

THE CHRISTIAN LAWYER®

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Mentoring

Two Are Better Than One

“Two are better than one, because they have a good reward for their toil. For if they fall, one will lift up his fellow. But woe to him who is alone when he falls and has not another to lift him up!”

ECCLESIASTES 4:9-10 ESV



ALSO IN THIS ISSUE

- A Constitutional Demolition of *Roe*
by Steve Aden
- Justice and Mercy by Maureen Arago
- "Fellow-Traveling" by Brent Amato



David Nammo
Executive Director
& CEO

We should all have a Timothy and a Paul in our lives.

The Timothy should be someone not as far along on the path of life or career, someone who might be looking for help or mentoring or even just a friend who can give advice and be there for them. We, in turn, should be someone else's Timothy or, in the alternative, we should have a Paul in our lives. Someone of more maturity, wisdom, and further on the path of life than ourselves to mentor us professionally, spiritually, or in any other way.

If we are honest about it, attorneys really do not mentor well. We do not have the time (or at least tell ourselves we don't), nor do we want to make the time. Yet the model for Christians, whether they are attorneys or not, is drastically different. The New Testament is filled with references to those mentoring others, coming alongside others, and leading each other.

The legal profession is obviously not reflective of New Testament values, but Christian attorneys and law students should be. When we look around and dismay at the fact that there isn't more spiritual growth or maturity in our churches, our law firms, or our profession, we should look to ourselves and our brothers and sisters in Christ for the solution.

In our experiences in the legal profession, many of us found ourselves in an environment where we were just thrust into the mix and threatened when we screwed up, and yet we found a way to survive and get better. So, in turn, we follow that same model of mentoring. If it was good enough for me, it is

good enough for this next "soft" generation. The generation before me said it about my generation, and my generation says it about the next, and so on. But we should not play into this cycle.

It should be Christian attorneys that younger attorneys (Christian and non-Christian) come to for advice or guidance. Christian lawyers should be making sure that the next generation of Christians in the law are stellar on all fronts. We should be learning from those who came before us and teaching and caring and praying for those following us.

When I joined CLS staff the first time back in the 90s, it was CLS CEO Sam Casey and COO Dave Lee (a Marine) who immediately saw this brash and arrogant young man, with a brand-new baby (the first of six), and young lawyer who needed not one but two mentors in his life. They made it a point to come alongside me and work on my hard edges and help me grow into the father, lawyer, husband that God needed me to be.

And there were a lot of hard edges (even more than today). We struggled through a lot, but I eventually started to learn and grow and change. Looking back, I can say I love these two guys and see them as even more than mentors. And they loved me back. I can't imagine my life without them.

As you read through this issue, look around your life. Are there those in your circles, or even on the edges of your circles, that the Lord could be calling you to start taking time in your life to be with in a mentoring relationship? If so, take the initiative, because I promise, you will never regret it.

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To Mentor or Not to Mentor

BY MONIQUE MILES

As busy professionals, we often don't have time between work, family, church, and community obligations, but we can always make time *for the right person*, right? Proverbs 27:17 challenges us to be intentional about nurturing relationships with fellow believers. The verse says, "As iron sharpens iron, so one person sharpens another." What better opportunity to sharpen another than through mentoring a law student or young attorney? Like most busy attorneys, you might be wondering, "Do I have time to mentor?" But, as Christian attorneys, we are called to do and be more than typical worldly attorneys, using our profession as a ministry. That's what I was taught at my alma mater, Regent University School of Law, where the motto is "Law is more than a profession. It's a calling."

Mentoring Law Students

As a 1L, I recall being asked if I wanted a mentor. Of course, I said "Yes!" I was assigned one who lived nearly four hours away from the law school, and I had no idea what having a mentor entailed, i.e., what she should be doing and what I should be doing. I soon discovered that I had to take the initiative to connect with her because she was running her own firm and didn't have the bandwidth to keep in regular contact with me. That's the kind of busy you must watch out for. Thankfully, my efforts paid off, and I secured an internship with her firm for the summer. She was a great attorney and a smart businesswoman. I learned a great deal by simply watching her in action leading her firm staff and interacting with clients, opposing counsel, and judges. Had I not spent that time with her firm over my summer break, I don't think the mentor-mentee relationship between us would have been as valuable to me given that we lived far from each other.

After I graduated from Regent Law, five law student mentees were assigned to me through the alumni mentorship program, two of which I had phone or in-person conversations with. I found myself in the same pattern my mentor experienced with me. Communicating with my mentees was a struggle. Some students wanted to send multiple emails back and forth to schedule a time to talk instead of just calling me.

The last mentee, Becky, soon caught on and did what I had to do with my mentor. She was intentional and active in reaching

What better opportunity to sharpen another than through mentoring a law student or young attorney?

out to me. We spoke on the phone once or twice. She offered to drive up to Alexandria, Virginia, to meet with me. When she found out there was a chance I was attending a Regent Law Board meeting on grounds, *she found me in Robertson Hall!* It must have been the Holy Spirit that led her to me because we'd never seen each other before then! We had lunch together and she (along with several of her friends whom she invited to join us) asked me questions about law school life, how to prepare for exams, and making decisions about practice area and which bar to take. I told her to let me know if she ever needed anything or wanted to talk. In writing this article, I went back through my emails and reached out to all five of my mentees to let them know that I am still here if they need anything. In response, Becky, a 2021 graduate, emailed me to see if we could speak about her next steps. We had a wonderful conversation and ended the call with a prayer.

I've also had law students work for my firm during their winter and summer breaks. I tell them from the outset that I am here to mentor them and help them grow as future attorneys. My goal is for them to be better prepared to practice law after they finish their clerkship with me. To borrow language from the offer letters I send to them,

"This clerkship is an excellent opportunity for you to see first-hand how strong work product can have a great impact on our clients, our practice, and case precedent. Our law clerks gain substantive hands-on legal experience that develops their lawyering skills as they learn about legal procedure, litigation strategy, and client advocacy through working our clients' cases alongside our attorneys. We hope that during your clerkship you will gain invaluable legal experience and a better understanding of all aspects of civil law practice from inception up to settlement and trial."



The rising 3L law clerk who worked with me last summer told me how my feedback on his writing made him a more persuasive writer, and how his law professor had taken notice and complimented him on his writing. When he worked for my firm, he wasn't perfect by any means. He made some mistakes, but he always owned up to them and worked on his weaknesses to make them strengths, to prevent repeating those mistakes again. By working with him daily, I was able to identify areas of weakness and encourage him in his strengths, which helped him build confidence in his abilities as a future attorney. His growth mentality, hard work, and humility made him stand out as an outstanding intern who produced some great work product. Both he and I benefitted from our mentor-mentee relationship, and I was also able to encourage him in his faith journey. Iron sharpening iron.

Mentoring New Attorneys

As a member of Christian Legal Society, I've participated in mentorship events such as the DC Metro Chapter's Fall Mixer where another one of my mentors, Sharon Gustafson, spoke about her work as an employer. She is the quintessential mentor and has been a great one for me. David Nammo introduced us when he learned I started my own law practice in 2013. I've sought her advice on my cases, law firm management, and navigating politics with a membership organization that we were both once members of. She tried my first case with me in 2014. We lost, but it was an amazing experience that I will

never forget. She is an amazing woman of God, mom, wife, and advocate. I enjoyed sharing meals with her, especially when she had me over to her house for dinner with her family.

Another mentor who I met through the Alexandria Bar Association is Howard Woodson. He is a solo practitioner but gave me my first case after I opened my firm. He invited me to his potential client consult for a lady with an age discrimination case. He gave me the consult fee she paid, which was the first check I received for my firm. Howard is the one I call to get perspective on civil rights cases because he was a substitute judge with a local court and has handled many civil rights cases.

Another mentor I met at a George Mason Law School event, Jason Smolen, encouraged me to open my own law practice. I am thankful I followed his advice. He has sent me clients, and I've sent him clients. Jason is the one I call to get perspective on business cases and for practice management advice.

Mentoring is not a difficult thing to do. It's about being available to answer questions or merely to hear your mentee out and speak with them honestly to foster their growth as attorneys.

Looking back at how Sharon, Howard, and Jason were generous with their time when I had questions, shared meals and life perspectives with me, and looked out for me makes me want to do the same for new attorneys. That's exactly how mentorship is a gift that keeps on giving.

The associate attorney who started at my firm last summer often expresses how my feedback on her work product, oral advocacy, writing, and research makes her better at her craft. I've helped her to identify areas of growth, and I've seen firsthand how she has grown. I've been able to draw from my past experiences. I didn't have a mentor in employment law until I had been practicing for two years, and even then, my mentor at a former employer was a great lawyer, but did not proactively point out my weaknesses or strengths. He simply answered questions if I had any.

My current approach to mentoring my staff attorneys is to identify the deficiencies and areas in which I wish my former bosses had better prepared me, to assess whether the new attorneys need to develop in those areas, and to actively equip them (and staff) in those areas. I've crafted an "Expectations Sheet" that I give to all my new hires that includes tips of the trade for work product, persuasive writing, preparing for oral argument, effective legal research, good judgment, and time management.

Rules of Thumb for Life-Enhancing Mentor/Mentee Relationships

When I was asked to write this article, it got me thinking about how my mentorship experiences could have been better or, more specifically, how I could have been a better mentor. Here are some things I believe lead to a successful mentorship relationship:

1. Call your law student mentee the day you are matched with him/her to say hello and introduce yourself. Call a new attorney mentee within 2-3 days of receiving their contact information. You take the lead.
2. Establish mutual expectations from the first phone call or meeting. Different people have differing ideas about what they are looking for from their

mentor and what mentorship looks like, so talking through that with your mentee and setting expectations early on is helpful. This way you're both on the same page. Discussing methods of communication is also helpful. Some prefer to text and email rather than having phone calls or in person meetings.

- **Practical ideas:** Set up a standing appointment each month to connect over the phone or meet in person if you live close enough. Suggest that your mentee come with a list of questions for you. Send out (or have your assistant send out) calendar invites and reminders.

Mentoring is not a difficult thing to do. It's about being available to answer questions or merely to hear your mentee out and speak with them honestly to foster their growth as attorneys. A mentor takes a personal interest in the development of a law student or new attorney. You can do that! You will be enriched all the more by investing in the development of another attorney. It's a ministry that also allows you to share your faith and personal testimony with your mentee, as well as pray for their professional growth and practice. Mentoring is time well spent. You can find potential mentees through your law school alma mater, at local bar associations, or legal affinity group meetings. Now go forth and mentor!



Monique A. Miles is the managing shareholder of Old Towne Associates, P.C., where she focuses her practice primarily in the areas of employment, labor, nonprofit law, and general civil litigation. Ms. Miles has earned a reputation for zealously representing clients in settlement negotiations and in litigation before courts in the Commonwealth of Virginia and the District of Columbia. Monique has served as a mentor for a number of years in her community as well as her alma mater, Regent University School of Law.

ENDNOTES

- 3 NIV. <https://www.bible.com/bible/111/pro.27:17>.
- 4 https://www.regentalumni.org/s/832/images/editor_documents/Law/law121063_brochure_travel_brochure_edits_2012_small.pdf?sessionid=2ee32322-3d8a-49e5-96c5-477cb6e606dc&cc=1.
- 5 Miles, Monique. Excerpt from "Offer Letter." (2022).

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Mentor Me

BY BRANDON PRICE

What is a mentor? Who is a mentor? How do you become a mentor?

These are all questions that generally come up when the term “mentoring” enters the conversation. The definition of a mentor according to Merriam-Webster’s dictionary is “a trusted counselor or guide.”¹ Based on my understanding, “mentee” is a term generally synonymous with beginner, apprentice, protégé, student, or novice. It is someone generally lacking experience in a particular area. Mentorship is the act of taking that someone under your watchful wings, teaching them your area of expertise and how you’ve achieved success.

Upon graduating from Fayetteville State University, I immediately began searching for positions in the local area that caught my attention. A mentor program coordinator was posted from Fayetteville Urban Ministry’s Find-A-Friend (FAF) youth program. One of the many services available through FAF was mentoring youth - those at risk for being in the court system, those already in the court system, and those with an incarcerated parent. Ultimately, securing this position and working as a mentor program coordinator for five years through Find-A-Friend, I learned exactly what mentoring was, what mentoring was not, and what it could be if done effectively. What I did not realize before working with Fayetteville Urban Ministry was that I had myself been mentored throughout my life, even though I was unaware at the time that it was happening.

My first mentor was Uncle James, my mother’s only brother. He lived across the street from us growing up. I spent all my free time with Uncle James. He was the coolest. He taught me how to play basketball, and he instilled competitiveness in me. We watched a lot of sports together. That is, until he moved. My next mentor was my Uncle Kevin. He was one of my dad’s five older brothers. At the time, he owned a landscaping business. I needed money for the skating rink and pool during the summer and wasn’t quite old enough for a “real” job yet. He allowed me to work with him. During those dog days of summer, he taught me so many life lessons that I still carry with me today. He took his time with me. Though we are still very close today, the mentoring relationship changed as I grew older. These are the two mentors I had growing up. Although I was a nephew to them, they both took time to spend with me. They

Teaching someone and sharing with them lessons is an invaluable tool that has a lasting impact.

poured into me. I admired both and wanted to get to where they both were in life. My Uncle James was cool and high-spirited. He played with me and took the time to teach me about sports, guns, and cars. My Uncle Kevin was a businessman. He taught me the art of business and entrepreneurship.

I was a first-generation college student, and I didn’t know a soul at Fayetteville State University when I arrived in August of 2001. I recall observing a group of young men and how I liked the way other students responded to them. I liked the respect they appeared to receive from faculty and staff. I knew for me to survive, I needed to get next to at least one of them. I *did*. Jason Barber became my mentor. He was known for his academic achievements. He was also my resident assistant, and luckily for me, he was in the same department I wanted to major in. During my freshman year, he gave me a great deal of guidance. He was a true difference-maker.

Professionally, much like I was hired to recruit, train, and screen mentors for youth, I intentionally sought out and developed a mentor/mentee relationship with my supervisor. At that point in my life, I was searching for someone who could help me figure out what professionalism looks like, guide me to developing it, and show me the ropes in order to advance in my field as quickly as possible. Johnny took a great deal of time to show me how to become a professional. The guidance and direction at that time in my life was critical. You don’t know what you don’t know. He was someone I could go to both personally and professionally. He helped me see the blueprint. While I was teaching others, I was also being taught. It wasn’t long before I became a mentor myself. I developed and fostered relationships with many that remain today.

Those were a few of the positive mentoring relationships I developed. I also endured poor mentoring as well. I remember one of my mentors teaching me questionable character traits. I



knew in my heart there was something wrong, but I wasn't sure what. I just knew those tools weren't tools I needed or wanted to use. Now, having served as a mentor and benefitting from being mentored, I am able to fully appreciate its importance and impact, both positively and negatively.

The best mentors invest in their mentees. They do this with no expectation of something in return. The worst mentors always have a hidden agenda. They use your skills and talents to benefit themselves. I have always found the qualities I look for most in a potential mentor are willingness to invest and being giving of themselves.

Who can be a mentor?

Anyone can be a mentor. Truthfully, some people may not realize they are mentoring. They simply make themselves available to a person or group of people, assisting in their development. One does not need a title to serve. You do not have to be superman to be a mentor. Willingness is all it takes.

How do you become a mentor?

In general, there are several organizations (nonprofits, faith-based groups, and professional organizations) that have

structured mentoring. In my experience, however, the connection generally happens when the mentee is seeking to learn something the mentor is already familiar with. The relationship can last any amount of time (short-term, long-term, or a lifetime).

So... what is Mentoring?

Making time to intentionally teach someone else the rules of the game, the way to play it, and how to win. Though it doesn't require a lot, it does require time investment.

Evolving. Helping someone grow into their best self. Helping them develop the confidence they need to succeed.

Never turn down the opportunity to teach or share a lesson. Offer to a mentee knowledge they have yet to acquired. Resources and accessibility remain a challenge for so many. Doing it for the first time is the reality for some. Like me, they don't know what they don't know.

Teaching someone and sharing with them lessons is an invaluable tool that has a lasting impact. When you think back to your favorite teacher, aunt, or uncle, it's usually someone with qualities you admired and/or desired to acquire one day. It is

Mentoring saves lives!

usually someone you looked up to because of something you learned from them.

Overcoming obstacles remains a challenge for newcomers. Mentors offer guidance during these times. Mentees need to know what their options are in order to make informed decisions.

Real. As the old saying goes – keep it real. Don't overcomplicate things. Mentoring requires you to be real. Be transparent. Be open. Be honest.

Increasing the knowledge base from which someone can pull is invaluable. There is so much left out of textbooks, and many areas of life instruction are unwritten. Mentoring helps increase a person's knowledge that doesn't come from a text, but rather from the practical components/application of skill acquisition.

Nothing is impossible when you have the right tools. This is a lesson I learned from one of my many mentors, and it's true. Everything is impossible until somebody does it. Why not you? Good mentors help mentees realize this.

God. There is always someone far greater than you in control. Learning to yield to that higher power is what effective mentors help mentees understand. God shouldn't be a last result. He should be the first. Are you doing what you've been called to do?

Being a mentor is one of the greatest gifts you can give someone else. It is one of the most selfless acts you can perform. A mentor is a person in a position of trust. The vulnerable seek guidance. Where you lead them, they will go. Remember, it's not just what you tell them to do, but what they see you do that matters. Modeling the skills and tools you teach is how the greatest impact is made. Every pastor needs to be preached to. Every teacher needs to be taught. Every mentor needs a mentor. The relationship between Timothy and Paul is a great biblical example of that reciprocal relationship.

As the old Norm Kelly saying goes, "You can't pour from an empty cup."² You also can't receive if your cup is full. Find good soil to sow in to plant your seeds of knowledge and watch them grow. Mentoring saves lives!



Brandon Price currently serves as the CEO of Fayetteville Area Habitat for Humanity. After working at Fayetteville Urban Ministry for eight years, Brandon attended Faulkner University's Thomas Goode Jones School of Law where he obtained both his J.D. and LL.M degrees. Price was also the recipient of the Dean's Award in his graduating class. As an attorney and leader, Brandon draws his mentorship experiences from his days as the mentor program coordinator with the Find-A-Friend program, a program of Fayetteville Urban Ministry (Fayetteville, NC). He also serves as a speaker and presenter, most recently as a commencement speaker for Alabama Virtual Academy High School Graduation.

ENDNOTES

- 1 Merriam-Webster. (n.d). *Merriam-Webster.com dictionary*. July 5, 2022.
- 2 Kelly, N. "you can't pour from an empty cup" (n.d).



NATIONAL MENTORSHIP INITIATIVE

Over the years, strong mentoring programs have been prevalent in our attorney chapters. We are looking to continue building upon this by launching a brand-new national mentorship initiative. Each chapter has identified a mentor liaison to strengthen relationships with both younger attorneys and law students desiring mentors. Visit us online to connect with mentors.

[AttorneyMinistries.org/Resources/Mentoring](https://www.attorneyministries.org/Resources/Mentoring)



“Fellow-Traveling”

BRENT AMATO

Have you ever had the opportunity to mentor a fellow attorney or law student? Allow me to expand the question. Have you ever had the opportunity to “Fellow-Travel” with another attorney or law student? By that I mean the opportunity to either disciple, mentor, and/or coach another attorney or law student. After over forty years of such ministry, I find it to be one of the most rewarding endeavors of my life. As Henry Blackaby puts it, “Recognizing a need in someone’s life can be one of the greatest invitations from God you will ever experience.”¹ The inspiration for this is found in Luke 24:13-35 (NASB) on the road to Emmaus for two men who encountered the resurrected Jesus Christ. Verse 15 says, “And it came about that ... Jesus ... began traveling with them.”

What Does “Fellow-Traveling” Look Like?

To begin, consider this question posed in a Family Life Publishing periodical:

Doesn’t everyone want someone who “gets it” and isn’t afraid to be honest; someone who understands the challenges you’re facing and speaks with wisdom a few steps ahead of you on the journey but close enough to shine some light in your direction; someone to walk you through life’s experiences, guide you to answers and help you discover a new purpose and passion?²

But of course!

We all need to scale down and focus more sharply on the concept of fellowship beyond a congregation in pews, a community or small group, or even a friendship. Fellow-Traveling is a special one-on-one relationship that involves intentionality, goals, and life change, sinking deeper into life as opposed to relationships that just apply a “coat of paint.” Occasionally relational ministry is multi-faceted. Sometimes it looks like discipleship, sometimes mentoring, sometimes coaching, and sometimes all three. Let’s consider each.

Discipleship (Matthew 28:19-20, Mark 3:13-15, Luke 6:40, Colossians 1:28)

This is a teacher-student relationship involving “acquainting another with Jesus Christ,”³ teaching biblical truth and

spiritual disciplines to younger believers. The perfect and ultimate example of this is Jesus and his Twelve Disciples. After the Bible, primary resources may include *Personal Disciple-Making*, by Christopher Adsit and *The Discipleship-Making Church* by Glenn MacDonald.

Mentoring (Exodus 24:13a, 33:11; Numbers 11:28-29, 27:15-23, 32:28; Deuteronomy 1:38, 3:28, 31:7, 14, 34:9)

The Odyssey, the Greek tragedy poem by Homer, presents to us the original “mentor” who was a guardian and tutor appointed by King Odysseus while off to war for 21 years for the benefit of his son, Telemachus. This is a relationship between two people in the same vocation where, “one who has achieved superior rank and influence in a profession or organization is willing to commit time and emotional energy in a relationship that guides an understudy’s growth and development by providing modeling, close supervision on special projects and individualized help in many areas.”⁴

Biblical examples of this relationship for (i) pastors would be Paul to Timothy (Acts 16:1-3, I Corinthians 4:16-17, Philippians 2:19-23, I and II Timothy, i.e., I Timothy. 4:11-16) and Paul to Titus (II Corinthians 7:6, 13-15, 8:16-17, Titus, i.e., Titus 2:1, 15); (ii) CEOs would be Jethro to Moses (Exodus 18) and Moses to Joshua (Deuteronomy 31:1-8, 34:9); and (iii) public speakers would be Priscilla and Aquila to Apollos (Acts 18:24-28). After the Bible, a primary resource could include *As Iron Sharpens Iron*, by Howard and William Hendricks.

Coaching

Its origin dates back to the 1500s. A “coach” was a horse-drawn vehicle that would get people from where they were to where they wanted to be. From the 1880s, these relationships included athletics, those in the entertainment business, to the corporate world, to today in all of life circumstances. It is “the art and practice of guiding a person or group from where they are toward a greater competence and fulfillment that they desire.”⁵ It is helping others to feel inspired and motivated to grow themselves. A primary resource could include *Christian Coaching*, by Gary Collins.

Another way to grasp this concept is to consider life as a “race” (Hebrews 12:1-3, I Corinthians 9:24). The relationship has “The Starting Line” (getting a handle on where the person is at present), “The Finish Line” (focusing on what the person wants for the future), and “The Racecourse” (finding ways to get the person from The Starting Line to The Finish Line).

What are the roles and functions of a Fellow-Traveler, getting others started and keeping them going in the race (I Thessalonians 2:11, 12)? Here is a baker’s dozen:

1. “Barnabas”-encourager (I Thessalonians 5:14)
2. Burden bearer (Galatians 6:2)
3. Visionary (Ephesians 1:18-19)
4. Parent (I Thessalonians 2:7,11)
5. Shepherd (John 10:11)
6. Teacher (Luke 6:40)
7. Trainer (I Corinthians 9:24-27)
8. Counselor (Proverbs 11:14, 13:20)
9. Model (Philippians 4:9)
10. Sponsor (Acts 9:26-27)
11. Collaborator (II Corinthians 6:1, I Corinthians 3:9)
12. Chaplain (Matthew 25:36)
13. “Parachute packer”- developing trust enough in someone when they ask you to “jump out of the airplane” (Philippians 2:19-30)

For those interested in more on this topic, there is no better place to start than in the Bible with Jesus and two men on the road to Emmaus (Luke 24:13-35) or with that Old Testament “Dynamic Duo” Elijah and Elisha (II Kings 2:1-15). For those of you highly inspired by the movie media, consider looking at the two men in the movie, *Bucket List*, starring Jack Nicholson and Morgan Freeman.

Other Resources

For more material on “Fellow-Traveling,” please contact Brent Amato at amatos1@comcast.net.

Topics include:

1. Why not stay “home” instead of “Fellow-Travel”?
2. How do you “merge” into someone else’s “lane”?

3. What is the “itinerary” for the journey?
4. Asking for “directions about the journey”
5. Staying on “course” for the journey (accountability)
6. “Potholes, Detours and Other Lousy Logistics”
7. “The End of the Road”
8. Reflections and Evaluation: “How was the journey?”

Other Good Books:

1. *Instruments In the Redeemer’s Hands*, by Paul Tripp
2. *Tuesdays With Morrie-An Old Man, a Young Man and Life’s Greatest Lesson*, by Mitch Albom

Ecclesiastes 4:9-12 offers words to never forget,

Two are better than one because they have a good return for their labor. If either of them falls, the one will lift up his companion. But woe to the one who falls when there is not another to lift him up. Furthermore, if two lie down together they keep warm, but how can one be warm alone. And if one can overpower him who is alone, two can resist him. A cord of three strands [including Jesus Christ through the power of the Holy Spirit] is not quickly torn apart.



Brent Amato is on staff at Christian Legal Society as a Barnabas Fellow, Chicagoland. Brent is married to Sherrie (his “better seven-eights”) and has been blessed with two children and six grandchildren. He practiced transactional law in the Chicago area for forty years, specializing in corporate business and nonprofit work. Brent has sought to integrate his Christian faith and his law practice through (i) Christian Legal Society (as former board member and president and now staff member, working with lawyers and law students); (ii) Peacemaker Ministries and Crossroads Resolution Group (as a Certified Christian Conciliator for conflict resolution, mentor and teacher); (iii) Administer Justice (whose mission is to meet the legal and spiritual needs of the poor); and (iv) Judson University (as a business law adjunct professor).

ENDNOTES

1. *Experiencing God Day by Day*, Henry Blackaby and Richard Blackaby, Broadman & Holman Publishers, 1998, p. 181.
2. The author long ago ripped the article containing this quote from a Family Life Publishing magazine and no longer remembers the issue or publication date.
3. Blackaby, *supra* note 1, p. 120.
4. *Christian Coaching*, Gary R. Collins, Ph.D, NavPress, 2001, p. 17.
5. *Id.* at 16.



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Iron Sharpens Iron

BY LAKUITA N. BITTLE

First as a Student

Proverbs 27:17 declares, “as iron sharpens iron, so one person sharpens another.”¹

I recall my former roommate sharing this scripture out of Proverbs when I first moved to the D.C. area. She and I went to the same church throughout our adolescent years in North Carolina. We lost touch when I went off to college and then reconnected when I relocated to this area in 2005. Long before I did, she moved here from North Carolina. When I arrived, she welcomed me with open arms and happily taught me how to navigate through the very different culture of the D.C. area.

My friend is a few years older, so I had much to learn from her. She was more than a friend, more of a big sister or mentor to me. I vividly recall her referring to how “iron sharpens iron” during one of our early growing moments as roommates. I was not as familiar with this passage, so I began to read and meditate on it. In the months to come, I understood in greater measure just what she meant. This verse in Proverbs still stands

out to me and has certainly been applicable throughout our friendship. While I never formally asked her to be a mentor, and we never defined our relationship as such, I always felt as though it was one akin to mentorship. I had so much to learn, and she was very instrumental (and patient) in teaching those vital lessons!

Have you considered what it looks like when iron sharpens iron? Notice the images of iron at the beginning of this article. Both pieces are being sharpened in this process, in a reciprocal exchange. Similarly, in a mentorship relationship, one individual is growing and developing while sharpening the other. Take note of the fire and friction present in this picture. This happens throughout the refining process with the iron. Metaphorically, I believe this is what happens in most God-ordained relationships. Quite honestly, in mentorship, the mentor or mentee may consider throwing in the towel during the difficult refining moments. I certainly have! Thankfully, I didn't, and instead, came to understand that God uses those difficult moments to shape and sharpen us.

I have had the amazing experience of being mentored. Some individuals were good listeners, prayer warriors, and encouragers, while others provided me access to resources, career advice, and connections. I also had the honor of serving as a mentor to many others. I tried to do the same in return for my mentees. Regardless of their roles, mentors have been so vital to my development and growth, not only as an attorney, but as a person overall. While each of those relationships are very different, there is one defining action that permeates mentoring, and that is the mentor looking out for the best interests of the mentee.

I really like the amplified version of the same Proverbs scripture, the one that says “[a]s iron sharpens iron, so one man sharpens [and influences] another [through discussion].”²² My former roommate and I spent countless nights discussing how her influence over my life and decisions was for the better. I’d like to think I had some impact on hers as well. The most important aspect of our relationship was spiritual. She was very influential in my spiritual growth, including introducing me to our church that I later joined, was water baptized as an adult, and received the baptism of Holy Spirit. Though she is married with a child now, we all still worship together at the same church. I see so much growth in both of us since our early twenties when we reconnected. We have grown personally, professionally, and spiritually. For her significant impact on my life, I am truly grateful. Over the years, I have realized how she truly helped to sharpen me in many areas of my life. Iron sharpens iron adequately described our developing friendship over the past seventeen years. I have had many people, including my former roommate, older women and men, law school professors, and former bosses who have served as mentors. And while I was seeking to become an attorney, they each sharpened me in various areas of my life, not just the practice of law. I have also served as a mentor to new attorneys, law students, and other young women.

Then as the Teacher

As I was preparing this article, I considered those with whom I had the privilege of forging a mentoring relationship with and what would effectively illustrate how iron sharpened me over the years. There are a few young ladies that come to mind that I still mentor in some capacity. Compared to mine, they each have very different personalities with varying needs that I also have learned so much from each of them.

One young woman stands head and shoulders above the others when it comes to me being sharpened by her as the mentor.

God places the right people in our paths to help us fulfill the calling He has on our lives.

While she is not an attorney or law student, I have served as a spiritual mentor to her for over two decades. I met her in 2002 at a summer youth camp where I worked during college. She has really helped me to understand the “iron sharpens iron” scripture in Proverbs and how accurately it portrays the relationship that occurs between mentor and mentee as well. Iron has truly sharpened both of us throughout the relationship. I must admit, there were times when this sharpening was uncomfortable. She reached out to me during one of the darkest times of her life. Little did she know it was a trying time for me as well. I honestly didn’t think I had much to offer her as I was trying to figure out my own life as a college student. She was going through things that most teenage girls go through and was adamant about staying connected. I shared with her my limited understanding of God’s Word at the age of twenty-one. I shared my personal experiences as she stumbled through her youthful years. Like many kids, she demanded my time in so many ways. I honestly needed her just as much as she needed me to stay focused on God’s calling on my life. I knew she was watching my every move. We prayed together, cried together, and she relied on me for wisdom to make it through these difficult times. Our relationship is the longest standing of all of them.

The Mentor is Sharpened

While mentoring, I realized, that even the mentor will be pushed to grow in various areas of his or her own life. Perhaps, as in my own mentoring experiences, even in areas where you didn’t realize growth was needed. Or maybe in areas where you felt less than qualified. Needless to say, God will use you! While pouring into my mentee, God was pouring into me. I pushed her beyond her own limits. God pushed me beyond mine. When she wanted to give up, I urged her to resist quitting and to further her education. God encouraged me not to give up on my education either. She watched me struggle as a first-generation college student to obtain my college degree and work multiple jobs. Over the many years, she witnessed firsthand my discouragement and frustration during the seasons of getting into law school and obtaining my bar license. I believe my refusal to give up helped shed light on what was possible for her to accomplish. A few years out of high school, she went on

to pursue her cosmetology license. It took her awhile, but she did it! Then a few years later, she went on to pursue her education with the many talents she has as an artist. She eventually became an entrepreneur. In January of this year, she expanded her thinking more by opening her own business where she sells her paintings and artwork. She did all of this while still taking a few classes a little at a time. What a blessing to see her become a first-generation college graduate this year. Just last week she messaged me a photo of her associate's degree when she received it in the mail.

Regardless of whether you mentor for a short period or many years, the mentorship relationship allows the opportunity for both parties to grow. While at times it may seem as though the mentee is the only beneficiary, the mentor is also profiting from the relationship. Throughout that growing process in the relationship, resistance and tension are bound to come about. This is all pertinent to where God is taking us. Sometimes the mentee stretches the patience, endurance, and wisdom (and sometimes more) of the mentor. At other times, the mentor pushes the mentee beyond his or her normal limits. I have learned throughout my life and career as an attorney, that mentorship is mutually beneficial.

God places the right people in our paths to help us fulfill the calling He has on our lives. The journey towards purpose may not always be easy, but we must trust God's plans. Jeremiah 29:11 says, "For I know the plans and thoughts that I have for you," says the Lord, "plans for peace and well-being and not for disaster, to give you a future and a hope."³ Oftentimes God's plan for us spiritually, personally, and professionally involves mentorship. In fact, I believe He specifically designed it that way in some instances. Scripture advises us in various passages to seek wisdom⁴ and that the older ones should instruct the younger.⁵ We see through many examples in the Bible how God's chosen leaders had mentors actively present in their lives. There were those who had walked down the road the mentee was about to travel. Often it was someone who would come alongside and provide strength to the mentee during the development stages. The lives of David, Joshua, Ruth, Esther, and even Timothy highlight a few. These are examples of great biblical leaders who were inexperienced when they were called. Yet God gave them mentors equipped with the tools necessary

for each of them to develop into the person God was calling them to be. And so, the iron sharpened the iron, even (and especially!) when the sharpening was not always an easy feat.

It is my hope and desire to sow into the lives of younger women the same things that were sown into my life. Through these people that God strategically placed in my life, both mentors and mentees, I have gained wisdom and competence in many areas. I am truly blessed by those who have invested time, energy, and resources in me. As the director of Attorney Ministries, it is my deep hope and desire that each of our chapters will have vibrant mentorship programs for the benefit of newer attorneys and law students, as well as "older" attorneys. Sharpening requires more than one person. To grow and be sharpened, we need one another. Remember, iron sharpens iron!



Lakuita Bittle, the director of CLS' Attorney Ministries, oversees CLS membership and provides support to CLS attorney chapters nationwide. Prior to joining CLS in March 2021, Lakuita worked in Prince George's County State's Attorney's Office for over five years, most recently as a prosecutor in the Major Crimes Unit. She is actively involved in her church and serves on a local nonprofit board, Kadesh CDC. Lakuita is passionate about serving her community and enjoys spending time with her family and friends.

ENDNOTES

- ¹ *Holy Bible, New International Version.* (2022). Bible Version Online. <https://www.biblegateway.com/passage/?search=Proverbs+27&version=NIV>.
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- ⁶ 1 Peter 5. *Holy Bible, English Standard Version.* (2022). Bible Version Online <https://www.biblegateway.com/passage/?search=1Peter+5%3A1-5&version=NIV>.

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Into the Garden Stole

BY ANTON SORKIN

*“... in my heart, there was a kind of fighting
that would not let me sleep.”¹*

HAMLET
ACT 5, SCENE 2

Around the middle of the seventeenth century emerged a central figure in the history of modern education. Following in the wake of the Bohemian Reformation, John Comenius found himself immersed amidst three intersecting predicaments nearly colliding in their respective demands for overlapping treatment. One, a religious crisis between Catholics and Protestants in the wake of the revolutionary changes brought on by Martin Luther and John Calvin in Central Europe. This issued into a second (political) crisis around 1618 marked by devastating violence, including the Thirty Years’ War, which served as ample fodder for enlightenment thinkers to dismiss the values of religion and cast a new vision devoid of transcendent design. And finally, there was an intellectual crisis to match the religious and political ones – this time calling into question the intellectual foundation of the unified synthetic Medieval worldview, without a clear sense of what would replace it. In his inspired vision for the future, Comenius saw that these three watersheds were connected – arguing that no

one can be solved independent of the other, and that a holistic vision tethering them together was required for a viable universal reformation to take root. A reformation of religion, a reformation of politics, and a reformation of (natural) philosophy. Three pillars governed under the rubric of what he called *pansophia* (“universal wisdom”) – confronted in a vision of universal education. Here was a lifelong pursuit for Comenius, not just to cast a utopian vision of an idyllic state of peace and tranquility, but to provide the means and vision for our active participation in bringing these things to being.²

America’s Three Crises

This fall, Law Student Ministries enters into a season marked by the confluence of three separate crises that need to be seen through connected lenses.

The first is the ongoing struggle to reverse the trends noted by Lyman Stone³ of an ever-increasing decline of religiosity and

an incessant push for governance through the lens of secular presuppositionalism that speak audibly about the rights of religion to be left alone, while adding under its breath, “and I will see to it that you never are alone.”⁴ A decline in institutional religion is more than just an affront from without; it is also an indictment of those from within and the failure of Christians to embrace a changing world through demonstrations of transcendent creativity and distinction. A failure to decipher the new direction of the Holy Spirit and to join in ranks to better serve our neighbors in the context of today, and not yesterday.

In turn, solving the religious crisis requires that we entangle our hands in our political crisis as well. One based on the ongoing divisions of labor within the Red and Blue States, marked by an inability to work together on common issues through meaningful compromise and a demonstration of settled respect for individual differences. As David French wrote in *Divided We Fall*: “[w]e cannot assume that a continent-sized, multi-ethnic, multi-faith democracy can remain united forever, and it will not remain united if our political class will not adapt to an increasingly diverse and divided American public.”⁵ Unless we are content to live a life together-apart, we must take that first step to offer gestures of repair to mend our broken spirits and create a new public square where love is watered by grief and celebration in our common traditions and future plans. A place where we give space for the moral ambiguities of community life and usher in a new era of integrated servanthood. A place where disagreement breeds respect, and our elected leaders preach a common vision of popular sovereignty without the rhetoric of self-serving partisanship.

And, finally, our religious and political crises face a new and more formidable challenge unique to the future shape of our communal life. A crisis of epic proportion, where truth and the ascertainment therein leads to an epistemic exhaustion that breeds a voting base that consigns their thinking to blue check mark personalities, cable news anchors, and self-proclaimed arbiters of truth that hide behind the veils of our collective on-line ignorance. As we enter a new digital age and the blossoming field of metaverse takes harvest, we will need to cultivate our own new standard for testing information and holding firm to a position of uncertainty. The information age is quickly becoming a disinformation age, and things will only get worse as authoritarian impulses control more of our networks and means of production.⁶ To overcome this challenge, we will need to adapt our minds to the thoughts of this new wave of digital revolution and respond in kind by imparting our own

G.K. Chesterton wisely wrote that “the world did not tire of the church’s ideal, but of its reality.”

new vision of Christian engagement.⁷ A new process for mission and education, which speaks about the universal dignity of self and the need to protect the *imago Dei* before it's lost in the digital black mirror.

New Reality

Finally, like John Comenius, we need to see these crises in our own times as a collective affront against our capacity for peace and common existence. A vision of a more perfect union has some utility, but a process for arriving at these things is necessary – and exemplars who do so are essential! We must understand these issues more broadly; secularism itself cannot be the only culprit responsible in the decline of religion.⁸ The problem is much more complicated than any single theory can explain – containing deleterious elements that emerged from within the church, just as much as from without. The real problem is not religion, but the product of its modern political attachments, anti-intellectual programs, and the vision it casts of Christ as domesticated and ideologically artless. A gulf has been created between the person of Christ and the manifestations of Christ through his followers. A gulf that immanent conceptions of the good has appropriated and muddied the beauty of transcendent architecture. A gulf that stunts the colors of the inbreaking kingdom and casts a shadow over the lightning image of the Son of Man who fell to earth. For it is not so much that the vision of the church has been rejected, but really its demonstration here on earth, thanks to those who follow a broken compass on matters of public engagement. G.K. Chesterton wisely wrote that “the world did not tire of the church’s ideal, but of its reality.”⁹ It is a perhaps a good time to remind the world of this *ideal* and leave the reality to more “enlightened” vessels.

Conclusion

In a small group discussion last summer, I asked the students what force in society can bring us together again. One response struck me: *tragedy*. Thinking about this more, I realized that while the drama of life does have its utility in exuding a collective effervesce and creating a temporary community around grief, I think a better (more complicated) answer would be our

collective respect for law, rooted in *agape*. For law is a universal power – containing within itself an immense potential for good and for ill. A vision of *agapic* law that serves mankind could play a pivotal role in restoring the institutional failures that abound due to an ongoing commitment to inward vocation, instead of a commitment to outward obligation. A type of vision espoused by those like Linda Ross Meyer based on a balanced knowledge of the limitations of law and the liabilities of love. A vision based on a sacrificial commitment to the well-being of neighbors and a steadfast resolve that the world will see its folly and return home again to embrace a loving vision of a father still willing to embrace his prodigal line. “To have law,” writes Meyer, “is to have already a bond with others – already an ability to see the not-me as like-me and to commit oneself to an other.”¹⁰ Perhaps with this vision of law rooted in *agape*, the church can recover its credibility in the public square to speak on issues of dignity and rights, overcome our political strife by restoring the image of God as separate-and-apart from the outcome of elections, seek a renewed commitment to transcendent ideals, and develop an adversarial model against the spiritual forces that keep us misinformed and disengaged.

If there is any beauty more profound in the intellectual history of our times than the church giving room for the prodigal to announce his independence and run off to squander the inheritance among the swine, it is the vision of a Father waiting for the son to return home and know the love of the Father for the first time. As Timothy P. Jackson is fond of saying, the worm in human nature goes deeper into the heart of every man for any single “cultural, political, or technological revolution [to] entirely uproot.”¹¹ So, for now, we must learn to listen and act in accordance with prudence – exchanging our crusades-for-honor in king’s houses for sackcloth-and-ashes – and reminding people about the Father’s house and all those many rooms waiting for us.



Anton Sorokin is the director of CLS’ Law Student Ministries, where he helps Christian law students across the nation better integrate their work and worship. He has a passion for helping students study the interaction between law and religion, engage with the complexity of the modern forms of public witness, and better love God and serve their neighbors. Anton is also a visiting scholar at the University of Texas School of Law.

ENDNOTES

- 1 Shakespeare, W. (1995). *The tragedy of Hamlet, prince of Denmark*. 5.1.191-192 (B. A. Mowat & P. Werstine, Eds.). Washington Square Press. (Original work published 1623).
- 2 Deeply indebted for this section to Howard Hotson (University of Oxford) for this insight on BBC’s *In Our Time* episode on Comenius. <https://www.bbc.co.uk/programmes/m0017chy>.
- 3 Stone, L. (2020). Promise and peril: The history of American religiosity and its recent decline. *American Enterprise Institute*, <https://www.aei.org/wp-content/uploads/2020/04/Promise-and-Peril.pdf?x91208>.
- 4 Lewis, C.S. (1949). *The weight of glory*, 161, HarperOne.
- 5 French, D. (Year). *Divided we fall*, 1. St. Martin’s Press, 2020.
- 6 For a confluence of these factors, see Jonathan Rauch’s *Constitution of Knowledge: A Defense of Truth* (2021) and Jacob Helberg’s *The Wires of War: Technology and the Global Struggle for Power* (2021).
- 7 As a start, see Jason Thacker’s *Following Jesus in a Digital Age* (2022), Felicia Wu Song’s *Restless Devices: Recovering Personhood, Presence, and Place in the Digital Age* (2021), and Jacob Shatzer’s *Transhumanism and the Image of God: Today’s Technology and the Future of Christian Discipleship* (2019).
- 8 See Ryan P. Burge, Perry Bacon, Jr., *It’s Not Just Young White Liberals Who Are Leaving Religion*, FIVETHIRTYEIGHT (April 16, 2021), <https://fivethirtyeight.com/features/its-not-just-young-white-liberals-who-are-leaving-religion/>.
- 9 G.K. CHESTERTON, *The Unfinished Temple*, in WHAT’S WRONG WITH THE WORLD 36 (1910).
- 10 Meyer, L.R. (2017). *Agape, humility, and the chaotic: The challenge and risk of allowing agape a role in the law, good, in agape*. *Justice and Law*, 70.
- 11 Jackson, T.P. (2015). *Political agape: Christian love and liberal democracy*, 46.

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Justice and Mercy

BY MAUREEN ARAGO

It can be difficult to navigate through political waters when so many competing voices are demanding that we Christians follow *their* directions toward a just or merciful system. As Christians, we are obligated to rise to the challenge and test the claims.¹ Sometimes, we can recognize immediately that certain messages are not of God. We sense the difference between those impatient, clamoring spirits and the Christian fervor that bears the fruits of love, joy, peace, patience, goodness, faithfulness, gentleness, and self-control.²

Often, we need to spend more time pondering whether a message is true. That is when I seek guidance from sources who have earned my confidence. I am blessed to attend (remotely) a weekly Bible study given by a pastor in Washington, D.C., Msgr. Charles Pope. Though not an attorney himself, Msgr. Pope has written two posts that helped to guide my pursuits of truly Christian conceptions of justice and mercy. In the first, he explains that justice and mercy are one in God. In the second, he describes how his time serving on a jury helped him to understand the peculiar role of lawyers in

providing opportunities for justice and mercy in our world, which is far from perfect.³

In God, However, Justice and Mercy are Alike⁴

As Msgr. Pope explains, Christians know that true justice and perfect mercy exist harmoniously in God.⁵ As we read in Psalm 89, “Righteousness and justice are the habitation of your throne: mercy and truth shall go before your face.” This is the source of our great idealism and supernatural hope. Nevertheless, we must hold this truth in tension with another: we must recognize that, while God is perfect, we are fallen creatures whose imperfections will necessarily lead to incomplete justice and mercy in this life. This is the source of our political sobriety. Together, these important truths have helped me sort through all the noise. Whenever someone demands that we give mercy to one but a “strict” version of justice (in other words, what they might deserve) to another, I know that they are dividing what exists as one in God. Whenever they claim that doing so will bring about

heaven on earth, I know they are promising what only God can provide.

Accordingly, Christians must strive for both justice and mercy in all walks of life. For the most part, we do so in small ways by helping those individuals and communities we meet on our own path. Yet we accept imperfect results and resist voices tempting us away from the path we believe God has called us to because we know that the outcome will not be perfect until we reach eternal life.

Lawyers are Agents of Stability

Msgr. Pope's second post helped me to understand how attorneys in particular should strive for justice and mercy by introducing stability into their communities and the lives of their clients. Speaking of his time on a grand jury, he writes:

While we on the jury were looking into a world of chaos and disorder, our attention was always drawn back to the world of reason and order. Lawyers are agents of stability in this milieu, where the rule of law is still important, and words and reality still matter.⁷

While this may seem most clear in criminal law, my experiences have allowed me to conclude that the same applies to civil lawyers. My firm's representation of a nonprofit organization that holds mortgages for low-income homeowners is one such example. When I began the representation, there was distrust between the organization and the homeowners. The homeowners contacted me accusing the organization of illegally increasing payment amounts. Or they said that the home needed repairs, so they should not have to pay "rent." Finally, they asserted that all the mortgage holder wanted was to steal their homes.

In response to this chaos and disorder, an inspired homeowner suggested that my office begin hosting meetings between the nonprofit organization and the homeowners. We agreed. Now, we even start each meeting with a prayer based on Proverbs 24:3-4:

By Wisdom a house is built and through Understanding it is established; through Knowledge its rooms are filled with rare and beautiful treasures.⁸

At our first meeting, we learned that most of the homeowners did not understand the breakdown between principal and escrow and that escrow payments increased as taxes and

"By Wisdom a house is built and through Understanding it is established; through Knowledge its rooms are filled with rare and beautiful treasures." —Proverbs 24:3-4

insurance increased. Touchingly, one woman's son wanted to know whether there was any way his mother could buy the house she already owned.

In our subsequent meetings, we used props and role playing to explain how escrow accounts work. We designed more understandable mortgage statements. We asked owners to bring receipts to identify any errors. And when mortgage payments proved unaffordable, the organization modified them. Nearly all homeowners quickly became current. The organization paid for home inspections to help identify the extent of damage and assisted in facilitating repairs. Together, the homeowners, the organization, and my office worked out ongoing tax, lien, and insurance issues.

Importantly, while assisting the homeowners and remaining sensitive to their various needs, the organization respected the dignity of each individual by continuing to recognize that they remain responsible for their own homes. Our efforts exemplified both justice and mercy by introducing order where there once was chaos, knowledge where there once was confusion, and reason where there once was distrust.

Conclusion

Finally, I believe that our prayers for wisdom, understanding and knowledge are being answered—not only because God has allowed us to help the homeowners stabilize their homes, but also because He has permitted us to build real relationships that granted us a glimpse into the homeowners' hardships. In the past year, the children of two separate homeowners were killed in violent crimes, and a third homeowner's son received the death penalty as punishment for a murder conviction. The parents' remarkable faith has blossomed into a hope that God will welcome their children into His perfect home. While we discuss how to prevent such tragedies and are open to authentic calls to serve, we respect that we are primarily called to extend kindness and share God's love. It

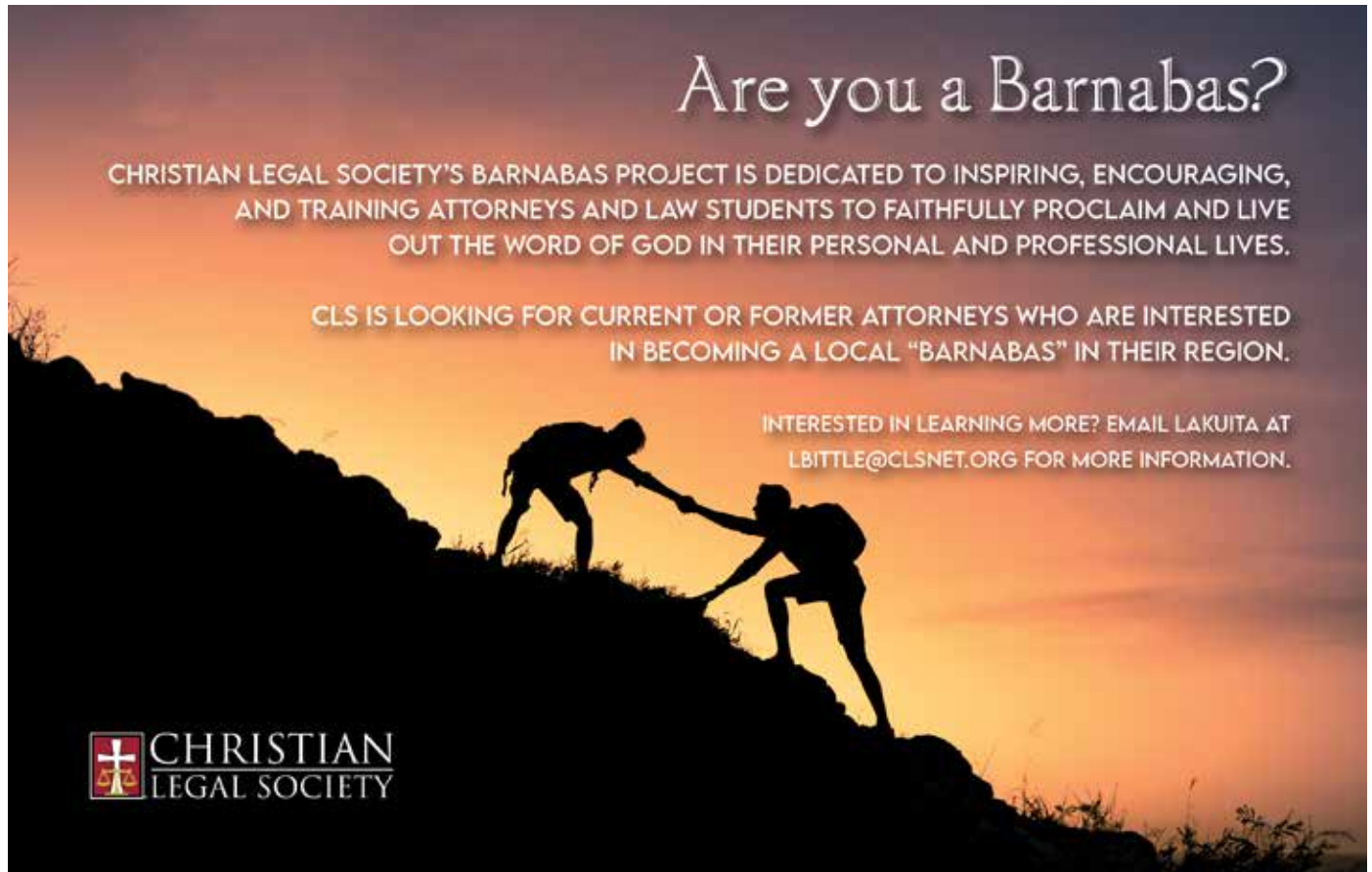
insults the parents' faith to instead adopt fashionable notions that divide justice and mercy—those “rare and beautiful treasures” that fill His many rooms.



Maureen Arago is an attorney in Kissimmee, Florida. She received the Belvin Perry, Jr. Legacy of Justice Award in 2019 for unwavering commitment and individual service that advanced the cause of justice to low income individuals and families; and the Florida Bar President's Pro-Bono Service Award for the 9th Judicial Circuit in 2020.

ENDNOTES

- 1 See John 3:7; John 4:1; Psalm 40:5
- 2 See Galatians 5:22-23
- 3 See also, <https://blog.adw.org/2016/05/justice-and-mercy-are-alike-for-god/>; <http://blog.adw.org/2019/10/saw-serving-grand-jury-part-two/>.
- 4 <https://blog.adw.org/2016/05/justice-and-mercy-are-alike-for-god/>.
- 5 See, e.g., “[T]he peace of the Heavenly City is a perfectly ordered and perfectly harmonious fellowship in the enjoyment of God, and of one another in God.” Augustine, *The City of God*, 938 [XIX.13].
- 6 See, e.g., “If “the kings of the earth and all nations, princes and all the judges of the earth, young men and maidens, old men and children” (Psalm 148,11f), people of every age and each sex; if those to whom John the Baptist spoke... (Luke 3,12f): if all these together were to hear and embrace the Christian precepts of justice and moral virtue, then would the commonwealth adorn its lands with happiness in this present life and ascend to the summit of life eternal, there to reign in utmost blessedness.” *Id.*
- 7 <http://blog.adw.org/2019/10/saw-serving-grand-jury-part-two/>.
- 8 Proverbs 24:3-4.




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A Constitutional Demolition: The Supreme Court Takes a Wrecking Ball to “The Edifice of Abortion”¹

BY STEVE ADEN

Many years ago, the late Supreme Court Justice Antonin Scalia lamented that “the edifice of abortion” the Court had erected “seemingly overnight” in *Roe v. Wade*² may have to be torn down “door jamb by door jamb,” and never fully toppled over.³ The pro-life movement took his words as a moral challenge and, through hard-fought victories in the Court over decades, reduced “the edifice of [Roe]” to the Potemkin façade it finally became. Several years after Justice Scalia penned those words, the abortion right that was proclaimed “fundamental” in *Roe* narrowly escaped being overruled in *Planned Parenthood v. Casey*,⁴ surviving as a mere “liberty interest” subject to the states’ regulative authority. It was then that the U.S. abortion rate began a precipitous decline that has largely continued to this day, to the point where it is in the same place it was in 1972 – the year before *Roe*. Along the way, the movement scored victory after victory against the abortion lobby on behalf of women’s safety and infants’ lives, ensuring that states could outlaw unlicensed “back-alley” abortionists,⁵ keep taxpayer dollars from paying for elective abortions,⁶ mandate that abortion doctors secure their patients’ basic informed consent by

disclosing what abortion really does to a vulnerable human being in the womb,⁷ and ban barbaric procedures like partial-birth abortion and killing infants born alive.⁸ Now that *Roe* is a fading memory, saving every innocent life and protecting all women from predatory abortion businesses has suddenly moved into the realm of the possible.

Dobbs v. Jackson Women’s Health Org.

We hold that *Roe* and *Casey* must be overruled. The Constitution makes no reference to abortion, and no such right is implicitly protected by any constitutional provision. . . . It is time to heed the Constitution and return the issue of abortion to the people’s elected representatives.⁹

With those words, the Supreme Court majority in *Dobbs v. Jackson Women’s Health Org.* ended nearly 50 years of constitutionalized abortion and submitted its formal resignation as “the national abortion control board.”¹⁰ *Dobbs* reviewed a Mississippi law, House Bill 1510 (the “Gestational Age Act”),

that restricts abortion from and after 15 weeks' gestation on the basis of several state interests specified in the bill's findings. These interests include the dignity of the preborn child, as well as the fact that most abortions after 15 weeks' gestation are "dismemberment" abortions, which the legislature found to be a "barbaric practice, dangerous for the maternal patient, and demeaning to the medical profession." Further, the bill cites "significant physical and psychological risks to the maternal patient," which increase with gestational age.¹¹ The Mississippi legislature passed HB 1510 in 2018, and it took effect immediately when Governor Phil Bryant signed it into law on March 19, 2018. Jackson Women's Health Organization, the last abortion clinic in Mississippi,¹² and one of its abortionists filed suit in federal court to enjoin it on the day it took effect. Over Mississippi's objections, the district court permitted only limited discovery related to a single issue: "whether the 15-week mark is before or after viability." The district court refused to consider any of Mississippi's stated interests, and disallowed an affidavit offered by the state's expert, Dr. Maureen Condic, an expert in neurobiology, anatomy, and embryology, who opined on the ability of the fetus to experience pain after about the twelfth week of gestation. The district court granted summary judgment to Jackson Women's Health and permanently enjoined the 15-week law.¹³

The Fifth Circuit Court of Appeals affirmed in perfunctory fashion, holding that Supreme Court precedent creates a categorical right to a pre-viability abortion, and the 15-week law infringed that right because it operated as a "ban on certain pre viability abortions."¹⁴ The court also affirmed the district court's discovery and evidentiary rulings, explaining that this result "flows from our holding that the act unconstitutionally bans previability abortions."

Mississippi petitioned the U.S. Supreme Court for review in the fall of 2020. After reconferencing or relisting *Dobbs* at least 28 times, the Supreme Court finally granted merits review on May 17, 2021, but limited its review to the first question raised in the certiorari petition: "Whether all pre-viability prohibitions on elective abortions are unconstitutional." After oral argument on December 1, 2021,¹⁵ the Court issued its opinion on June 24, 2022. Justice Samuel Alito penned the majority opinion, joined by Justices Clarence Thomas, Neil Gorsuch, Brett Kavanaugh, and Amy Coney Barrett. Chief Justice John Roberts concurred only in the judgment, while Justices Stephen Breyer, Sonia Sotomayor, and Elena Kagan issued a joint dissent.

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The Court's majority was not deferential to *Roe* in the least, charging that "*Roe* was egregiously wrong from the start. Its reasoning was exceptionally weak, and the decision has had damaging consequences. And far from bringing about a national settlement of the abortion issue, *Roe* and *Casey* have enflamed debate and deepened division."¹⁶ In an opinion that can only be characterized as a thoroughgoing repudiation of the false history and presuppositions undergirding *Roe*, the Court continues:

Roe . . . was remarkably loose in its treatment of the constitutional text. It held that the abortion right, which is not mentioned in the Constitution, is part of a right to privacy, which is also not mentioned. . . . And that privacy right, *Roe* observed, had been found to spring from no fewer than five different constitutional provisions—the First, Fourth, Fifth, Ninth, and Fourteenth Amendments.¹⁷

Years later, the majority said, "[t]he *Casey* Court did not defend this unfocused analysis and instead grounded its decision solely on the theory that the right to obtain an abortion is part of the 'liberty' protected by the Fourteenth Amendment's Due Process Clause."¹⁸

Examining *Casey*'s "bold assertion that the abortion right is an aspect of the 'liberty' protected by the Due Process Clause of the Fourteenth Amendment,"¹⁹ the Court sought to "ask[] whether the right is 'deeply rooted in [our] history and tradition' and whether it is essential to our Nation's 'scheme of ordered liberty.'"²⁰ "*Roe* either ignored or misstated" the legal history of abortion, and "*Casey* declined to reconsider *Roe*'s faulty historical analysis,"²¹ the majority concluded. At common law, "abortion was a crime at least after 'quickening'—i.e., the first felt movement of the fetus in the womb, which usually occurs between the 16th and 18th week of pregnancy,"²² and in the United States, "the historical record is similar."²³ The Court writes that "[t]he few cases available from the early colonial period corroborate that abortion was a crime. . . . And by the

19th century, courts frequently explained that the common law made abortion of a quick child a crime.²⁴ Moreover, reliance by some jurisdictions on the “quickening rule” is notwithstanding; “the original ground for the quickening rule is of little importance for present purposes because the rule was abandoned in the 19th century” because it was not in accordance with medicine or the common law.²⁵

Citing the majority’s well-researched appendix of 19th-century abortion laws, the Court notes:

By 1868, the year when the Fourteenth Amendment was ratified, three-quarters of the States, 28 out of 37, had enacted statutes making abortion a crime even if it was performed before quickening. . . . Of the nine States that had not yet criminalized abortion at all stages, all but one did so by 1910.²⁶

And as new states entered the Union, “[a]ll of them criminalized abortion at all stages of pregnancy between 1850 (the Kingdom of Hawaii) and 1919 (New Mexico).”²⁷ “By the end of the 1950s, according to the *Roe* Court’s own count, statutes in all but four States and the District of Columbia prohibited abortion ‘however and whenever performed, unless done to save or preserve the life of the mother.’”²⁸ The Court notes that “[t]his overwhelming consensus endured until the day *Roe* was decided.”²⁹ Accordingly, “[t]he inescapable conclusion is that a right to abortion is not deeply rooted in the Nation’s history and traditions. On the contrary, an unbroken tradition of prohibiting abortion on pain of criminal punishment persisted from the earliest days of the common law until 1973.”³⁰

The Court next examined whether “the abortion right is an integral part of a broader entrenched right,”³¹ focusing on its infamous “mystery passage” of *Casey*— “[a]t the heart of liberty is the right to define one’s own concept of existence, of meaning, of the universe, and of the mystery of human life.”³² The *Dobbs* Court firmly repudiated this statement, explaining that “[w]hile individuals are certainly free to think and to say what they wish about ‘existence,’ ‘meaning,’ the ‘universe,’ and ‘the mystery of human life,’ they are not always free to act in accordance with those thoughts.”³³ Further, the majority pointed out, substantive due process cases involving marriage, contraception, and child-rearing are inherently different from abortion. “Abortion destroys what [*Roe* and *Casey*] call ‘potential life’ and what the law at issue in this case regards as the life of an ‘unborn human being.’”³⁴ Finally, although “[b]oth sides make important policy arguments,” abortion proponents have failed to show how the Supreme Court has authority to weigh those arguments.³⁵

The Court next considered whether the doctrine of *stare decisis* requires adherence to *Roe* and *Casey*. The majority first notes that “[s]ome of our most important constitutional decisions have overruled prior precedents,”³⁶ and—in a footnote that spans three pages—lists cases that have “overruled important constitutional decisions.”³⁷ The Court compared abortion jurisprudence to *Plessy v. Ferguson*,³⁸ in which the Supreme Court instituted the racist “separate but equal” doctrine; like *Plessy*, “*Roe* was also egregiously wrong and deeply damaging. . . . *Roe*’s constitutional analysis was far outside the bounds of any reasonable interpretation of the various constitutional provisions



to which it vaguely pointed.”³⁹ The Court continues, “*Roe* was on a collision course with the Constitution from the day it was decided, *Casey* perpetuated its errors, and those errors do not concern some arcane corner of the law of little importance to the American people.”⁴⁰ As for the quality of *Roe*’s reasoning, “[*Roe*]... stood on exceptionally weak grounds:”⁴¹

Roe found that the Constitution implicitly conferred a right to obtain an abortion, but it failed to ground its decision in text, history, or precedent. It relied on an erroneous historical narrative; it devoted great attention to and presumably relied on matters that have no bearing on the meaning of the Constitution; it disregarded the fundamental difference between the precedents on which it relied and the question before the Court; it concocted an elaborate set of rules, with different restrictions for each trimester of pregnancy, but it did not explain how this veritable code could be teased out of anything in the Constitution, the history of abortion laws, prior precedent, or any other cited source; and its most important rule (that States cannot protect fetal life prior to “viability”) was never raised by any party and has never been plausibly explained. *Roe*’s reasoning quickly drew scathing scholarly criticism, even from supporters of broad access to abortion.⁴²

The *Roe* Court’s “trimester framework,” the majority states, “was the Court’s own brainchild,” with no support from either party or any amici.⁴³ When the Court revisited the abortion “right” in *Casey*, it “pointedly refrained from endorsing most of its reasoning” and instituted “an arbitrary ‘undue burden’ test.”⁴⁴

Ultimately, the Court said, “[t]he scheme *Roe* produced looked like legislation, and the Court provided the sort of explanation that might be expected from a legislative body,” but failed to “provide . . . any cogent justification for the lines it drew.”⁴⁵ The Court continues, “[a]n even more glaring deficiency was *Roe*’s failure to justify the critical distinction it drew between pre- and post-viability abortions.”⁴⁶ *Roe* justified the viability line with two sentences: “With respect to the State’s important and legitimate interest in potential life, the ‘compelling’ point is at viability. This is so because the fetus then presumably has the capability of meaningful life outside the womb.”⁴⁷ As the *Dobbs* Court recognizes, “clearly, this mistakes ‘a definition for a syllogism.’”⁴⁸ Critics of an unborn child’s legal “personhood” have put forward that the “essential attributes . . . are sentience,



self-awareness, the ability to reason, or some combination thereof.”⁴⁹ As the Court explains, “[b]y this logic, it would be an open question whether even born individuals, including young children or those afflicted with certain developmental or medical conditions, merit protection as ‘persons.’”⁵⁰

Addressing the “workability” component of the *stare decisis* inquiry, the Court noted that “*Casey*’s ‘undue burden’ test has scored poorly on the workability scale.”⁵¹ “Problems begin with the very concept of an ‘undue burden.’”⁵² The Court cites Justice Scalia’s partial dissent in *Casey*, which recognized that “determining whether a burden is ‘due’ or ‘undue’ is ‘inherently standardless.’”⁵³ The undue burden standard’s subsidiary rules “created their own problems.”⁵⁴ “*Casey* provided no clear answer to these questions” and the Court has argued over the proper interpretation of the undue burden test,⁵⁵ such as in *Whole Woman’s Health v. Hellerstedt*.⁵⁶ As the Court summarized, “[c]ontinued adherence to that standard would undermine, not advance, the ‘evenhanded, predictable, and consistent development of legal principles.’”⁵⁷

Justice Alito recognized that “*Roe* and *Casey* have led to the distortion of many important but unrelated legal doctrines.”⁵⁸ These areas include the strict standard for facial constitutional challenges, third-party standing, *res judicata*, rules on the severability of unconstitutional provisions, and First Amendment

doctrines. Ultimately, “[w]hen vindicating a doctrinal innovation [i.e., a purported abortion right] requires courts to engineer exceptions to longstanding background rules, the doctrine ‘has failed to deliver the principled and intelligible development of the law that *stare decisis* purports to secure.’”⁵⁹

As to the final *stare decisis* factor, reliance on precedent, the majority observed that *Casey* had created “a more intangible form of reliance” by concluding that “people [had] organized intimate relationships and made choices that define their views of themselves and their places in society . . . in reliance on the availability of abortion in the event that contraception should fail” and that “[t]he ability of women to participate equally in the economic and social life of the Nation has been facilitated by their ability to control their reproductive lives.”⁶⁰ The Court noted that this form of reliance is subjective, and wryly commented that the “Court is ill-equipped to assess ‘generalized assertions about the national psyche.’”⁶¹

The Court peremptorily foreclosed any claim that abortion is protected under the Equal Protection Clause. “[A] State’s regulation of abortion is not a sex-based classification and is thus not subject to the ‘heightened scrutiny’ that applies to such classifications,”⁶² as “the ‘goal of preventing abortion’ does not constitute ‘invidiously discriminatory animus’ against women.”⁶³ Thus, henceforth, laws regulating or prohibiting abortion are to be governed by the same standard of review as other health and safety measures—rational basis.⁶⁴ “[T]he States may regulate abortion for legitimate reasons, and when such regulations are challenged under the Constitution, courts cannot ‘substitute their social and economic beliefs for the judgment of legislative bodies.’”⁶⁵ “A law regulating abortion, like other health and welfare laws, is entitled to a ‘strong presumption of validity,’” and Mississippi’s Gestational Age Act easily passes muster under rational basis review.⁶⁶ The Court concluded:

Abortion presents a profound moral question. The Constitution does not prohibit the citizens of each State from regulating or prohibiting abortion. *Roe* and *Casey* arrogated that authority. We now overrule those decisions and return that authority to the people and their elected representatives.”⁶⁷

While joining in the majority opinion, Justices Thomas and Kavanaugh wrote separate opinions to emphasize personal points about Fourteenth Amendment jurisprudence. Justice Thomas highlighted what he saw as the flaws of substantive due process, describing it as “an oxymoron that ‘lack[s] any

basis in the Constitution.’”⁶⁸ “[T]he Due Process Clause at most guarantees process The resolution of this case is thus straightforward. Because the Due Process Clause does not secure any substantive rights, it does not secure a right to abortion.”⁶⁹ Justice Thomas urged the Court “in future cases [to] reconsider all of this Court’s substantive due process precedents, including *Griswold [v. Connecticut]*,⁷⁰ *Lawrence [v. Texas]*,⁷¹ and *Obergefell [v. Hodges]*,⁷²” but see if the Court could find textual grounds for those rights, such as under the Privileges and Immunities Clause.⁷³ Justice Kavanaugh wrote to highlight what he called the Constitution’s “neutrality” towards abortion and the Court’s role in maintaining this neutral position. “[T]he Constitution is neither pro-life nor pro-choice. The Constitution is neutral, and this Court likewise must be scrupulously neutral,”⁷⁴ Justice Kavanaugh concluded.

Chief Justice Roberts concurred in the judgment, agreeing with the majority that Mississippi’s 15-week gestational limitation is constitutional, but disagreeing with their decision to overturn *Roe* and *Casey*.⁷⁵ The Chief Justice agreed that “the viability line established by *Roe* and *Casey* should be discarded under a straightforward *stare decisis* analysis. That line never made any sense.”⁷⁶ However, under principles of judicial restraint and *stare decisis*, he would maintain the underlying abortion right.⁷⁷ Chief Justice Roberts saw no need to take a wrecking ball to *Roe*; for him, a simple renovation of the “edifice of abortion” would suffice. Echoing (perhaps intentionally) Justice Scalia’s words in *Webster*, Roberts suggested that “there is a clear path to deciding this case without overruling *Roe* all the way down to the studs;” overturn only *Casey*’s viability standard without revisiting the holding of *Roe*.⁷⁸ Roberts would institute a new “reasonable opportunity” litigation standard that reviews whether an abortion law “provid[es] an adequate opportunity [for a woman] to exercise the right *Roe* protects.”⁷⁹

The three-Justice dissent of Breyer, Kagan, and Sotomayor began by critiquing the majority’s originalist approach, offering a rather dissembling view of the role history should play in constitutional analysis. “[I]t is not clear what relevance such early history [as far back as the 13th century] should have,” although some of the “early law in fact does provide some support for abortion rights,”⁸⁰ the dissent insisted. However, the dissent discouraged extensive use of the Fourteenth Amendment’s history because it was ratified by men, and thus “not perfectly attuned to the importance of reproductive rights for women’s liberty, or for their capacity to participate as equal members of our Nation.”⁸¹ Fully embracing “Living Constitution” jurisprudence, the Justices asserted that “the Framers defined rights in general terms, to

permit future evolution in their scope and meaning.”⁸² The “applications of liberty and equality can evolve while remaining grounded in constitutional principles, constitutional history, and constitutional precedents,”⁸³ the dissent argued.

To say that the *Dobbs* decision is monumental in its consequences for constitutional law would be rather an understatement. *Dobbs* not only soundly overturned a precedent that had stood for nearly 50 years as “Exhibit A” for runaway judicial activism, it reaffirmed that original meaning and historical analysis will be the basis of constitutional jurisprudence going forward. It repudiated reliance on “sociological law,” as the Court had in *Casey*. It foreswore any further involvement in crafting a federal abortion jurisprudence, a move that can only bode much better for future Supreme Court judicial nominations that had become showcases for “the politics of personal destruction.” In light of *Dobbs*, the Supreme Court granted, vacated, and remanded cases that had held unconstitutional Arizona’s abortion prenatal nondiscrimination law,⁸⁴ Arkansas’ similar prenatal nondiscrimination law,⁸⁵ and Indiana’s parental involvement provision.⁸⁶ Another legal challenge, involving Alabama’s parental notice provision, was voluntarily dismissed by the parties in the wake of *Dobbs*.⁸⁷ Across the country, abortionists have been voluntarily dismissing their lawsuits brought under a federal due process theory, and federal courts have been lifting injunctions against life-affirming laws.⁸⁸

Perhaps most importantly, shortly after *Dobbs* was issued, Jackson Women’s Health closed its doors, packed up, and left Mississippi, leaving it as one of a growing number of abortion-free states in the wake of *Roe*.



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END NOTES

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- ² 410 U.S. 113 (1973).
- ³ *Webster v. Reproductive Health Services*, 492 U.S. 490, 536-37 (1989) (Scalia, J., concurring in part and concurring in the judgment).
- ⁴ *Planned Parenthood of Southeastern Pennsylvania v. Casey*, 505 U.S. 833 (1992).
- ⁵ *Connecticut v. Menillo*, 423 U.S. 9, 10-11 (1975) (*per curiam*); *Mazurek v. Armstrong*, 520 U.S. 968 (1997) (*per curiam*).
- ⁶ *Beal v. Doe*, 432 U.S. 438 (1977), *Maher v. Roe*, 432 U.S. 464 (1977); *Poelker v. Doe*, 432 U.S. 519 (1977) (*per curiam*) (Title XIX of the Social Security Act did not require the funding of nontherapeutic abortions as a condition of participation in the Medicaid program, and there was no constitutional prohibition on providing Medicaid or other forms of state and local public funding to pay for childbirth for indigent women but not for abortions); *Harris v. McRae*, 448 U.S. 297 (1980) and *Williams v. Zbaraz*, 448 U.S. 358 (1980) (upholding the constitutionality of the Hyde Amendment, which, beginning in 1976, limited the use of funds made available to the states under Medicaid by prohibiting reimbursement for the cost of abortions).
- ⁷ *Planned Parenthood v. Casey*, 505 U.S. 833.
- ⁸ *Gonzales v. Carhart*, 550 U.S. 124 (2007); federal Born-Alive Infants Protection Act of 2002, 1 U.S.C. § 8.
- ⁹ *Dobbs v. Jackson Women’s Health Org.*, 597 U.S. ___ (June 24, 2022), slip op. at 5-6.
- ¹⁰ *Dobbs*, slip op. at 5-6. See *Planned Parenthood of Central Mo. v. Danforth*, 428 U.S. 52, 99 (1976) (White, J., concurring in part and dissenting in part) (describing the Supreme Court as the “*ex officio* medical board with powers to approve or disapprove medical and operative practices”); see also *Hellerstedt*, 136 S. Ct. at 2326 (Thomas, J., dissenting) (same); *Webster*, 492 U.S. at 519 (plurality opinion) (same); *Akron*, 462 U.S. at 456 (O’Connor, J., dissenting) (same).
- ¹¹ Citing to Linda Bartlett and her coauthors, the bill states that abortions performed after eight weeks gestation and beyond increase in physical and psychological risks exponentially. L. Bartlett, et al., “Risk Factors for Legal Induced Abortion Mortality in the United States,” 103 *Obstetrics & Gyn.* 103 (2004).
- ¹² For a history of abortion in Mississippi and the pro-life movement’s heroic efforts to counter it, see Lynn Vincent, “Lethal Law,” *World Magazine* Jan. 17, 2009, at https://world.wng.org/2009/01/lethal_law.
- ¹³ *Jackson Women’s Health Org. v. Currier*, 349 F. Supp. 3d 536, 545 (S.D. Miss. 2018).

14 *Jackson Women’s Health Org. v. Dobbs*, 945 F.3d 265, 274 (5th Cir. 2019).

15 For an analysis of the arguments, see Carolyn McDonnell, J.D., “Analysis of Oral Arguments in *Dobbs v. Jackson Women’s Health*,” <https://aui.org/2021/12/06/analysis-of-oral-arguments-in-dobbs-v-jackson-womens-health/>.

16 *Id.* at 6.

17 *Id.* at 9.

18 *Id.* at 10.

19 *Id.*

20 *Id.* at 12 (citation omitted) (alterations in original).

21 *Id.* at 16.

22 *Id.*

23 *Id.* at 20.

24 *Id.* at 21.

25 *Id.* at 22.

26 *Id.* at 23–24.

27 *Id.* at 24.

28 *Id.* (citing *Roe*, 410 U.S. at 139).

29 *Id.*

30 *Id.* at 25.

31 *Id.* at 30.

32 *Id.* (citing *Casey*, 505 U.S. at 851).

33 *Id.* at 30-31.

34 *Id.* at 32.

35 *Id.* at 35.

36 *Id.* at 40.

37 *Id.* at 41 & n.48.

38 163 U.S. 537 (1896).

39 *Dobbs*, slip op. at 44.

40 *Id.*

41 *Id.* at 45.

42 *Id.* at 45–46.

43 *Id.* at 47, citing C. Forsythe, *Abuse of Discretion: The Inside Story of Roe v. Wade* 127, 141 (2012).

44 *Dobbs*, slip op. at 46.

45 *Id.*

46 *Id.* at 50.

47 *Id.* at 50 (citing *Roe*, 410 U.S. at 163).

48 *Id.* (citations omitted).

49 *Id.* at 51.

50 *Id.*

51 *Id.* at 56.

52 *Id.* at 57.

53 *Id.* (citing 505 U.S. at 992).

54 *Id.*

55 *Id.* at 58–59.

56 579 U.S. 582 (2016).

57 *Dobbs*, slip op. at 62.

58 *Id.*

59 *Id.* at 63 (citations omitted).

60 *Id.* at 64 (citing *Casey*, 505 U.S. at 856) (first alteration added).

61 *Id.*

62 *Id.*

63 *Id.* at 11 (citation omitted).

64 *Id.*

65 *Id.* at 77 (citation omitted).

66 *Id.* at 77.

67 *Id.* at 78-79.

68 *Dobbs*, slip op. at 2 (Thomas, J., concurring) (citations omitted) (alteration in original).

69 *Id.* (emphasis in original).

70 381 U.S. 479 (1965) (recognizing a right of married persons to obtain contraception).

71 539 U.S. 558 (2003) (recognizing right to engage in private, consensual sexual acts).

72 576 U.S. 644 (2015) (recognizing a right to same-sex marriage); *Dobbs*, slip op. at 3 (Thomas, J., concurring).

73 *Dobbs*, slip op. at 11 (Kavanaugh, J., concurring).

74 *Id.* at 1–2 (Roberts, C.J., concurring in the judgment).

75 *Id.* at 1.

76 *Id.*

77 *Id.* at 7

78 *Id.* at 9.

79 *Id.* at 13 (citation omitted).

80 *Id.* at 14.

81 *Id.* at 16.

82 *Id.* at 18.

83 *Isaacson v. Brnovich* (D. Ariz. No. 2:21-cv-1417). *Rutledge v. Little Rock Family Planning Services* (8th Cir. No. 19-2690) (Down syndrome) (8th Cir. affirmed preliminarily enjoining enforcement Jan. 5, 2021; cert. filed Apr. 14, 2021).

84 *Box v. Planned Parenthood of Indiana & Kentucky* (No. 20-1375) (application of *Hellerstedt* analysis to parental involvement law) (cert. filed Mar. 29, 2021).

85 *Reproductive Health Services v. Bailey* (11th Cir. No. 17-13561).

86 See generally Carolyn McDonnell, “AUL Life Litigation Report: Post-Dobbs Addendum,” <https://aui.org/2022/07/20/life-litigation-post-dobbs-addendum/>.



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Oklahoma City Metro
Trinity Legal Clinic

- Crossings Community Center
- Cross and Crown Mission
- City Rescue Mission
- Living Faith Ministry
- OKC First Church of the Nazarene

- Salvation Army – Norman

Tulsa
Tulsa University College of Law
CLS Christian Legal Aid Clinic

OREGON

Portland
Union Gospel Mission of Portland
Christian Legal Aid Clinic

PENNSYLVANIA

Philadelphia
Christian Legal Clinics of Philadelphia

- West Philadelphia Legal Clinic
- Hunting Park Legal Clinic
- South Philadelphia Legal Clinic
- Chester Legal Clinic
- Germantown Legal Clinic
- Kensington Legal Clinic
- Chosen 300 Legal Clinic
- North Philadelphia Legal Clinic

Pittsburgh
Christian Legal Aid of Pittsburgh

TENNESSEE

Nashville Metro
Compassionate Counsel

TEXAS

Dallas
Revive Justice

Houston Metro (Cypress)
Houston Legal Aid Center

Houston Metro (The Woodlands)
Community Christian Legal Aid

Houston
Restoring Justice

VIRGINIA

Arlington
Restoration Immigration Legal Aid

Northern Virginia
Good Samaritan Advocates

- Columbia Baptist Church
- Reston Bible Church
- The Lamb Center

WASHINGTON

Seattle
Open Door Legal Services

Spokane
Union Gospel Mission of Spokane
Christian Legal Aid Clinic

WISCONSIN

Milwaukee
JC Legal Resources Center Inc.

INTERNATIONAL

Toronto, Canada
CCM Toronto Legal Clinic

**For contact information and other details for the Christian Legal Aid clinics,
view the full clinic directory at ChristianLegalAid.org/clinics.**





CLS Attorney Ministries chapters provide the opportunity for regular fellowship activity, mentorship, resources, and so much more. Each of our chapters listed below holds monthly or regular meetings that will help you integrate your faith and the practice of law while establishing healthy relationships with Christian attorneys in your community. To learn more about your local chapter or for current contact information, visit our website at AttorneyMinistries.org/Chapters.

ALABAMA

Birmingham
CLS Birmingham

*Mobile**
CLS Mobile

ARIZONA

Phoenix
CLS Phoenix

Tucson
CLS Tucson

CALIFORNIA

*Inland Empire**
CLS Inland Empire

Los Angeles
CLS Los Angeles

Orange County
CLS Orange County

Sacramento
CLS Sacramento

San Diego
CLS San Diego

San Fernando Valley
CLS San Fernando Valley

San Francisco
CLS San Francisco

*West Los Angeles**
CLS West L.A.

COLORADO

Colorado Springs
CLS Colorado Springs

Denver
CLS Metro Denver

CONNECTICUT

See New England

DISTRICT OF COLUMBIA

CLS DC Metro

FLORIDA

Jacksonville
CLS Jacksonville

Central Florida
CLS Orlando

West Palm Beach
CLS West Palm Beach

GEORGIA

Atlanta
CLS Atlanta

HAWAII

Honolulu
CLS Hawaii

ILLINOIS

Chicago
CLS Chicago

INDIANA

Indianapolis
CLS Indianapolis

KANSAS

Topeka
CLS Topeka

Wichita
CLS Wichita

LOUISIANA

New Orleans
CLS New Orleans

MAINE

See New England

MARYLAND

Greater Baltimore
CLS Maryland

MASSACHUSETTS

*Boston**
CLS Boston

See also New England

MINNESOTA

Minneapolis
CLS of Minnesota

MISSISSIPPI

Jackson
CLS of Central Mississippi

MISSOURI

Kansas City
CLS Kansas City

St. Louis
CLS St. Louis

Springfield
CLS of Springfield

NEBRASKA

Lincoln
CLS Lincoln

NEVADA

*Las Vegas**
CLS Las Vegas

NEW ENGLAND

CLS New England

NEW HAMPSHIRE

See New England

NEW JERSEY

Cape May
CLS Cape May

NEW YORK

Albany
CLS Upstate

New York City
CLS NYC

NORTH CAROLINA

Wake County
Wake County CLS

OHIO

Columbus
CLS of Central Ohio

Willoughby Hills
CLS of Ohio Northeast

OKLAHOMA

Oklahoma City
CLS Oklahoma City

OREGON

Salem
CLS of Oregon

PENNSYLVANIA

Greater Philadelphia*
CLS Philadelphia/Delaware Valley

Pittsburgh
CLS Western Pennsylvania

RHODE ISLAND

See New England

SOUTH CAROLINA

Greenville
CLS Greenville

TENNESSEE

Chattanooga
CLS Chattanooga

Memphis
CLS Memphis

Nashville
CLS Greater Nashville

TEXAS

Austin
CLS Austin

Dallas
CLS Dallas

Houston
CLS Houston

San Antonio
CLS San Antonio

Williamson County
CLS Williamson Co

VERMONT

See New England

VIRGINIA

Leesburg
CLS Northern Virginia

Richmond*
CLS Richmond

WASHINGTON

Seattle
CLS Seattle

WISCONSIN

Madison
CLS Madison

**These existing chapters are seeking new leadership. Are you interested in helping revive these chapters? Email us at clshq@clsnet.org.*



NATIONAL MENTORSHIP INITIATIVE

Over the years, strong mentoring programs have been prevalent in our attorney chapters. We are looking to continue building upon this by launching a brand-new national mentorship initiative. Each chapter has identified a mentor liaison to strengthen relationships with both younger attorneys and law students desiring mentors. Visit us online to connect with mentors.

AttorneyMinistries.org/Resources/Mentoring



CLS attorneys and law students have found many opportunities to fellowship and serve their communities over the past year. Below are some photos of those who are boldly proclaiming their faith across the nation! We are excited to share the pictures below from chapter events and highlights.

If you want to share any of your photos in the future, please submit them to lbittle@clsnet.org.



One of our newest Attorney Ministries Chapters, CLS Upstate New York, has already hit the ground running. These Christian attorneys, lead by chapter president, Patrick Sorsby, had an opportunity to pray for a waiter as they gathered for dinner and fellowship at a local restaurant.

Photo credit: Patrick Sorsby



At a Florida Bar Association event in June, CLS Central Florida Attorney Ministries Chapter honored Florida Supreme Court Justice Alan Lawson with the 2022 Laura Mall Justice Award in Orlando, Florida.

Photo credit: Courtney Herron



Attorneys and law students came together in August for the annual CLS Chicago Area Student Chapter Leadership. One student mentioned gleaning wisdom from everyone and enjoying such good food and fellowship.

Photo credit: CLS Chicago Area



CLS' DC Attorney Ministries chapter hosted dozens of law students and attorneys for a discussion entitled Faith on Trial: Religious Issues Before the U.S. Supreme Court. Dinner and a panel discussion had attendees engaged the entire time as current religious issues were discussed including free speech and the recent Dobbs decision.

Photo credit: Austin Cromack



Just as Gideon only needed three hundred in his army, the New England chapter only needed a few dedicated attorneys to accomplish the goal they set out for themselves. This action-packed day was filled with great fellowship and culminated with commitment from all six New England states (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont) who established our newest attorney ministries chapter this past April.

Photo credit: Lakuita Bittle



During a few weeks of July, CLS' Attorney Ministries Director, Lakuita Bittle, had an opportunity to meet with several of our southeastern chapters. Here, she attended CLS Chattanooga's monthly meeting and met with many for the first time!

Photo credit: Lakuita Bittle

In Memoriam

HENRY BRINKS (1925–2022)

Christian Legal Society Co-Founder

Christian Legal Society founder Henry Luke Brinks passed away on June 22, 2022. He was 97. Henry was a man who loved and served Jesus his whole life and loved his family and his church deeply.

Henry and a few other attorneys founded Christian Legal Society in 1961, on the urging of his Uncle Gerrit Groen, a patent attorney and mentor. Henry was a frequent attendee of CLS meetings and national conferences and stayed active up until a few years ago.



He grew up in Wheaton, Illinois, where he attended college and graduated with a B.S. in chemistry. His college career was interrupted when he was drafted into the Navy during WWII. Henry served our country for a year and then resumed his studies at Wheaton College. Henry obtained a job as a patent examiner at the U.S. Patent and Trademark Office while attending evening law school at George Washington University in Washington, D.C. He chose to pursue patent law and eventually joined the law firm where Uncle Gerrit practiced in downtown Chicago. Henry practiced law there for more than fifty years. Eventually, the firm was renamed Brinks, Gilson, Lione. Henry was also on the board of Westminster Theological Seminary for many years.

He is survived by his children, Darlene Miner and her husband Bill, H. Luke Brinks and his wife Ruth, Karin Brinks, his brother Don Brinks and his wife Sally, and his grandchildren. He will be greatly missed by his family, his church, and the many people who knew and loved him. His wonderful wife Phyllis passed in 2008.

He will be greatly missed by his family, his church, and the many people who knew and loved him. We are thankful for the legacy he leaves through Christian Legal Society and in the many ways it continues to serve and follow Jesus in the law.



Charlie Oellermann,
President & Chairman
of the Board

As iron sharpens iron, so one person sharpens another (Prov. 27:17).

This issue of *The Christian Lawyer* addresses a topic for which CLS is uniquely equipped: mentoring young Christian attorneys and law students. CLS' capacity to engage in mentoring is due to the same "glue" that holds all CLS ministries and activities together: our grassroots network of attorney chapters, law student chapters and individual attorneys, all across the United States.

Since it was formed about 15 years ago, the Central Ohio Lawyers Chapter of CLS (of which I am a part) consistently has been involved in supporting the local law school CLS chapters at The Ohio State and Capital law schools. As part of this support, our chapter has regularly conducted lawyer-law student mentoring programs, and I have greatly enjoyed participating.

Over the years, these mentoring relationships with law students involved conversations that covered career advice, maintaining one's identity with Christ in law school and legal practice, and a host of other topics that come up during law school and the early years of legal practice. Sometimes, they went well beyond what I might have expected. In one instance, a mentee attended church with our family for most of his time in law school. In another, I mentored a recent CLS law school graduate/new lawyer as he went through the Ohio Supreme Court's formal new-lawyer mentoring program.

It shouldn't be surprising that these mentoring matchups often develop into meaningful professional relationships. For starters, we are brought together not only by our common professional interests, but also by our common faith. All of the mentees with whom I've worked, like I, are seeking to serve Christ and work out their callings in the law. That's a lot of common ground on which to build.

The mentoring relationship and its benefits hardly flow in one direction. Rather, I might debate with the young men and women I have mentored regarding who gained more from the mentoring relationship. Yes, mentoring can impart knowledge, information, and experience, but it also reminds the mentor of those early years studying and practicing law, the reasoning behind some of the career and other decisions made along the way, and what law students and young lawyers continue to face. In some instances, the mentees have seemed to make more reasoned, faith-grounded decisions than I made. Iron sharpening iron, indeed.

The mentoring tradition of CLS extends to its board of directors. The board has a built-in mentoring component in its succession plan for the president of the board. Every two years, the board selects a president-elect, who serves in that position until he or she becomes president for two years, and then continues to serve as immediate past president for an additional two years. Thus, at any given time, we have presidents of the immediate past, present, and future working together on the board.

For these past two years, I have had the privilege of being mentored by our Immediate Past President Sally Wagenmaker—a wise, insightful, and accomplished attorney and leader. As of our board meeting in October, I will be passing the gavel into the strong and capable hands of our new president, Jeff Fowler. I look forward to working with and mentoring Jeff as he chairs the board over these next two years.

It has been a great pleasure and privilege to serve as president of the CLS board over the past two years. I believe that the organization is in strong hands, with David Nammo continuing to build on his 10 successful years thus far as CLS executive director and CEO, and an energetic and committed staff directing CLS ministries. The board and the staff are united in mission and fidelity to the Gospel; that unity is especially important in this era of hostility to Christianity in many circles.

May the Lord continue to bless CLS, and may its impact on behalf of God's Kingdom continue to grow.



Join us for fellowship at CLS' 2023 REGIONAL RETREATS

retreats being planned for ...

MIDWEST
SOUTHWEST
NORTHWEST
SOUTHEAST

NORTHEAST
TEXAS
N. CALIFORNIA



CHRISTIANLEGALSOCIETY.ORG/EVENTS

SAVE THE DATE
Boston

OCTOBER 5-8, 2023
2023 CLS' NATIONAL CONFERENCE

