

Mark E. Chopko

Partner
Chair, Nonprofit & Religious Organizations

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As chair of Stradley Ronon's Nonprofit & Religious Organizations Practice Group, Mark Chopko advises nonprofit and religious organizations in various matters including structural, business, governance, regulatory and general litigation. A major emphasis of Mr. Chopko's practice focuses on constitutional law, and sensitivity to the boundary between religion and

government.

Mr. Chopko represents clients across the United States and in Europe. He is involved in defending organizations facing complex, high profile, multi-million dollar damage claims against several entities in the denominational structure and advising religious entities in bankruptcy proceedings. He has been involved in protecting a religious institution's rights to follow its religious teachings in its own workplace and organizing its assets by balancing obligations under religious law as well as secular law. He is involved in litigation arguing that a law reviving lapsed civil claims for damages is unconstitutional. Mr. Chopko also advises clients on regulatory and public policy matters, and assists organizations confronting the need to reorganize, whether for liability planning purposes or to assure that the civil structures accord with the polity of the denomination or any other reason.

Mr. Chopko has more than 20 years of experience serving as the principal legal officer to the U.S. Conference of Catholic Bishops (USCCB) – an organization that provides a framework by which the Catholic Bishops of the United States addresses important issues of national policy and matters affecting church life.

During his tenure with the USCCB, Mr. Chopko led a seven-lawyer staff that handled comprehensive litigation, corporate, tax, intellectual property, employment and government contracts services. He was also the public contact for the USCCB on all legal matters, including church-state, Supreme Court cases, bankruptcy, complex litigation and bioethics.

Mr. Chopko has participated in more than 30 Supreme Court cases as counsel for the Catholic Bishops as well as other religious groups, in friend-of-the-Court briefs. He is also nationally known for his work on the tort liability of nonprofit entities.

He currently serves as an advisor to an American Law Institute project on stating the law of nonprofit organizations. Mr. Chopko has also been a

PRACTICE AREAS

Nonprofit & Religious Organizations
Litigation
Business

Government Affairs

BAR ADMISSIONS

District of Columbia
Pennsylvania

COURT ADMISSIONS

U.S. Supreme Court
U.S. Court of Appeals for the District
of Columbia Circuit
U.S. Court of Appeals for the Seventh
Circuit
U.S. Court of Appeals for the Ninth
Circuit
U.S. District Court for the District of
Columbia

EDUCATION

J.D., *cum laude*, Cornell Law School,
1977
B.S., *summa cum laude*, University of
Scranton, 1974

MEMBERSHIPS

Adjunct Professor, Georgetown
University Law Center
Advisor, American Law Institute
District of Columbia Bar Association
Fellow, International Academy of
Freedom of Religion and Belief
Honorary Member, Church Law
Society, Prague, Czech Republic
Religious Liberty Committee, National
Council of the Churches of Christ
Member, Nonprofit Forum
National Diocesan Attorneys
Association

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member of the Nonprofit and Association Committee of the Association of Corporate Counsel (America), the Religious Liberty Committee of the National Council of Churches, and a Fellow of the International Academy of Freedom of Religion and Belief.

Mr. Chopko is an adjunct professor of law at Georgetown University where he teaches a seminar on church-state law. He has lectured widely in the United States and in Europe on liability trends, church-state relations, legal ethics for church lawyers, assisted suicide and a variety of other topics, at conferences hosted by bar associations, colleges and universities, lawyer guilds and religious organizations. Mr. Chopko is also the published author of more than 40 articles on topics including church-state affairs, education, bioethics and liability issues.

In 2002, in recognition of his support for the religious bar, Mr. Chopko was elected an honorary member of the Church Law Society of the Czech Republic. *The National Law Journal* also named him “corporate counsel of the week” for his work on the Bishops’ Charter for the Protection of Children and Young People, and in Supreme Court victories upholding school vouchers and limiting the imposition of the death penalty.

Additionally, in 2004, the *National Journal* magazine profiled him as one of ten people “whose ideas will help shape the debates over [church-state] issues.” That same year, the University of Scranton recognized Mr. Chopko as a distinguished alumnus.

RECENT PUBLISHED WORKS

- “Principal Civil Law Structures: A Review,” 69 *The Jurist* (forthcoming Spring 2009)
- “Parish Structures: Identity, Integrity, and Indissolubility,” 25 (1) *Church* (forthcoming Spring 2009)
- “American and Catholic: Reflections on the Last Century in Catholic Church-State Relations,” DePaul University Centennial Series (J. Halstead ed.) (forthcoming)
- “The Intersection of Canon Law and Secular Law in the United States,” Proceedings of the 25th Meeting of the Canon Law Society of Great Britain and Ireland (2007), reported in 9 *Ecclesiastical Law Journal* 324-26 (Cambridge University 2007).

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- “Political Activity and Churches,” 24(1) *Church* 12 (Spring 2008).
- “Constitutional Reflections on the Parish: An Entity in the Fabric of the Church,” Colloquium sponsored by the Dominican School of Philosophy & Theology, 46 *Chicago Studies* 86 (2007).
- “Looking Towards a Higher Law,” 75 *Fordham L. Rev.* 2841 (2007) (tribute to Father Charles Whelan, SJ, lawyer and educator)
- A Response to Timothy Lytton: “More Conversation is Needed,” 39 *Connecticut Law Review* 897(2007) (how litigation frames public policy debates)
- “An Overview on the Parish and the Civil Law,” Symposium on Parish Structures by the School of Canon Law, Catholic University of America (March 2006), published in 67 *The Jurist* 194 (2007)
- “No One Thought THIS Could Happen! Crisis Management in Nonprofits,” ACCA Annual Meeting (October 2006) (faculty member)
- “Derivative Liability,” in *Religious Organizations in the United States*, 591 - 631 (Serritella, Berg, et al, eds., Carolina Academic Press 2006)
- “Regulatory Impacts on Nonprofit Corporate Activities,” 46(3) *Catholic Cemetery* 15 (March 2006)
- “Current Constitutional Confrontations,” Proceedings of the National Diocesan Attorneys Association (April 2005) (with Thomas Berg)
- “Freedom to be a Church: Confronting Challenges to the Right of Church Autonomy,” 3 *Georgetown Journal of Law & Public Policy* 387 (2005) (with Michael Moses)
- “Continuing the Lord’s Work and Healing His People: A Reply to Lupu and Tuttle,” 2004 *Brigham Young University Law Review* 1897
- “Church and State Relations,” in *John Paul II: A Light for the World*, 105 (Walsh, ed. 2003)
- “Shaping the Church: Overcoming the Twin Challenges of Secularization and Scandal,” 53 *Catholic University Law Review* 125 (Dec. 2003); Text from the Catholic University Brendan Brown Lecture also published in *Origins*, Vol. 32 (33), p. 546 (Jan. 30, 2003)
- “Scandal in the Church: A Challenge to Patrimony & Structure,” 43(11) *Catholic Cemetery*, 16 (Nov. 2003)

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- “Under the Microscope: Crisis Management in Non-Profits,” ACCA Annual Meeting (October 2003) (faculty member)
- “Stating Claims Against Religious Institutions,” 44 *Boston College Law Review* 1089 (2003)
- “The Challenge of Liberty for Religion in the United States,” Paper for the Ecclesiastical Law Society, Church of England, Conference on Religious Freedom and Human Rights at Trinity Hall, Cambridge (March 2001), published in M. Hill, ed., *Religious Liberty and Human Rights* (Univ. of Wales, Cardiff, 2002)
- “New Approaches for Constitutional Defenses,” Proceedings of National Diocesan Attorneys Association Meeting (April 2001)
- “Church Structures and Financial Relationships with Government in the United States,” Paper for the Church Law Society Conference (Prague, Sept. 7, 2000), translation published in Czech as “Struktury církve a její finanční vztahy státním orgánům v USA,” Issue 17 *Revue Církevního Práva (Church Law Review)* 185 -202 (2000)
- “Emerging Liability Issues for NonProfit Entities,” ABA Tort and Insurance Practice Section, Conference on Liabilities of Religious, Educational, and NonProfit Entities -- Keynote (June 2000), published in 8 *Charity Law & Practice Review* 1 (London, UK 2002)
- “Liability Issues for NonProfits and Associations,” ACCA Annual Meeting (October 1999) (faculty member)
- “Constitutionally Protected Church Autonomy: A Practitioner’s View,” Proceedings of the Second European-American Church State Conference (Univ. of Trier, Germany, May 28, 1999, revised October, 2000, published in *Church Autonomy* (G. Robbers, ed. 2001) <www.uni-trier.de/~ievr>
- “A Favorable Legal Environment for Voucher Programs,” 3(1) *Catholic Education: A Journal of Inquiry and Practice* 87 -96 (Sept. 1999)
- “Vouchers Can Be Constitutional,” 31 *Connecticut Law Review* 945 (1999)
- “Legal History of Vouchers: A Federal Constitutional Review,” in *Catholic Schools and School Choice* 141 - 69 (McDonald ed. NCEA 1999)
- “Our Last Ten Years,” Address to National Diocesan Attorneys’ Association, Proceedings of 33rd National Meeting (April 1997), reprinted in 39 *Catholic Lawyer* 1 (1999)

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- “Responsible Public Policy at the End of Life,” *75 Detroit Mercy Law Review* 557 (1998)
- “Control of and Administration for Separately Incorporated Works of the Diocesan Church: A Constitutional, Statutory, and Judicial Evaluation of the Experiences of U.S. Dioceses,” Proceedings of the Conference (Pontifical Angelicum University, Rome, April 23, 1998)
- “Public Lives and Private Virtue,” Symposium Issue on Faith and the Law *27 Texas Tech Law Review* 1035 (1996). Article also reprinted in *Can A Good Christian Be A Good Lawyer?* (Baker & Floyd eds. 1998)
- “The Bishops’ Call to Political Responsibility,” *84(9) Liguorian* 22 (Sept. 1996)
- Book Review - “Respect for Individual Rights as a Precondition for Democracy,” Review of *Freedom’s Law* by Ronald Dworkin, *National Catholic Register* (Sept. 15, 1996)