that disputes over employment-related decisions by religious organizations are within the sole and exclusive jurisdiction of the religious bodies that make them. *E.g.*, *Salzgaber v. First Christian Church*, 65 Ohio

App. 3d 368, 372 (1st Dist. 1989) ("Review of subjective judgments by religious officers and bodies, such as involuntary termination of co-pastors, necessarily requires inquiry into ecclesiastical matters. Civil courts cannot constitutionally intervene in such a dispute."). Secular or civil tribunals do not have the jurisdiction to second-guess those decisions, which are ecclesiastical in nature and rooted in religious practice.

Yet the OCRC, a civil tribunal, will engage in such second-guessing unless this Court acts. The Ohio Constitution gives LifeWise the clear legal right to finality when it applies its own ecclesiastical standards, without interference by a secular government body. The OCRC owes LifeWise a clear legal duty to stay out of the decision-making process that goes into operating a Christian ministry. And, if LifeWise is subjected to investigation by the OCRC, there will be no adequate remedy at law to correct the constitutional harm done. The Court should enter a writ of mandamus to stop the OCRC from its unconstitutional exercise of jurisdiction.

JURISDICTION

1. This Court has original jurisdiction to issue writs of mandamus and prohibition to lower courts pursuant to Article IV, Sections 2(B)(1)(b) and 2(B)(1)(d) of the Constitution of the State of Ohio.

PARTIES

2. Relator, LifeWise, Inc., is a not-for-profit, religious ministry organization.

3. Respondent, the Ohio Civil Rights Commission ("OCRC"), is a statutorily-created commission responsible for effectuating the provisions and purposes of Ohio Revised Code Chapter 4112. R.C. 4112.03, 4112.04.

FACTUAL BACKGROUND

4. LifeWise's mission is to spread the gospel of Jesus Christ.

5. It accomplishes that mission by teaching the Bible to public-school students whose parents have permitted them to participate in "release time" from their public school classes.

6. Release time is authorized by *Zorach v. Clauson*, 343 U.S. 306 (1952) and R.C. 3313.6022.

7. LifeWise ministers only to students whose parents have permitted them to participate in LifeWise's release-time programs.

8. LifeWise ministers to students away from public-school property.

9. LifeWise operates its ministries using exclusively private funds.

10. To accomplish its mission of spreading the gospel of Jesus Christ, LifeWise employs "teachers" who minister to the students during their release time.

11. LifeWise "maintains a high view of the authority of Scripture and … align[s] … with historic, orthodox Christian beliefs as expressed in the Nicene Creed." LifeWise Academy, *Statement of Faith*, https://perma.cc/GT92-JHNH.

12. LifeWise further believes in "the story-line of Scripture that climaxes in the central gospel message, that Jesus Christ died for our sins and was raised from the dead." *Id*. LifeWise "believe[s] this gospel is true, essential and announces the way by which sinners are reconciled to God." *Id.*

13. It is imperative to LifeWise's ministry that the teacher-ministers it employs align with LifeWise's ministerial mission and values.

14. To that end, job descriptions for employment with LifeWise require applicants to meet certain qualifications, including maintaining a "mature personal Christian faith consistent with the full LifeWise Academy Statement of Faith" and an "[a]ctive in-person membership in a church."

15. In addition, once an employee is hired at LifeWise, he or she is required to remain a positive example of Christlikeness for students. "Behavior that is inconsistent with the LifeWise Statement of Faith, Vision Philosophy, Core Values, Team Member Conduct Agreement or Worldview Statement" constitutes misconduct that may result in termination. LifeWise Academy Employee Handbook, §208.

16. Other examples of misconduct include misuse of LifeWise property or materials, insubordination, and failure to follow LifeWise policies and procedures.

17. On March 21, 2024, Rachel Snell was hired to work as a part-time classroom teacher at LifeWise.

18. By the fall of 2024, Ms. Snell was engaged in continuous, unrepentant behavior that constituted misconduct under LifeWise's employee handbook.

19. Leadership at LifeWise attempted to remediate Ms. Snell's behavior with one-on-one meetings and other forms of restorative correction.

20. Despite being offered support and opportunities to redeem herself, Ms. Snell remained obstinately insubordinate and behaved in ways that were unbecoming of a minister of the gospel of Jesus Christ and that compromised LifeWise's ministry to students. She received a formal disciplinary notice.

21. Ms. Snell was placed on paid administrative leave. She voluntarily resigned her employment as a teacher-minister at LifeWise effective December 16, 2024.

22. On January 23, 2025, Ms. Snell filed a charge (the "Charge") with the OCRC claiming that LifeWise had discriminated and retaliated against her.

23. A mediation ended in impasse on May 1, 2025.

24. LifeWise requested that the OCRC administratively dismiss the Charge on the grounds outlined here.

25. The Charge remains pending before the OCRC.

26. When mediations end in impasse, the respondent (LifeWise) must submit an answer or position statement. The Charge has been assigned to an investigator at the OCRC who has communicated that LifeWise's answer or position statement is due June 27, 2025, at which point the OCRC will proceed with its investigation.

COUNT I – WRIT OF MANDAMUS

27. LifeWise incorporates and realleges the above paragraphs.

28. "To be entitled to a writ of mandamus, a party must establish, by clear and convincing evidence, (1) a clear legal right to the requested relief, (2) a clear legal duty on the part of the respondent to provide it, and (3) the lack of an adequate remedy in the ordinary course of the law." *State ex rel. New Wen, Inc. v. Marchbanks*, 2020-Ohio-63, ¶ 15 (2020).

29. The Ohio Constitution guarantees protections from "*any* interference with the rights of conscience" and provides that "Religion … being essential to good government, it shall be the duty of the General Assembly to pass suitable laws, to protect every religious denomination in the peaceable enjoyment of its own mode of public worship, and to encourage schools and the means of instruction." Ohio Const., art. I, §7 (emphasis added).

30. Thus, the Ohio Constitution enshrines robust protection for religious freedom, including in the area of education.

31. LifeWise is a "religious denomination" for purposes of Article I, §7.

32. "In construing our state Constitution, we look first to the text of the document as understood in light of our history and traditions." *State v. Smith*, 2020-Ohio-4441, ¶ 29 (2020).

33. There is almost "no textual similarity between the Ohio Constitution's guarantee" of protection for religious denominations from interference in Article I, §7, and the First Amendment to the federal Constitution. *See Bloom*, 2024-Ohio-5029, at ¶ 23.

34. The differing language in Article I, §7 indicates that Ohio's provision for religious protection is "independent" from the analogous protections in the First Amendment. *Humphrey v. Lane*, 89 Ohio St. 3d 62, 66–67 (2000). *See also Sitz v. Dep't of State Police*, 443 Mich. 744, 762 (1993) ("As a matter of simple logic, because the texts were written at different times by different people, the protections afforded may be greater, lesser, or the same.").

35. In fact, the Ohio Constitution provides for a broader right: "the phrase that brooks no 'interference with the rights of conscience' [is] broader than that which proscribes any law prohibiting free exercise of religion [in the federal Constitution]. The Ohio Constitution allows no law that even *interferes* with the rights of conscience." *Humphrey*, 89 Ohio St. 3d at 67.

36. Thus, whereas the federal Constitution prevents laws that "specifically address the exercise of religion … Ohio's ban on interference makes even … tangential effects" on religion constitutionally dubious. *Id.*

37. Article I, §7, also advances different interests than the federal Free Exercise Clause. *See Bloom*, 2024-Ohio-5029, at ¶ 24. The federal constitution is primarily negative in nature, forbidding Congress from making laws respecting an establishment of religion

or prohibiting the free exercise of religion. The Ohio Constitution, by contrast, confers both negative and positive rights with respect to religion. The negative right—outlawing "any interference with the rights of conscience"—is broader than that of the First Amendment. *Humphrey*, 89 Ohio St.3d at 67. The positive right consists of a duty imposed on the General Assembly to promote protections for religious organizations *and* their contributions to education. This is clear by the framers' joining, in a single train of thought, unbroken by semicolons or periods, religious organizations and "schools and the means of instruction." Ohio Const., art. I, §7.

38. Thus, Article I, §7, removes the internal employment decisions of religious organizations from the jurisdiction of civil or secular tribunals.

39. This much is clear from the constitutional text alone—proscribing "*any* interference" in the broadest terms—and especially when understood in the light of our history and tradition. *See Bloom*, 2024-Ohio-5029, at ¶ 35.

40. Religious organizations are uniquely situated in our Nation's history as parties that enjoy significant deference when it comes to making decisions on whom they entrust to spread their message and represent them.

41. Since the country's founding, government has respected that matters which are "entirely ecclesiastical" are free from "political interference." Letter from James Madison to Bishop John Carroll (Nov. 20, 1806), reprinted in 20 Records of the American Catholic Historical Society 63 (1909). This is so even when decisions by religious organizations

are alleged to be in conflict with civil rights. *See Gonzalez v. Roman Cath. Archbishop of Manila*, 280 U.S. 1, 16 (1929), *partially abrogated by Serbian E. Orthodox Diocese for U. S. of Am. & Canada v. Milivojevich*, 426 U.S. 696 (1976) ("the decisions of the proper church tribunals on matters purely ecclesiastical, although affecting civil rights, are accepted in litigation before the secular courts as conclusive"). Civil courts "must accept" ecclesiastical decisions. *Milivojevich*, 426 U.S. at 713; *see id.* at 714–15 ("Indeed, it is the essence of religious faith that ecclesiastical decisions are reached and are to be accepted as matters of faith whether or not rational or measurable by objective criteria. Constitutional concepts of due process, involving secular notions of 'fundamental fairness' or impermissible objectives, are therefore hardly relevant to such matters of ecclesiastical cognizance.").

42. By around 1813, many state courts had failed to "settle[] upon any definite rule by which church controversies were to be adjudged." *Watson v. Jones*, 80 U.S. 679, 704 (1871). Courts have thus historically had "doubts as to their power to handle ecclesiastical matters" and were generally "inclined … to refer every question involving such matters exclusively to the decision of the Church itself." *Id.*

43. Jurists have long recognized that "secular courts" do not "retain jurisdiction over internal disputes between a member of the Church and the Church in circumstances where such courts would indisputably lack jurisdiction over the same disputes between a clergyman and the church." *Howard v. Covenant Apostolic Church, Inc.*, 124 Ohio App. 3d 24, 29 (1997).

44. Caselaw shows that "*all* matters of the propriety of internal church discipline," with limited exceptions not applicable here, "whether taken against a clergyman or a church member, are beyond the jurisdiction of secular courts." *Id.* When religious bodies decide "questions of discipline, or of faith, or ecclesiastical rule, custom, or law … legal tribunals must accept such decisions as final, and as binding on them." *Watson* at 727.

45. The U.S. Supreme Court formalized the "ministerial exception" under the federal Constitution in *Hosanna-Tabor Evangelical Lutheran Church & Sch. v. E.E.O.C.*, 565 U.S. 171 (2012). In so holding, the Court also resolved a circuit split on whether the federal Constitution's ministerial exception was a jurisdictional bar or a defense on the merits, deciding that it was an affirmative defense and not a jurisdictional bar. *Id.* at 709, fn. 4. The Court's analysis on this issue applied solely to the federal Constitution and is limited to a footnote.

46. Prior to *Hosanna-Tabor*, however, Ohio courts traditionally recognized their lack of jurisdiction over ecclesiastical disputes as self-evident. "Review of subjective judgments by religious officers and bodies, such as involuntary termination of co-pastors, necessarily requires inquiry into ecclesiastical matters. Civil courts cannot constitutionally intervene in such a dispute." *Salzgaber*, 65 Ohio App. 3d at 372.

47. Thus, Ohio courts have traditionally recognized that ecclesiastical disputes are "beyond the jurisdiction of any state court." *Howard*, 124 Ohio App. 3d at 26; *see also*

Montgomery v. St. John's United Church of Christ, 2023-Ohio-1168, ¶ 58 (5th Dist.) (affirming "trial court's determination that the ministerial exception prevents application of a secular review and … that the ministerial exception stripped it of jurisdiction"); *Smith v. White*, 2014-Ohio-130, ¶ 2 (2d Dist.) (applying the "ecclesiastical abstention doctrine" in affirming trial court decision that it lacked jurisdiction); *Robinson v. Freedom Faith Missionary Baptist Church*, 2004-Ohio-2607, ¶ 27 (2d Dist.) ("This Court has subject matter jurisdiction only if the dispute involves secular issues.").

48. State courts "are free to construe their state constitutions as providing different or even broader individual liberties than those provided under the federal Constitution." *Arnold*, 67 Ohio St. 3d at 41.

49. State courts are also free "to reject the mode of analysis used by [the U.S. Supreme] Court in favor of a different analysis of its corresponding constitutional guarantee." *City of Mesquite v. Aladdin's Castle, Inc.*, 455 U.S. 283, 293 (1982).

50. Indeed, this Court is "in a better position than [the U.S. Supreme Court] to recognize any special nuances of state law." *Id.*

51. Article I, §7's text, in light of its history and tradition of secular tribunals lacking any and all authority to resolve ecclesiastical disputes, raises a jurisdictional bar to challenges of a religious organization's employment decisions.

52. Like many Ohio courts, numerous federal courts prior to *Hosanna-Tabor* found subject matter jurisdiction lacking in cases concerning the internal dealings and

organization of religious bodies. *E.g., Hollins v. Methodist Healthcare, Inc.*, 474 F.3d 223, 225 (6th Cir. 2007), *abrogated by Hosanna-Tabor*, 565 U.S. at 709, fn. 4 ("The ministerial exception, a doctrine rooted in the First Amendment's guarantees of religious freedom, precludes subject matter jurisdiction over claims involving the employment relationship between a religious institution and its ministerial employees, based on the institution's constitutional right to be free from judicial interference in the selection of those employees."); *Hutchison v. Thomas*, 789 F.2d 392, 396 (6th Cir. 1986) ("Numerous other federal courts have found federal subject matter jurisdiction lacking in cases" involving faith and employment); *Rayburn v. Gen. Conf. of Seventh-Day Adventists*, 772 F.2d 1164, 1168 (4th Cir. 1985) ("The role of an associate in pastoral care is so significant in the expression and realization of Seventh-day Adventist beliefs that state intervention in the appointment process would excessively inhibit religious liberty."); *Equal Emp. Opportunity Comm'n v. Mississippi Coll.*, 626 F.2d 477, 485 (5th Cir. 1980) ("if a religious institution of the kind described in [§702 of Title VII, 42 U.S.C. §2000e-1] presents convincing evidence that the challenged employment practice resulted from discrimination on the basis of religion, §702 deprives the EEOC of jurisdiction to investigate further to determine whether the religious discrimination was a pretext for some other form of discrimination").

53. Other state courts also consistently and frequently recognized their own lack of jurisdiction over disputes between religious bodies and their former members.

E.g., Chase v. Cheney, 58 Ill. 509, 541–42 (1871) (Lawrence, C.J., dissenting) ("We understand the [majority] opinion as implying, that in the administration of ecclesiastical discipline, and where there is no other right of property involved than the loss of the clerical office or salary, as an incident to such discipline, a spiritual court is the exclusive judge of its own jurisdiction, under the laws or canons of the religious association to which it belongs, and its decision of that question is binding upon secular courts."); *State ex rel. Watson v. Farris*, 45 Mo. 183, 186 (1869) ("Being a matter purely of spiritual cognizance, it is conclusive on the civil courts, which are bound to accept as final the decision of ecclesiastical courts as to questions of ecclesiastical right or relations."); *Ferraria v. Vasconcelles*, 23 Ill. 456 (1860) ("[T]he judicial eye cannot penetrate the veil of the church, for the forbidden purpose of vindicating the alleged wrongs of the excised members; that when they became members, they did so upon the condition of continuing or not, as they and their churches might determine; that they thereby submitted to the ecclesiastical power, and cannot invoke the supervisory power of the civil tribunals."); *Gibson v. Armstrong*, 46 Ky. 481, 495 (1847) ("It is for the authorities of the Church, in the first instance, to judge of an infraction of its laws, and to determine whether the ecclesiastical jurisdiction belonging to any particular body or functionary of the association had been forfeited by such infraction. The civil Judge might greatly apprehend that he would be transcending his proper sphere, if he were to interpose in the first instance to determine such a question, and to enforce his judgment upon it."); *German Reformed Church v. Com. ex rel. Seibert*,

3 Pa. 282, 282 (1846) ("The decisions of ecclesiastical courts, like those of every other judicial tribunal, are final; as they are the best judges of what constitutes an offence against the word of God, and the discipline of the church."); *Harmon v. Dreher*, 17 S.C. Eq. 87, 120 (S.C. App. Eq. 1843) ("It belongs not to the civil power to enter into or review the proceedings of a Spiritual Court. The structure of our government has, for the preservation of Civil Liberty, rescued the Temporal Institutions from religious interference. On the other hand, it has secured Religious liberty from the invasion of the Civil Authority. The judgements, therefore, of religious associations, bearing upon their own members, are not examinable here"); *Shannon v. Frost*, 42 Ky. 253, 258 (1842) ("This Court, having no ecclesiastical jurisdiction, cannot revise or question ordinary acts of church discipline or excision … We cannot decide who ought to be members of the church, nor whether the excommunicated have been justly or unjustly, regularly or irregularly cut off from the body of the church."); *First Baptist Church in Hartford v. Witherell*, 1832 WL 2706 (N.Y. Ch. 1832) ("The legal tribunals of the state have no jurisdiction over the church, or the members thereof, as such; and the ecclesiastical judicatories are not authorized to interfere with the temporalities of a religious society or congregation."); *Day v. Bolton*, 12 N.J.L. 206, 206 (1831) ("Whomsoever the judiciary of the Dutch Reformed Church decide to be the spiritual officers, the Supreme Court are bound to respect as such.").

54. *Hosanna-Tabor* does not bind this Court in deciding whether the *Ohio Constitution* provides a jurisdictional bar to challenges of the ministerial employment decisions of a religious organization. *Bloom*, 2024-Ohio-5029, at ¶¶ 26–28 ("blind lockstepping … is difficult to square" with the Court's oath to support the Ohio Constitution).

55. Nor does *Hosanna-Tabor*'s holding that the ministerial exception is an affirmative defense instead of a jurisdictional bar prevent this Court from recognizing that the Ohio Constitution builds upon the floor of the federal Constitution and raises a jurisdictional bar to employment disputes between religious bodies and individuals. *State v. Brown*, 930 N.W.2d 840, 861 (Iowa 2019) (McDonald, J., concurring specifically) ("this court's interpretation of the Iowa Constitution is not dictated by the Supreme Court's precedents under the incorporation doctrine of the Federal Constitution"); *Sitz*, 443 Mich. at 762, fn. 12 ("It would be a mistake … to view federal law as a floor for state constitutional analysis; principles of federalism prohibit the Supreme Court from dictating the content of state law. In other words, state courts are not required to incorporate federally-created principles into their state constitutional analysis"); Jeffrey S. Sutton, Response to the University of Illinois Law Review Symposium on 51 Imperfect Solutions, 2020 U. Ill. L. Rev. 1393, 1396 (2020) ("[T]he United States Supreme Court sets a federal constitutional floor for the federal courts of appeal that they cannot breach, necessarily limiting the market of innovation. Not so for the state courts, which may construe their state constitutions to go above or below the federal floor.").

56. Ms. Snell was a "minister" of the gospel while she was a teacher for LifeWise. She was hired to teach the gospel of Jesus Christ in accordance with LifeWise's mission. The fact that her job title was "teacher" (as opposed to "minister") has no impact on whether she qualifies for the exception. It is a "mistake" to view the term "minister … as central to the important issue of religious autonomy. … Instead, courts should focus on the function performed by persons who work for religious bodies." *Hosanna-Tabor*, 565 U.S. at 198 (Alito, J., concurring). "A religious organization's right to choose its ministers would be hollow … if secular courts could second-guess the organization's sincere determination that a given employee is a 'minister' under the organization's theological tenets." *Id.* at 197 (Thomas, J., concurring). Thus, courts apply the ministerial exception based on the "function of the plaintiff's employment position," such as when her primary duties consist of teaching, spreading the faith, and similar roles. *Hollins*, 474 F.3d at 226, *abrogated on other grounds by Hosanna-Tabor*, 565 U.S. at 709, fn. 4.

57. Allowing the OCRC to investigate Ms. Snell's Charge permits "government interference with an internal" decision by a religious denomination "that affects the faith and mission of the church itself." *Hosanna-Tabor* at 190.

58. The OCRC's investigation of Snell's Charge is an unconstitutional exercise of jurisdiction it does not have.

59. As a religious organization, LifeWise has a clear legal right to finality in its employment-related decision-making without interference from a secular tribunal.

60. The OCRC owes LifeWise a clear legal duty to respect LifeWise's decisions related to its operation as a religious organization.

61. Since the state constitutional violation will occur if the OCRC improperly exercises jurisdiction over this dispute pertaining to a religious organization's ecclesiastical decision, there is no adequate remedy in the ordinary course of law.

62. If LifeWise cannot obtain immediate relief, it will sustain constitutional harm of review by a secular tribunal, which no appeal can correct.

COUNT II – WRIT OF PROHIBITION

63. LifeWise incorporates and realleges the above paragraphs.

64. "To obtain a writ of prohibition, relators must show that (1) [the respondent] is about to exercise judicial power, (2) the exercise of that power is unauthorized by law, and (3) they lack an adequate remedy in the ordinary course of law. But if jurisdiction is patently and unambiguously lacking, relators need not establish the lack of an adequate remedy in the ordinary course of law." (Internal citations omitted.) *State ex rel. Bohlen v. Halliday*, 2021-Ohio-194, ¶13 (2021).

65. Writs of prohibition may enter against exercises of quasi-judicial power when there is no authority for that power. *State ex rel. Fritz v. Trumbull Cnty. Bd. of Elections*, 2021-Ohio-1828, ¶ 9 (2021). "Quasi-judicial power denotes the authority to hear and determine controversies 'that require a hearing resembling a judicial trial.'" *Id.*

66. The OCRC exercises quasi-judicial power, because it "hears controversies between the public and individuals and conducts hearings that resemble trials." *State ex rel. Third Fam. Health Servs. v. Ohio C.R. Comm'n*, 2021-Ohio-1179, ¶ 19 (5th Dist.).

67. The OCRC requires LifeWise to submit an answer or position statement to Snell's charge.

68. The OCRC is also requiring LifeWise to submit to its jurisdiction.

69. The OCRC is about to exercise judicial or quasi-judicial power over LifeWise.

70. In light of the foregoing analysis of Article I, §7, the OCRC's exercise of power violates the Ohio Constitution.

71. The OCRC's investigation of Snell's Charge is an unconstitutional exercise of jurisdiction it does not have.

72. Since the state constitutional violation will occur if the OCRC improperly exercises jurisdiction over this dispute pertaining to a religious organization's ecclesiastical decision, there is no adequate remedy in the ordinary course of law.

RELIEF REQUESTED

LifeWise prays that the Court will grant a writ of mandamus or, in the alternative, a writ of prohibition preventing the Respondent from further exercising jurisdiction over the employment dispute between LifeWise and Rachel Snell.

June 5, 2025

/s/ Benjamin M. Flowers
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In the

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STATE EX REL. LIFEWISE, INC., Relator, vs. OHIO CIVIL RIGHTS COMMISSION, Respondent.	Case No. ____ Original Action Writ of Mandamus or, in the alternative, Writ of Prohibition

AFFIDAVIT OF JEFF PETERSON

STATE OF OHIO)
) SS:
COUNTY OF FRANKLIN)

Now comes Jeff Peterson, having first been duly cautioned and sworn, states and affirms as follows:

1. I am over eighteen years of age.

2. I am employed as Vice President of Operations at LifeWise, Inc., and have been personally involved in the employment decisions involving Rachel Snell.

3. I have read the foregoing Complaint. I have personal knowledge of the facts outlined within the Complaint. Based on my personal knowledge, the facts contained in the Complaint are true and accurate. I am competent to testify as to the matters contained in the Complaint.

4. I am personally familiar with LifeWise's ministry and mission.

5. LifeWise hires teacher-ministers who have a mature and personal Christian faith and uphold LifeWise's Statement of Faith.

6. Once hired, teacher-ministers are expected to continue holding to and exhibiting a mature Christian faith, including integrity and respect for authority.

7. It is imperative to LifeWise's ministry that the teacher-ministers it employs align with LifeWise's ministerial mission and values.

8. When Rachel Snell failed to meet the ministry standards she accepted in her role as a teacher-minister with LifeWise, senior staff of LifeWise met with and counselled her.

9. Ms. Snell continued being insubordinate.

10. LifeWise placed Ms. Snell on paid administrative leave to investigate allegations she made against her supervisor and others.

11. Ms. Snell voluntarily resigned from LifeWise.

12. By asserting jurisdiction over LifeWise's employment decisions, the OCRC is interfering with LifeWise's ministry.

AFFIANT FURTHER SAYETH NAUGHT.

Jeff Peterson

Subscribed and sworn to before me this 2nd day of June, 2025.

KATHERINE MARSHALL
Notary Public, State of Ohio
My Commission Expires:
5/24/2029

Kathy Marshall