

U.S. judge refuses to dismiss 'Day of Prayer' suit

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MADISON, Wis. —

A federal judge has refused to dismiss a lawsuit that claims the National Day of Prayer is unconstitutional.

U.S. District Judge Barbara Crabb ruled this week the case brought by the Madison-based Freedom From Religion Foundation can move forward with discovery.

A federal law sets the first Thursday in May as the day for presidents to issue proclamations asking Americans to pray.

Crabb says the nation's largest group of atheists and agnostics faces a heavy burden in proving the tradition violates the separation of church and state. But she says it should have an opportunity to do so.

The Obama administration and National Day of Prayer Task Force filed motions to dismiss the case, but Crabb rejected them as premature.

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