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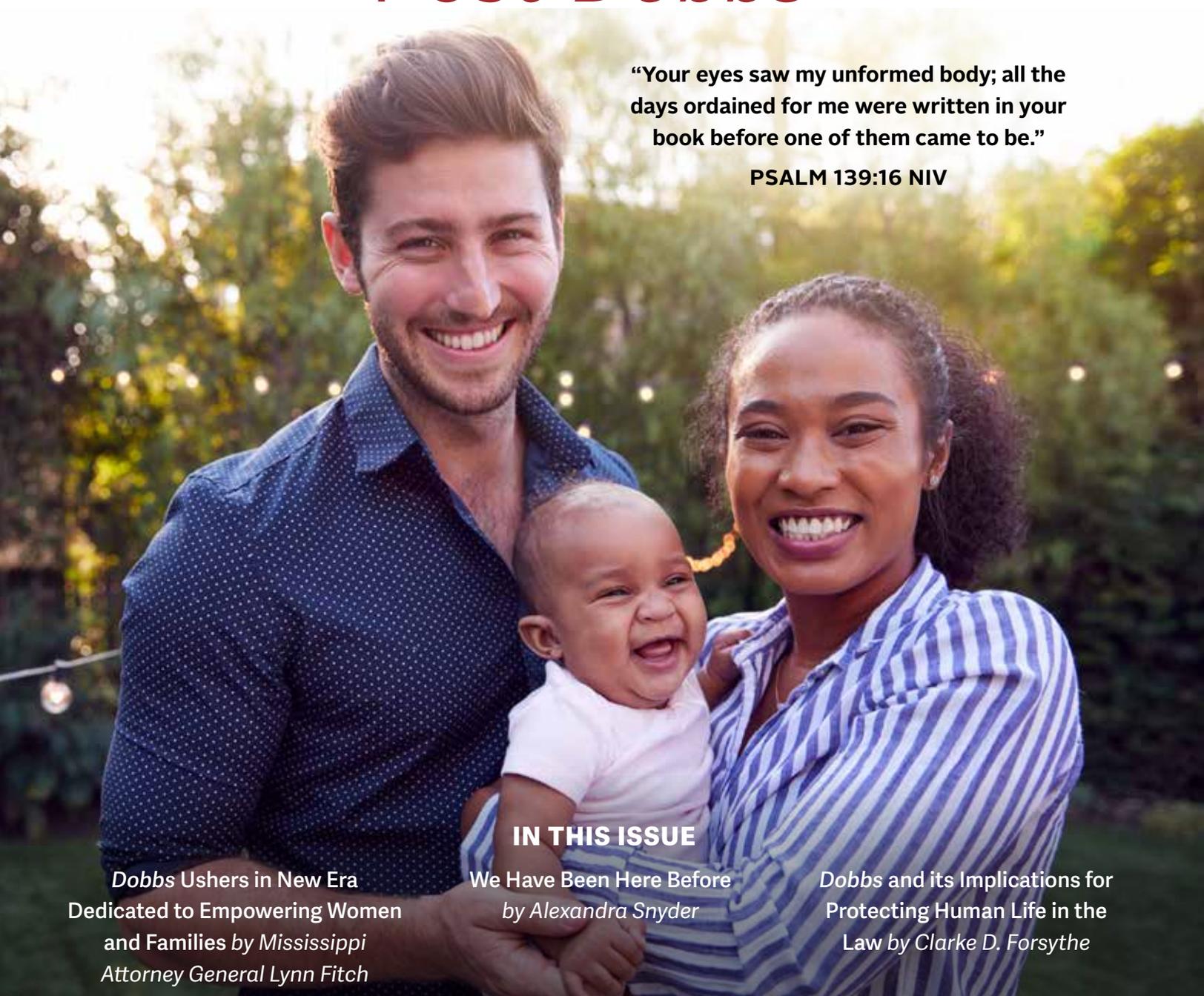
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LIFE

Post-Dobbs

“Your eyes saw my unformed body; all the days ordained for me were written in your book before one of them came to be.”

PSALM 139:16 NIV



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David Nammo
Executive Director
& CEO

I recently had dinner with a Christian who had a very different take on the *Dobbs* decision. He shared with me how he was frustrated at the time of the decision that the Court did not have the courage to just state that the killing of an unborn life is immoral. We had a long discussion about how the Court, in making it not a moral argument but rather a Constitutional one, could have been trying to insulate the ruling from the changing moralities of future liberal Supreme Court justices, who will one day be the in the majority once again.

I thank the Lord that *Roe* is no longer the law of the land. I am also thankful for the generation of pro-life warriors who got us to this point. Their names and organizations are almost too many to count.

Unfortunately, the battle continues. Many Americans, whether they support or oppose abortion, do not like to have their “liberties” restricted or removed. More people lean pro-life, but in this relativistic culture, we are afraid to impose our moralities on others. And to many who are not on the front lines, this decision to overturn *Roe* made them feel uneasy.

But none of that matters now. The focus now is where to go from here.

I have heard some say that the church needs to be viewed not only as “pro-life” but “whole life”—meaning that we need to show the culture that we not only care for the unborn, but also for the mothers, babies, and entire families before, during, and after pregnancy. I don’t know any pro-life activists

that are not “whole life,” but if society does not see it, then we need to find a way to communicate and show it. We need to be the leading example of how to care for all those for whom a pregnancy is not a celebration but a struggle.

Life matters. It is a blessing. The world is broken, however, and babies and children are hard, even in married, intact families.

One of my oldest friends got pregnant at 18 years of age. She chose to keep the baby, despite numerous pressures to abort the child. Social services took care of her more than any local church.

Another friend struggled for many years to have children to no avail. The drug addict mother of children she previously fostered recently gave birth to a baby girl and disappeared back onto the streets. A social worker called my friend to see if she wanted to care for the baby, as there was nobody else to do so. She sat in the NICU and watched as this little girl overcame her drug addiction, then took this beautiful baby girl home.

Stories like these often end with an abortion, but I am thankful for the courage of both my friend and the unknown drug addict for choosing life. They are just a few examples that are personal to me as to why *Roe* needed to be overturned.

Christians have been rescuing babies since the first century and have a duty to continue that work—no matter what the courts and legislatures decide—and do all we can to fight for all babies, all moms, and all life.

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8001 Braddock Road, Suite 302
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ChristianLegalSociety.org
703-642-1070

EDITOR-IN-CHIEF
Lakuita Bittle

DESIGN
Perceptions Studio

COPY EDITORS
Laura Nammo, Hannah Morris,
and Joel Grey

EDITORIAL EMAIL
clshq@clsnet.org

FOR ADVERTISING inquiries, email
clshq@clsnet.org.

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“Your eyes saw my unformed body; all the days ordained for me were written in your book before one of them came to be.”

PSALM 139:16

Dobbs Ushers in New Era Dedicated to Empowering Women and Families

BY MISSISSIPPI ATTORNEY GENERAL LYNN FITCH

On June 24, 2022, the Supreme Court changed the course of American history with Mississippi's *Dobbs* decision. As we celebrate the one-year anniversary of *Roe v. Wade* being overturned, we do so with a sense of humility and responsibility as we usher in a new era dedicated to empowering women and children.

For fifty years, abortion rights rested on the false narrative that women need abortion to succeed. In *Roe*, the Justices claimed that unplanned pregnancies would force “a distressful life and future” on women and their children.¹ Decades later, in the 1992 case of *Planned Parenthood of Southeastern Pennsylvania v. Casey*, the Court asserted that the “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.”²

When the State of Mississippi petitioned the Court to overturn *Roe*, we challenged this demeaning view of women. Rather than create equality, we argued that *Roe* and *Casey* perpetuated the notion that a woman must choose between her future and the life of her child, pitting women against their children.

Female legislators and feminist scholars from across the country agreed. In fact, in an amicus brief supporting Mississippi, hundreds of these scholars presented evidence that “relatively easy access to abortion has changed society in several ways disadvantageous to women.”³ They argued that the “abortion as equality” argument confirms “public and private actors’ inclinations to avoid expensive accommodations for women with children in educational and work settings.”⁴

Instead of continuing down this path, we presented a new vision for our country—empower women and promote life. We urged the Court to release states from these outdated standards and allow the people, through their elected leaders, to decide how best to promote dignity and support for mothers and children.

When the Justices handed down the *Dobbs* decision, they granted the states this opportunity. The task now falls to each state to find bold, creative ways to match the compassion in our hearts to compassion and justice in our laws.

In the months following the *Dobbs* decision, I launched The Empowerment Project, a policy initiative to help families of all

stages and phases by providing them with tools and resources to upskill, educate, and grow.

Built on five pillars, The Empowerment Project is a promise to uplift women and protect life and, ultimately, to create an environment that nurtures strong families. As a starting point, the project focuses on making quality childcare more affordable and accessible, promoting workplace flexibilities, improving child support enforcement, fixing broken foster care and adoption systems, and supporting pregnant women and new mothers.

As a single mother of three children, I understand firsthand the challenges facing women as they head into the workforce. In Mississippi, it is more expensive to send a toddler and infant to daycare than to one of our public universities for a year. This is not simply a Mississippi problem. On average, Americans with children spend at least 10% of their household income on childcare. With 58% of working parents relying on childcare centers, this impacts 6.38 million parents across the nation.

We must ease this burden, particularly for single mothers who rely most on childcare. In Mississippi, we are unlocking our workforce potential by incentivizing employers to provide childcare options for their employees, expanding early learning collaboratives, and authorizing tax credits for childcare expenses.

Along with accessible and affordable childcare, workplace flexibility consistently ranks as a top need for working parents, especially working mothers. A recent study revealed that women have less time to accomplish more tasks than men—five fewer hours per week to be precise. Over the course of the year, this adds up to six full-time work weeks. It is no wonder that 60% of women cite workplace flexibility as key to future work opportunities.

Options like telework and hybrid schedules are more than possible in today's workplace, and they offer working mothers more options for meeting all the demands on their time. Making it easier for the gig economy to thrive with laws that do not penalize independent contracting can bridge the gap for many parents as well.

Offering flexibility is a win for women and a win for society. When parents have more flexibility to meet their professional

obligations and family needs, not only are their families healthier, but employers benefit greatly from increased productivity.

Enforcing child support obligations must be given more than lip service too. For too long, custodial parents—four out of five of whom are women—have borne the financial burden of child-rearing alone. Whether the father is willfully evading this responsibility or simply unable to scrape the payments together, we must find ways to improve child support enforcement.

Extending the time parameters charges are pursuable, publicly identifying individuals who are delinquent in payments, obtaining child support arrearages from gaming winnings, requiring insurers to exchange information with enforcement agencies, and allowing child support for a child with disabilities to continue past the age of majority are a few ways to obtain child support from non-custodial parents who are evading responsibility.

Occasionally, a non-custodial parent's failure to pay is not the result of unwillingness, but instead, an inability to pay for a variety of reasons. Our goal should be to help those parents, resulting in more engaged fathers, which ultimately means a healthier environment for a child. Child support diversion programs that assist non-custodial parents who are delinquent on their payments are a good start, as are expungement programs for non-violent offenses and drug courts that divert a struggling parent to substance abuse treatment. A child's best interests are served when we can help both her parents engage and support her.

Sadly, there are too many instances where birth parents are just not the right answer to a child's best interests. About 400,000 children live in the U.S. foster care system. These children have already suffered a long and emotional journey. They deserve better.

In Mississippi, the legislature adopted several Empowerment Project initiatives designed to better connect children with loving, stable families, including laws that authorize courts to use discretion in determining the necessity of a home study in adoption and laws that increase the tax credit for quality adoption expenses.

We also created *The Foster Parents' Bill of Rights and Responsibilities*. This pamphlet is a simple resource guide that offers foster parents a clear understanding of their role while providing care and the roles of the birth parent(s) and the placement agency.

Last, but certainly not least, we must support pregnant women and new mothers with opportunities to grow, educate, and upskill. Regardless of the circumstances, motherhood is an adjustment for families. Whether it is offering compassionate, life-affirming options for mothers in need or providing resources to those looking to upskill and grow, we must dually empower women and promote life.

We do not need to create new, taxpayer-funded bureaucracies to meet these needs. State programs, non-profits, and churches are equipped to provide many resources to pregnant women and new mothers. Many women are either unaware or unable to access all these resources. In order to help connect the dots, Mississippi created the Mississippi Access to Maternal Assistance (MAMA) program. The MAMA program is a single, easy-to-use website and app that helps pregnant women and new mothers navigate the challenges facing their families.

I am proud of Mississippi's efforts to show the nation that we can both empower women and promote life, but these principles can work for families beyond Mississippi's borders and for families across the country. We need the help of lawmakers, non-profits, businesses, community leaders, and everyday citizens to step up and do their part to make this agenda a reality.

It took five decades of dedication, hard work, and prayer to overturn *Roe*, but the journey to protect the inherent dignity of all life did not end on June 24, 2022; it simply began a new chapter with new pursuits. Together, we can channel the same determination and compassion toward empowering women and promoting life.



LYNN FITCH is the Attorney General for the State of Mississippi. She successfully argued for the overturning of *Roe v. Wade* in the case of *Dobbs v. Jackson Women's Health Organization*.

ENDNOTES

- ¹ *Roe v. Wade*, 410 U.S. 113, 153 (1973).
- ² 505 U.S. 833, 856 (1992).
- ³ Brief *amici curiae* of 240 Woman Scholars and Professionals and Profile Feminist Organizations, p. 35, https://www.supremecourt.gov/DocketPDF/19/19-1392/185366/20210804180314919_19-1392%20Brief%20of%20240%20Women%20Scholars%20et%20al%20In%20Support%20of%20Petitioners.pdf (last accessed August 9, 2023).
- ⁴ *Id.* at 38-89.



The Namárië Forum

The Namárië Forum is a formative eight-month annual study where students gather online monthly to discuss various works of fiction and fantasy with the goal of developing the Christian imagination and finding encouragement through others.

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Being Right

BY JONATHAN ALEXANDRE

“I told you so.” Four words every child hated each time they were said. The same four words every parent wishes they could say less. As a governmental affairs attorney and public policy director for a Christian law firm, those four words seem even more bemoaning. They usually imply the government has done something to civil liberties exactly as you warned they would, and the culture went along with it, thinking it was just fine.

During the early stage of COVID lockdowns, our firm, Liberty Counsel, received an overwhelming number of calls and emails from churches across the country seeking guidance to understand their rights to worship and maintain their biblical obligations to facilitate the gathering of the saints. The most encouraging calls were those that mirrored Daniel’s resolve to continue in worship despite the king’s edict,¹ even though it wasn’t the lion’s den that awaited them. These were the men and women of God who consciously disobeyed the king’s orders and continued in the style of worship prescribed to them by God. The disappointing calls, however, occurred two years later when pastors, who had closed their churches for close to

24 months, wondered why it was difficult to get regular congregants to return. Furthermore, they were perplexed about the fact that since the pandemic began, over 10,026,715 Americans had stopped attending religious services altogether.²

I loathed the notion of saying, “I told you so.” And I never actually uttered those words. It was the message our firm sought to avoid sending to the church and even to the courts and the legislatures. We wanted to emphasize that if the government could arbitrarily select certain facilities it deemed essential to society, then there was a historical risk the government would infringe on people’s right to free worship, and the gathering of the saints might be sacrificed in our culture.

We were proven right when pot shops, abortion clinics, liquor stores, and various big box chains were deemed essential, while communal worship for the saints was not. It took two years of litigation, four trips to the Supreme Court, and a vigorous defense of the First Amendment principle of freedom of religion for our nation to recognize that these essential commitments were not suspended because of a pandemic.³



Now, three years later, I find myself in various settings, engaging in conversations with churches, pastors, and elders, as I remind them of a stark reality: for the first time in American history, Christians were arrested, fined, and even had their homes monitored, all for daring to do what had been common and uninterrupted in the United States every Sunday morning at 11 o'clock—gathering in their churches for worship.

The church lockdowns served as a wake-up call, reminding us that the comforts of religious liberty and worship can be easily stripped away when deemed inconvenient. It was a stark reminder that we must never take for granted what it means to actively participate in the very activity that necessitates a recognition of these foundational liberties.

Christians must actively practice their religion to preserve it, understanding that it's not just about rituals or freeing up religious practices for their own sake. It requires a deep and profound commitment to living out their faith's principles in every aspect of life. And saying that as long as there is an opportunity to share this transformative message with a world that needs it the most, I will continue to do so enthusiastically.

As a religious liberty attorney, what encouraged me the most was the specificity with which Christians, especially in the legal arena, argued for the preservation of their rights. They eloquently pointed to the specific tenets of scripture and the obligations of worship, expressing that these aspects of their faith could not be separated from their daily lives.

That meant delving into scripture and firmly articulating their beliefs, expressing precisely what they believed. When your client had to clearly articulate their position, and the complaint, briefs to the court, and opinions from justices echoed recognition of those same sentiments, it held great significance.

We all saw this in the *Groff v. DeJoy* oral arguments, where it was evident that many individuals had made specific religious claims of being burdened by the current law, as demonstrated by Justice Alito when he held up a stack of briefs and remarked on the multitude of such cases that cited faith as the impetus for engaging with the court.⁴

One of the most apparent ways we witnessed Christians articulating their faith was in the decades leading up to the *Dobbs* decision and the time immediately after, with the overturning of *Roe v. Wade* primarily, and perhaps exclusively, attributed to people of faith who declared “enough is enough” and who charted a path through the legislature and the courts to make it happen.⁵

It was a stark reminder that we must never take for granted what it means to actively participate in the very activity that necessitates a recognition of these foundational liberties.

Proponents of abortion are aware it was people of faith who passionately called for an end to the abortion legal framework in this country. This was evident through multiple attacks on pro-life pregnancy centers and churches, not to mention the personal ad hominem attacks directed at individuals who were unwavering in their pro-life stances.⁶

In this past year, I rediscovered that all the evidence Christians needed to demonstrate the sanctity of life and the necessity for our laws to reflect those rights can be found in scripture. The encouragement to remain steadfast in this pursuit, despite an increasingly hostile government and culture towards people of faith, also comes from the convictions of scripture. The testimonies of many in the Old and New Testaments, who had clear encounters with their God and were willing to sacrifice everything to ensure His truths were made known and His principles impacted their culture, serve as a powerful example and inspiration to continue the work with unwavering dedication.

Christians stand firm in truth, recognizing that the battle revolves around what is true and beneficial for our culture. Those who align themselves with God's Word will always be on the right side. I testified against a proposed amendment to Maryland's constitution that sought to allow unrestricted abortion. One of my opening lines was this: “Maryland will not always have abortion, because no lie can live forever.”⁷ I further explained that like the lies of slavery and segregation that had to end in the state, abortion is also a lie that must be confronted and eradicated from our culture.

This sentiment aligns with the work of our law firm on a national level. The Supreme Court cited Liberty Counsel's brief in the *Dobbs* decision. Our firm has submitted briefs to every state supreme court currently reviewing its state's abortion laws. In these briefs, we represent organizations such as the Frederick Douglass Foundation, the National Hispanic Leadership Coalition, and other minority pro-life groups. Our aim

is to expose the racist and eugenic history and practice of abortion, as it disproportionately targets black, brown, and disabled populations.⁸

I am supremely confident that we are on the right side of history when it comes to the abortion issue, and I am relentless in expressing that belief. Martin Luther King, Jr., once said, “I think I’m right, I think the cause that we represent is right.”⁹ History has vindicated his stand, and the same holds true for pro-life legal, legislative, and cultural advocacy.

Being right is not an end in itself; rather, it’s being right in order to rescue victims from the destruction that lies bring. As Proverbs says, “Rescue those who are being taken away to death, deliver those who are drawn toward death, and hold back those stumbling to the slaughter.”¹⁰

The abortion industry culture hates God and God’s image bearers. It destroys human life and leads its participants to be part of a dreadful slaughter. Proverbs 8:36 points out that those who hate God love death, making evident the motivation and end result of the lie of abortion. Thus, we engage in advocacy, exercising our right to rescue those from death.

Yet, in the same chapter, Proverbs provides encouragement and reassurance to persist in sharing the gospel and persuading those who oppose God’s Truth. It advises: “Hear instruction, be wise; blessed is the one who listens to me. He’s watching daily at my gates, waiting beside my doors. For whoever finds me finds life and obtains favor from the Lord.”¹¹ This verse serves as a reminder of the significance of spreading the message of life and God’s Truth, even in the face of opposition—if He saved us through that word, He can save others too.

Being right means you are listening to God’s teaching. Being right means you are watching at His gates and waiting beside His doors. Whoever finds Him there finds life.

Christian attorneys, you should fight for churches to remain open even in a pandemic. Fight for the unborn life to be protected in the womb. Be about the work of the gospel through your legal advocacy. Give the message of life to this culture. What God gave to you, He can give to others too. They too can find life.

When your work is finished, when you are receiving your crown in glory, and Christ shows you the many rooms He told you He had gone ahead to prepare for you, you will return thanks to God for calling you to a profession for the defense of a faith that is always right.



JONATHAN ALEXANDRE is senior counsel for governmental affairs for Liberty Counsel.

ENDNOTES

- 1 Daniel 6:10-28 (English Standard Version)
- 2 Justin Nortey & Michael Rotolo, *How the Pandemic Has Affected Attendance at U.S. Religious Services*, 56, Pew Research (March 28, 2023), <https://www.pewresearch.org/religion/2023/03/28/how-the-pandemic-has-affected-attendance-at-u-s-religious-services/#:~:text=This%20longitudinal%20analysis%20finds%20a,%20to%2030%25%20in%202022.>
- 3 *Harvest Rock Church, Inc. v. Newsom*, 985 F.3d 771 (9th Cir. 2021); *Harvest Rock Church, Inc. v. Newsom*, 141 S. Ct. 889 (2020); *Newsome Pays the Price for Church Restrictions*, Liberty Counsel (July 15, 2021), <https://lc.org/newsroom/details/071521-newsom-pays-the-price-for-church-restrictions-1>.
- 4 “I’m really struck by that because we have amicus briefs here by many representatives of many minority religions—Muslims, Hindus, Orthodox Jews, Seventh Day Adventists—and they all say that that is just not true and that *Hardison* has violated their right to religious liberty.” *Groff v. Dejoy*, 143 S. Ct. 2279, 56 (2023) (No. 22-174), Oral Argument Tr.
- 5 *Dobbs v. Jackson Women’s Health Organization*, 142 S.Ct. 2228, 2284 (2022).
- 6 Jonah McKeown, *TRACKER: Pro-abortion attacks in the U.S. continue (updated)*, Catholic News Agency (July 21, 2022), <https://www.catholicnewsagency.com/news/251553/map-vandalism-attacks-continue-at-pro-life-centers-across-us#:~:text=Last%20updated%20on%20March%202020,%2C%20theft%2C%20and%20even%20arson.>
- 7 Finance Committee, Maryland General Assembly, <https://mgaleg.maryland.gov/mgaweb/Committees/Details?cmte=fin&sys=2023RS> (last visited July 19, 2023).
- 8 The High Court also cites to Liberty Counsel’s amicus brief in footnote 41. The Court notes that the brief argues that the roots of abortion are “motivated by a desire to suppress the size of the African American population.” This information was uniquely presented in Liberty Counsel’s amicus brief, *Brief for Amici Curiae African American, Hispanic, Roman Catholic and Protestant Religious and Civil Rights Organization and Leaders Supporting Petitioners*. The opinion continues, “And it is beyond dispute that *Roe* had that demographic effect. A highly disproportional percentage of aborted fetuses are black.” *SCOTUS Overturns Roe v. Wade*, Liberty Counsel (June 24, 2022), <https://lc.org/newsroom/details/062422-scotus-overturns-roe-v-wade-1>; *Planned Parenthood South Atlantic, et al. v. South Carolina, et al.* (No. 2022-001062), Br. for South Carolina as Amicus Curiae,; *Black and Hispanic Groups Defend Oklahoma Law To End Racist Abortion Eugenics*, Liberty Counsel (Oct. 3, 2022), <https://lc.org/newsroom/details/100322-black-and-hispanic-groups-defend-oklahoma-law-to-end-racist-abortion-eugenics-1>; *Cameron v. EMW Women’s Surgical Center*, P.S.C. (No. 2022-CA-0906), Br. for Daniel Cameron as Amicus Curiae; Brief for Members of the Medical Licensing Board of Indiana as Amicus Curiae, *Members of the Medical Licensing Board of Indiana v. Planned Parenthood Great Northwest, Hawai’i, Alaska, Indiana, Kentucky, Inc.* (No. 22S-PL-00338); *Florida Must Reject the Eugenics Ideology of Favored Classes*, Liberty Counsel (Apr. 11, 2023), <https://lc.org/newsroom/details/041123-florida-must-reject-the-eugenics-ideology-of-favored-classes>; *Planned Parenthood Arizona, Inc. v. Kristin Mayes* (No. CV-23-0005-PR), Br. for Kristin Mayes as Amicus Curiae.
- 9 Martin Luther King, Jr., *Why Jesus Called A Man A Fool*, Sermon Central (Feb. 7, 2009), <https://www.sermoncentral.com/sermons/why-jesus-called-a-man-a-fool-by-rev-dr-martin-luther-king-jr-derek-joshua-e-lon-sr-sermon-on-evangelism-the-lost-131839>.
- 10 Proverbs 24:11 (English Standard Version).
- 11 Proverbs 8:33-35.



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A “Manifest Destiny” for Human Life

BY STEVEN H. ADEN



What a difference a year can make. Just over a year ago, the Supreme Court’s decision in *Dobbs v. Jackson Women’s Health Organization* ended nearly fifty years of a judicially enforced federal “right to abortion” and re-affirmed the people’s authority to protect human life through their elected representatives in the states and Congress.¹ In the short time since then, the landscape of life-protecting laws in the United States has radically changed for the better, and hundreds of thousands of lives are being saved.²

While a disappointing string of pro-life losses in state citizen-initiated ballot campaigns stole the headlines after *Dobbs*, these have given way to strong but quiet gains in state houses and a remarkable shift in litigation focus from federal courts to state court systems. With the possible exception of the result in Michigan, the 2022 ballot initiatives did not significantly change the abortion landscape in America. By and large, pro-abortion states strengthened anti-life laws, and pro-life states strengthened pro-life protections. The key change of *Dobbs* is heartening and must not be missed. In states that passed more incrementally lenient abortion laws, they came after years of a falling abortion rate, despite their best efforts to promote abortion on demand. On the other hand, the sea of change in state authority *Dobbs* enabled has now permitted nearly two dozen states to protect virtually all life from conception or the detection of the baby’s heartbeat.

With the fall of *Roe*, twenty-three states have passed or are enforcing an abortion limit at 12 weeks’ gestation or earlier, including Alabama, Arkansas, Florida, Idaho, Indiana, Kentucky,

Louisiana, Mississippi, Missouri, North Dakota, Oklahoma, South Dakota, Tennessee, Texas, Utah, West Virginia, and Wyoming, in addition to Georgia (6 weeks, pending before the Georgia Supreme Court), Iowa (6 weeks), Ohio (6 weeks), South Carolina (6 weeks, subject to injunction), Nebraska (12 weeks), and North Carolina (12 weeks). Thirteen states prepared conditional laws in anticipation of *Roe*’s overruling: Arkansas, Idaho, Kentucky, Louisiana, Mississippi, Missouri, North Dakota, Oklahoma, South Dakota, Tennessee, Texas, Utah, and Wyoming.³ Of these 13 states, nine have defended their conditional laws in court: Idaho, Kentucky, Louisiana, Mississippi, Missouri, North Dakota, Oklahoma, Utah, and Wyoming. The Mississippi lawsuit was dismissed after the clinic closed. The Wyoming lawsuit was dismissed after the state enacted an abortion abolition law in 2023 (which was challenged in separate litigation). So far, three state supreme courts have considered these conditional laws without adopting the *Roe*-style abortion-on-demand abortion advocates sought.⁴ Six states have defended their pre-*Roe* laws in court: Arizona, Michigan, Oklahoma, Texas, West Virginia, and Wisconsin. The Michigan litigation was dismissed as moot after the state amended its constitution to create an abortion right. The West Virginia case was dismissed as moot with the enactment of a post-*Dobbs* abortion abolition law. The plaintiffs in the Texas case voluntarily dropped their lawsuit. The Oklahoma Supreme Court upheld the 1910 pre-*Roe* law in *Oklahoma Call for Reproductive Justice v. Drummond*, finding it was consistent with the state constitutional right to abortion necessary to preserve a mother’s life.⁵

The most remarkable immediate change in the abortion landscape came from the federal courts, where nearly three dozen cases challenging abortion regulations were quietly dismissed following *Dobbs*. Injunctions against pro-life laws that had been on the books for years were swept aside, and notorious pro-life losses turned into victories. Texas successfully lifted the injunction against the admitting privileges law that the Supreme Court held unconstitutional in *Whole Woman's Health v. Hellerstedt*, as did Louisiana in *June Medical Services, LLC v. Russo*.⁶

On the other hand, thirteen states have seen abortion industry lawsuits seeking to devise a state constitutional right to abortion.⁷ Four states have turned back the claim, holding that no right to abortion exists in state law. In *Planned Parenthood Great Northwest v. State of Idaho*, the Idaho Supreme Court held “a ‘right to abortion’ has no support in Idaho’s deeply rooted traditions or history.”⁸ The North Dakota Supreme Court determined in *Wrigley v. Romanick* that “a right to enjoy and defend life” exists and that a right to abortion is limited to a right to “obtain an abortion to preserve her life or her health.”⁹ Similarly, in *Oklahoma Call for Reproductive Justice v. Drummond*, the Oklahoma Supreme Court found “the Oklahoma Constitution creates an inherent right of a pregnant woman to terminate a pregnancy when necessary to preserve her life.”¹⁰ The Indiana Supreme Court recently ruled in *Members of the Medical Licensing Board of Indiana v. Planned Parenthood Great Northwest* that the state constitution “protects a woman’s right to an abortion that is necessary to protect her life or to protect her from a serious health risk, but the General Assembly otherwise retains broad legislative discretion for determining whether and the extent to which to prohibit abortions.”¹¹ And although the South Carolina Supreme Court held in *Planned Parenthood South Atlantic v. State of South Carolina* that the abortion decision “implicates a woman’s right to privacy,” the right “is not absolute, and must be balanced against the State’s interest in protecting unborn life.”¹² However, the court held the state’s “heartbeat” law unconstitutional, a matter which the South Carolina legislature has now returned to the state supreme court by enacting another early gestation prohibition. One week before *Dobbs*, the Iowa Supreme Court overruled its decision that had manufactured a state constitutional right to abortion in *Planned Parenthood of the Heartland, Inc. v. Reynolds*.¹³

Dobbs has utterly redrawn the map for protecting human life in America. In the same way that the boundary lines of

Our duty to innocent lives binds us to work tirelessly until the day when all souls everywhere are protected.

freedom were extended first by the Northwest Ordinance, which prohibited slavery in the territories, and then by the Emancipation Proclamation, which freed the slaves in the warring states, and finally by the Thirteenth and Fourteenth Amendments, which declared freedom and equality for all human persons within the United States, our duty to innocent lives binds us to work tirelessly until the day when all souls everywhere are protected. A new world beckons us over the horizon, and we have a manifest destiny to move out into it and end the violence of abortion wherever it still threatens human life.



STEVEN H. ADEN is chief legal officer and general counsel of Americans United for Life.

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We Have Been Here Before

BY ALEXANDRA SNYDER

Just over a year ago, we celebrated the overturning of 50 years of abortion jurisprudence. For the first time in decades, states have successfully enacted laws to put abortion clinics out of business. The ruling unleashed a seemingly unprecedented fury. Pregnancy centers were fire-bombed, pro-life organizations received death threats, and the homes of sidewalk counselors were raided by federal agents. Despite the victory in *Dobbs*,¹ much of our nation is abandoning morality, civility, and the rule of law.

But we have been here before.

In 1856, Senator Charles Sumner of Massachusetts directed a two-day tirade condemning the fraudulent election of pro-slavery forces to the Kansas legislature. Sumner berated his colleagues who supported the Kansas-Nebraska Act, which opened the door for Kansas to become a slave state. Sumner called the battle over slavery something “more than war.”²

What could possibly engender a conflict so terrible that it would be more than war? It was a single question. The same question we face today: Who is a person?

Senator Sumner denounced the ruling class who believed they had the power to determine who a person is. He said when these people were challenged, they would claim *their* right to equality under the Constitution was violated.

Does this sound familiar? We have been here before.

Sumner said his colleagues possessed “a madness for slavery” that drove them to “disregard the Constitution, the laws, and all the great examples of our history.”³ He said their attempt to expand slavery was governed by “the Satanic temper.”⁴

Two days after Sumner gave his speech, one of his colleagues beat him over the head with a cane until he was bloodied and unconscious. And you thought congressional debates over abortion were vicious.

We have been here before.

We too have people in positions of authority who assert they wield the power to determine who a person is. Last year, California enacted a law that provides women complete immunity from prosecution for any “pregnancy outcome,” including kill-



ing babies born alive during self-induced abortions. These are, as Sumner called them, people who have waged an “insurrection against the eternal law of God.”⁵

They rail against the Supreme Court’s decision in *Dobbs v. Jackson Women’s Health Organization* because they believe *Roe* was an essential milestone in the fight for women’s equality and autonomy. Think about that for a minute. How can the fight for women’s equality and autonomy be based on our right to destroy people who are less powerful and more dependent?

This is not just wrong. It’s exactly wrong. It is a lie from the pit of hell.

Of course, some women are forced or coerced to abort and should rightly be exempt from legal action. But painting all post-abortive women as victims implies we have no moral agency.

I don't say this to condemn any woman who has found herself believing that lie. *I have been there before.*

When I became pregnant as a teenager, I was terrified. Terrified of my parents. Terrified of forfeiting my education. Terrified of losing the bright future to which I believed I was entitled. I also knew my baby was not a blob of tissue.

I made an intentional decision to place my well-being above the life of my child. I knew I was ending the life of a baby—my baby.

Many of my well-meaning pro-life colleagues believe that women are always victims—not perpetrators—of abortion. As a result, in every state that has prohibited abortion, women are expressly exempt from any criminal or civil penalties. This means women can order and ingest abortion pills, deliver their unborn babies at home, and flush them down the toilet without violating any laws.

Of course, some women are forced or coerced to abort and should rightly be exempt from legal action. But painting all post-abortive women as victims implies we have no moral agency. It was my guilt—not my victimhood—that drove me to seek forgiveness through Christ. In an astonishing act of mercy, God forgave me for the sin of taking the life of my unborn child by giving the life of His Son. I am eternally grateful for His gift of salvation, which I do not deserve. But I also know that our sins have consequences we cannot foresee. Abortion doesn't only rob you of a living, breathing, made-in-the-image-of-God human being, it also robs you of the next generation of human beings.

Soon after I had the abortion, I became pregnant again and had my son. And now he has a son, who I am completely in love with. But as I look at my beautiful, full-of-life grandson, I know that the baby I gave up in exchange for a college degree won't have babies of his or her own. And I miss them.

Pro-life pregnancy clinics exist to provide comprehensive information about abortion, including potential medical com-

plications and the long-term psychological, social, emotional, and spiritual damage of abortion. They exist to offer women life-affirming alternatives to abortion. They exist to provide an array of medical and counseling resources to support women and their unborn children. And these clinics give back millions of dollars in goods and services to their communities.

And they are hated by the abortion lobby.

Following *Dobbs*, abortion lobbyists doubled down on targeting pro-life clinics. State attorneys general in California, Delaware, Massachusetts, Minnesota, Nevada, New Jersey, and New York issued consumer alerts condemning the work of pregnancy centers. They alleged that pro-life clinics use “deceptive” or “medically inaccurate” language when discussing abortion. What exactly constitutes deception? According to the American College of Obstetrics and Gynecology (ACOG), offending terms include “late-term abortion,” “chemical abortion,” “surgical abortion,” “elective abortion,” “abortion provider,” “partial-birth abortion,” “womb,” “fetal heartbeat,” “unborn child,” and “baby.”⁶

In June, Illinois passed the “Deceptive Practices of Limited Services Pregnancy Centers Act,” which prohibits such “deceptive” speech as “overstating the risks associated with abortion.”⁷ Is it even possible to overstate the risks of an elective procedure intended to end a human life? The penalties under the Act include a \$50,000 fine, vacating an organization's non-profit charter, and forfeiture of business and medical licenses.⁸ This is a brazen effort to silence the truth about abortion.

Life Legal regularly gets calls from people who are harassed, threatened, and even physically assaulted because they pray on public sidewalks outside abortion facilities. In San Francisco, an elderly man was kicked to the ground and beaten mercilessly while taking part in a prayer vigil.⁹ Law enforcement did nothing, even though Life Legal provided the assailant's name and place of work. This is not unusual. In Mississippi, Life Legal had to file a lawsuit after officers refused to make the public sidewalk safe for free speech, arguing they had to protect the rights of clinic owners.

Social media outlets and search engines routinely suppress pro-life content. In order to create posts about abortion on Facebook, I had to provide my driver's license and a host of personal information. The business search engine Yelp recently caved to demands to flag licensed pro-life clinics as providing “limited medical services.”¹⁰ Abortion facilities like Planned Parenthood, which also provide limited services, are not likewise identified.¹¹

We have been here before.

Prior to the Civil War, legislatures in slave states began to regulate speech. Almost every slave state had laws making it illegal to speak openly against the institution of slavery. They said such public speech threatened the rights of slave owners and enabled slave insurrections.

As Sumner put it, “the safety of Slavery becomes the supreme law. And since Slavery is endangered by liberty in any form, therefore all liberty must be restrained . . . whether of the person, of the Press, or of speech.”¹² When anti-slavery tracts began infiltrating slave states, those states put pressure on Congress to enact a provision in the Post Office Act of 1836, which allowed state postmasters to choose not to deliver mail that conflicted with their notion of slavery as a public good.

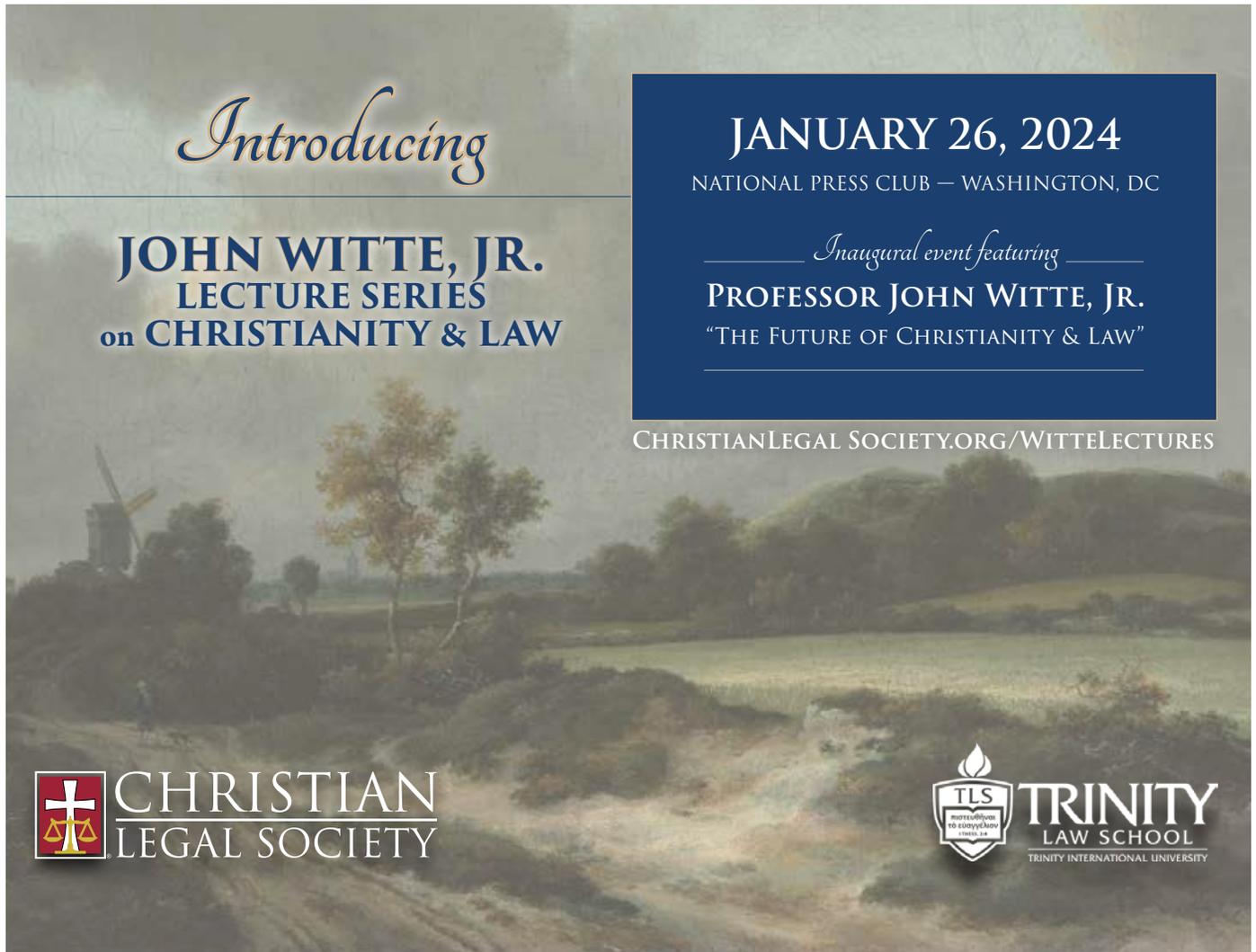
Then—as now—express rights like the right to freedom of speech and freedom of the press bowed to the lie that some people are not persons under the law.

We have been here before. But where do we go from here?

Three long years after Sumner was beaten to a pulp, he returned to the Senate. He lived to celebrate the passage of the Thirteenth and Fourteenth Amendments, and he continued to fight the evils of slavery to his deathbed.

Sumner knew “there is absolutely nothing in the Constitution out of which slavery can be derived.” This is echoed in *Dobbs*: “The Constitution makes no reference to abortion, and no such right is implicitly protected by any constitutional provision.”¹³ Having won this victory at the Supreme Court, we must not now lose the essential principle that all human beings are created equal.

Roe was decided on the premise that it is permissible to treat some human beings as property—something other than persons under the law. Sumner insisted this assumption had to be resisted “not indirectly, timidly and sparingly, but directly, openly and thoroughly.”¹⁴ The belief that any human being can be owned by another must be confronted “not only on political



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grounds, but on all other grounds, whether social, economical, or moral.”¹⁵ Sumner believed if the nation could be disavowed of this abuse, then “the abolition of slavery begins.”

So too it is with abortion.



ALEXANDRA SNYDER currently serves as the chief executive officer of Life Legal Defense Foundation. Alexandra has a background in public policy, having served as legislative counsel to a California Member of Congress in both Washington, D.C. and Sacramento, CA. In that capacity, she handled a wide array of legislative and policy matters, including pro-life issues, bioethics, and the protection of human rights. Alexandra is also an adjunct professor at Trinity Law School in Orange County, CA, where she teaches a course on the right to life.

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Is the Church ready for life post-*Dobbs*?

BY LAKUITA BITTLE

Was the Church entirely primed for the *Dobbs*¹ decision? Well, ready or not, here we are. Life post-*Dobbs* began as soon as the ink dried to implement a new era of abortion laws.

It has been over a year since the Supreme Court of the United States handed down one of the most life-changing decisions—literally changing and saving lives. But for me, one question remains and loudly resounds in my head: “Are we ready?” By this I mean, is the body of Christ prepared for the changing of our world now that the laws surrounding abortion have shifted? Sure, the pro-life movement won, and *Roe* was overturned, but what does this mean for the global Church and who does that victory holistically impact? Are we ready to embrace all this win that *Dobbs* brings about? Are we prepared to implement Christ-like standards for those impacted here on earth?

The victory we as Christians secured from the highest Court in our nation on that day has yet to fully manifest into a clear victory for the entire body of Christ. Let me tell you why I think so.

I believe we have quite a distance to go regarding life issues. I have always been in favor of protecting the lives of the unborn. But the issue is so much bigger than that.

The approach we take as the body of Christ is vital in arriving at complete victory after the *Dobbs* decision. Many of us know the abortion statistics. We may even know the breakdown of demographics, including the ages and races of women who seek out abortion. Whatever the case, the *Dobbs* decision is bringing to the forefront how the Church will now respond to all those affected by abortion.

Are we ready to fight on the state and local levels?

More than twenty years ago when I was in college, I found myself wrestling with this very question. Early one Saturday morning, I sacrificed sleep to visit an abortion clinic in Greensboro, North Carolina, near my hometown. I went with my dear high school friend, Adam, his lovely wife, Paige, and a dozen or more of their Christian friends. At the time, Adam was doing a lot of ministry

work, and he had shared with me about their weekly visits to abortion clinics. I was saved at a young age, so by this time I was a gung ho Christian, college student interested in pursuing law. I was curious as to what transpired during these outreach sessions at the clinic. I knew I stood firmly against abortion, but I had no idea what to expect. What I saw and experienced that day will forever be etched in my memory. I was so scared holding those signs while waiting for people to arrive at the clinic. I knew of no one in my church or my community who had ever done this. In fact, I did not even want to share what I was doing with my friends or others because I had seen many young mothers dealing with the issue of abortion and the flip side of birthing children out of wedlock. I had no idea what others might think. But I was excited to be doing the work of our Lord and hopefully save the life of an unborn baby on that day. One thing remains true: I have never been the same after this encounter.

On that Saturday, we met early in the morning. Our group leader gave clear instructions on how to: (1) avoid being arrested; (2) share Christ; and (3) be available to those interested in ministry. As an aspiring attorney, I listened closely to the details. I remember being told where I could stand on a certain side of the street to proclaim the gospel. For a few hours, we all stood there and yelled as loud as we could so the women inside the cars could hear as they approached the clinic. Dozens of cars arrived in the parking lot that day. The abortion clinic was the only building located on this road. We rejoiced when we saw a young lady get back in her car with her chaperoning adult after only a few minutes as opposed to hours later. Without a doubt, some babies' lives were saved that day. Undoubtedly, other babies were killed. Many of us who gathered to minister wept when someone was there for hours. I couldn't help but think about these young ladies. They were of varying ages and races, but all of them were young. I wondered why they were having abortions. What happened in their lives that drove them to want to make this decision? Did they feel it was the only available choice? Who was going to help them if they decided to keep the child?

This experience presented me with the perfect intersection of my advocacy, future aspirations of becoming an attorney, and my love for the gospel. But to this day, I cannot divert my focus from those questions. I felt in my heart I was doing the right thing—and still do—but would the church be ready if they were to keep the baby? Sure, there are so many in the body of Christ who support local pregnancy centers. We should continue to do so. But who would help them for the eighteen years of the child's life?

Is the Church ready to discuss the hard issues?

There are many reasons women have abortions; however, most women facing this difficult decision must consider whether she is ready to have this baby.

As a black woman, I can tell you that abortion is addressed very differently in majority minority communities, even among Bible-believing Christians. Sometimes the circumstances of life outweigh the truth of God's Word in the lives of so many young parents. According to *Christianity Today*, "[a] recent Pew Research survey found that two-thirds of Black Protestants favor keeping abortion legal. Though they share core theological positions with white evangelicals, Black Protestants are consistently far less aligned with Republican Party policies, including its efforts to ban abortion."²

I believe Dr. Tony Evans sums it up best with the reminder that we should be supportive from the "womb to the tomb."³ That is the missing link. Life is so precious, and it is to be valued at every single stage of development. How do we address the root of the issue? What else can we do to help the mother and the father of the unborn child thrive in society? It's not only single parents, some people who choose abortion are married. We (the Church) should be prepared to help both the single and the married parents to be, if help is needed.

How can we care for those who have already had an abortion?

Bill and Sue Banks wrote a powerful but small deliverance book entitled *Ministering to Abortion's Aftermath*. In it, the couple dives into some heartfelt stories and the feelings of guilt, shame, depression, and more that post-abortion women are especially vulnerable to. "The purpose of [the] book is not primarily to persuade women to avoid having abortions ... [but] rather it is to assist those who already had an abortion and those seeking to minister to them."⁴ So many people have already had abortions. We must be willing to share God's love and forgiveness for those who are ready to receive. Our God knows all things concerning the circumstances of a child's life (Psalm 136:13-16). As His people, I believe that He wants us to be willing to help the struggling married couple, young unwed teenagers, and others who choose life. I recall the story of a young unwed teenage mother who I knew who chose life for her child. Later, she went on to get married and expand her family but still struggled to be accepted in her community and within her church. I wonder how her life and that of her child

could have been better with the support of her local community, family, and church. I believe we have so much further to go in the body of Christ where we must be willing to walk in forgiveness and extend God's love to those in need.

Are we ready to deal with the whole family? The Church must deal with more than saving the baby.

Benjamin (Ben) Watson's book, *The New Fight for Life*, discusses the very essence of what I have been saying for more than the past year regarding the *Dobbs* decision: Are we ready for life post-*Roe*? Ben poses the question by simply asking, "Now what?" When a woman rejects abortion and chooses life, there are other tough decisions facing her; that first decision is only the beginning of many of her struggles. Our churches are comprised of families, not just babies. The Church has an incredible opportunity to embrace our responsibility to pour into society and encourage and promote healthy dynamics for families to fully function and thrive.

Is the Church ready? We have won the legal victory but let us now step up and answer the question "Now what?" in the name of Christ to a lost and struggling world.



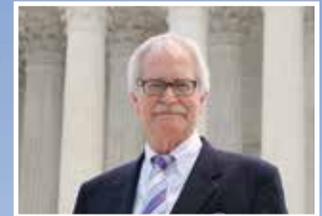
LAKUITA BITTLE, the director of CLS' Attorney Ministries, oversees membership and provides support to CLS attorney chapters nationwide. Prior to joining CLS in March 2021, Lakuita worked in Prince George's County State's Attorney's Office for over five years, most recently as a prosecutor in the Major 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.

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A special thank you to attorneys Kim Colby and Jeff Fowler for sponsoring the admission of CLS attorneys.





Dobbs and Its Implications for Protecting Human Life in the Law

BY CLARKE D. FORSYTHE

What *Dobbs* Accomplished

Too few have recognized how much the Supreme Court did in *Dobbs v. Jackson Women’s Health Organization*.¹ The Court gave America back its long legal and cultural heritage of protection for the prenatal human being from its earliest stages. The Court erased the false history of abortion contrived in *Roe v. Wade*.² The Court expressly overruled both *Roe* and *Planned Parenthood v. Casey* in several passages. The Court declared that no implied or unenumerated right to abortion was lurking elsewhere in the Constitution. And the Court affirmed that the 50 states have a rational basis to preserve “prenatal life at all stages of development.”³ *Dobbs* reinforced federalism and republican (representative) government.

Dobbs also decentralized the debate over the risks to women from abortion. The *Roe* Court pronounced abortion “safer than childbirth.”⁴ Despite the fact that there was no trial evidence in *Roe* or *Doe* supporting that medical assumption, that was the key sociological assumption on which the Court relied in *Roe* to formulate a right to abortion.⁵ By overruling *Roe* and

decentralizing the debate over the risks of abortion, the Court will no longer act as the “national abortion control board” that issues pronouncements on the safety of abortion.

While the Court emphasized that *Dobbs* applied only to *Roe* and not to other past decisions—confirmed by the fact that *Roe* and *Casey* dealt narrowly with a “right to terminate pregnancy”—there are some clear implications for future decisions and questions of implied or unenumerated rights.⁶

Dobbs has implications not just for abortion but also for all other bioethical issues in the law. *Dobbs* strongly indicates that states will have authority under their *police power* to regulate medicine and biotechnology affecting issues such as neuroscience, gene therapy and editing, and artificial intelligence.

From the Court to Public Sentiment

The Court clearly and decisively released its control of the abortion issue, and decentralized it, sending it back to the people and their elected representatives in the states. In more than a dozen passages, the Court made clear that it will not adopt

The cause for life in America needs a democratic disposition. It needs a genuine willingness among citizens to see their neighbors as fellow Americans; a disposition to persuade rather than dismiss the public as immoral, an optimistic expectation that America can improve.

constitutional personhood for the unborn. That was emphasized by Justice Kavanaugh joining the majority opinion while writing his own opinion in which he observed, “No Justice of this Court has ever advanced that position.”⁷ As long as the current Supreme Court majority holds, *Dobbs* indicates that the abortion issue will be left to the democratic and legislative process in the states for the foreseeable future.

The key challenge for the cause for life after *Dobbs* is shaping public sentiment in favor of respecting and protecting human beings. This is a contest of ideas, as well as a social and cultural challenge to make abortion unthinkable.

In this, the cause for life should look to Abraham Lincoln’s prudence and his political, legislative, and rhetorical opposition to slavery. During the Lincoln-Douglas Senate debates of 1858, Lincoln told the crowd at Ottawa, Illinois: “In this and like communities, public sentiment is everything. With public sentiment, nothing can fail; without it nothing can succeed. Consequently, he who molds public sentiment goes deeper than he who enacts statutes or pronounces decisions. He makes statutes and decisions possible or impossible to be executed.”⁸

By this statement, which Lincoln repeated over the years to different audiences, Lincoln did not mean that public opinion establishes the moral standard, but that public opinion is powerful in a republic.

Lincoln exhibited a democratic disposition. He was committed to studying and understanding public sentiment. As the



Lincoln-Douglas Senate debates of 1858 show, Lincoln made public arguments in a manner that relied on shared understandings of life and faith.

As Allen Guelzo has written, Lincoln sought to understand public opinion “not so much for the purpose of molding his policies after public opinion, as in determining how to navigate through public opinion toward political goals that he never offered up for compromise.”⁹

In the aftermath of *Dobbs*, strong public support of abortion law enforcement is essential. If it is absent—in major metro areas for example—the laws won’t be enforced.

The cause for life in America needs a democratic disposition. It needs a genuine willingness among citizens to see their neighbors as fellow Americans; a disposition to persuade rather than dismiss the public as immoral, an optimistic expectation that America can improve.

This approach to political persuasion will require leaders of a certain character who are optimistic about the future, who like and respect their fellow citizens. It will require effective means to expanding public understanding of abortion and its nega-

tive impact on women and children. Helping, expanding, and protecting pregnancy resource centers will be essential.

This educational effort will require the broadest possible arguments against elective abortion. Abortion is not just about “the babies.” It is about human flourishing, caring for women in need, and hope for the future. The best primer for this is Ryan Anderson & Alexandra DeSanctis’ book, *Tearing Us Apart: How Abortion Harms Everything and Solves Nothing* (2022).

The risks of abortion are real. No medical and sociological data demonstrate that abortion is necessary for women’s health or equality.¹⁰ Abortion rights proponents seek to justify abortion as an act of autonomy. But that is countered by the reality and prevalence of coerced abortion.¹¹ The challenge will be to effectively disseminate medical data on the risks and maintain a robust debate and ensure that women are fully informed before consenting to an any abortion in states that allow it.

With abortion returned to the states, the public debate will inevitably involve a comparison between states. States that have enacted and enforced gestational limits on abortion will need to track how women do in states with abortion limits. Each state should publish a “Women’s Wellness Index” because states need public health and socio-economic data to show that women can flourish in states with abortion limits and prohibitions.

Because the electoral system limits our choices, we don’t get to vote for great leaders all the time. Sometimes we have to vote against the worst. Pro-life citizens will have to be wise and discerning voters.

Finally, winning the public debate will require a generational strategy because *Dobbs* was limited in its effect. *Dobbs* could not erase *Roe*’s impact on culture and politics nor eliminate the social, economic, and political forces promoting unlimited abortion. The obstacles to a culture of life in American politics and culture are still imposing. And yet, we should be confident, inspired by the reality that the cause for life in America—by defending the Declaration of Independence and its “self-evi-

dent” truth that human beings “are created equal, that they are endowed by their Creator with certain unalienable rights”—is essential to preserving our Republic.¹²



CLARKE D. FORSYTHE is senior counsel at Americans United for Life. Part of this is excerpted from Clarke D. Forsythe & Alexandra DeSanctis, *Pushing Roe v. Wade Over the Brink* (2023).

ENDNOTES

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- 3 142 S. Ct. at 2284.
- 4 410 U.S. at 149 (“Appellants and various amici refer to medical data indicating that abortion in early pregnancy, that is, prior to the end of the first trimester, although not without its risk, is now relatively safe.”); *Roe*, 410 U.S. at 163 (“With respect to the State’s important and legitimate interest in the health of the mother, the ‘compelling’ point, in light of present medical knowledge, is at approximately the end of the first trimester. This is so because of the now-established medical fact, referred to above at 149, that until the end of the first trimester mortality in abortion may be less than mortality in normal childbirth.”). See generally, Clarke D. Forsythe, *The Medical Assumption at the Foundation of Roe v. Wade and Its Implications for Women’s Health*, 71 Wash. & Lee L. Rev. 827 (2014).
- 5 Clarke D. Forsythe, *Abuse of Discretion: The Inside Story of Roe v. Wade* (2013). See also Forsythe, *supra* note 4.
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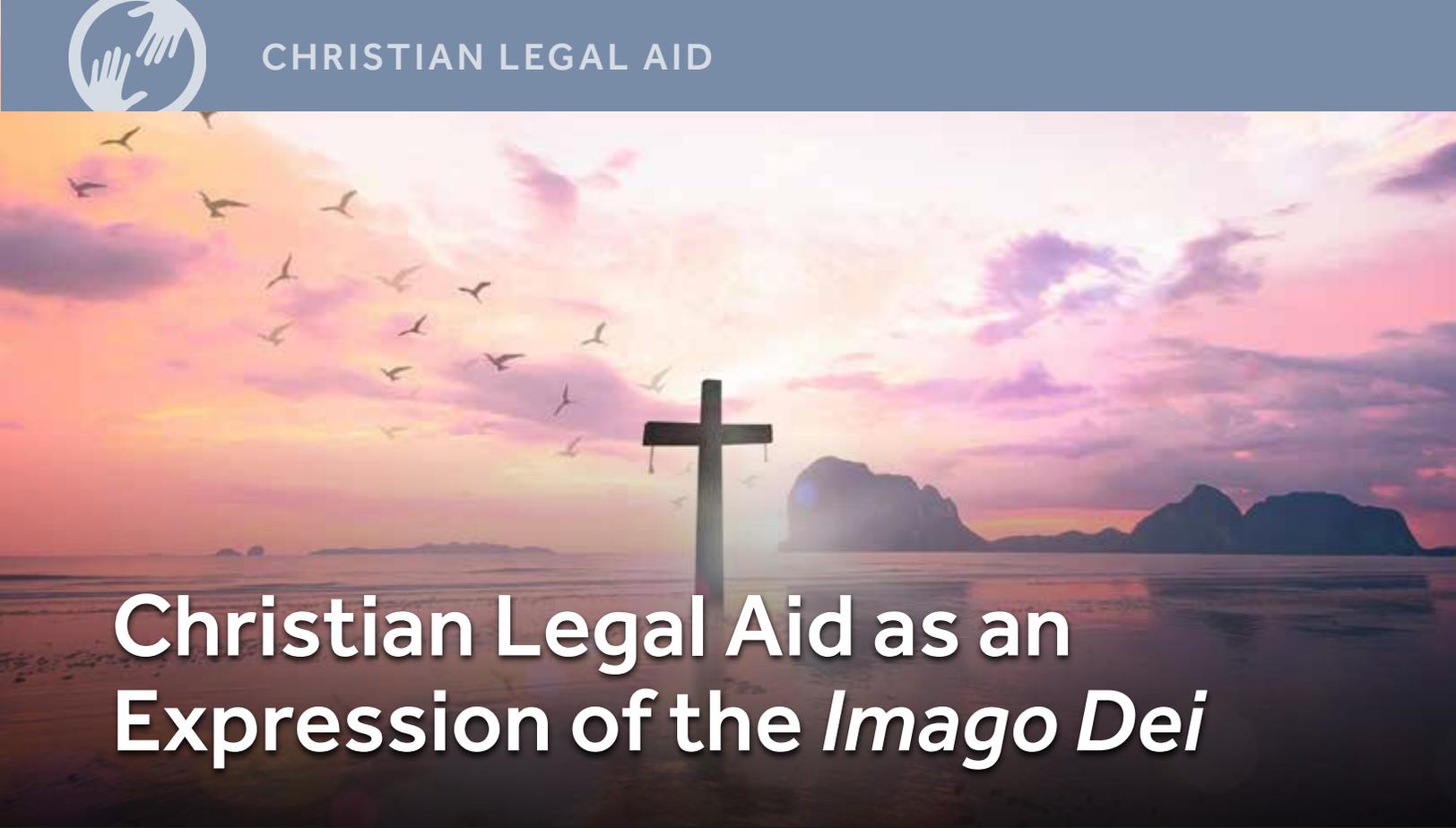
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Christian Legal Aid as an Expression of the *Imago Dei*

BY ANNIE BECKER

As an eighth grade English teacher, I had a sign on the back of my door that read: “Don’t talk about it, be about it.” It was certainly cheesy and nothing fancy, just one middle school teacher’s hand-written, scrawled out reminder to the teenagers that filled my room that their big talk was only as valuable as the actions they were willing to take. In reality, it turned out that I was the one who needed those words. Soon, the phrase became a mantra of mine as I applied to law school. I wanted to be an advocate who *did* something about the issues and pain of the world rather than just talking about it.

The church has an opportunity in 2023, post-*Roe* America to not just talk about it but also be about it. What we truly believe will be shown by our actions. If we truly believe in the worth of human life from “womb to tomb,”¹ we will act in ways that honor the inherent dignity of other image bearers all their days on earth. Perhaps the point is most powerfully made in the negative—we will not be able to stand idly by while those who bear God’s image are degraded, abused, oppressed, or violated either in or out of the womb. This is not to say many of God’s people have not been walking the walk for many years, and their faithful work of advocacy both in and out of courtrooms has created a legacy for us to continue. But there is certainly

a spotlight at this moment in time, and it is up to us to testify boldly to the world through word *and* deed.

I believe Christian Legal Aid offers a powerful way for Christians to testify to the worth and sanctity of all human life in the following ways:

1. Practicing legal aid expresses the inherent dignity of all human beings by advocating for justice for *all*, regardless of income or status.

By practicing legal aid, we embody a whole life ethic that stands firm against the forces of oppression and inequality, boldly proclaiming every individual is deserving of respect, honor, and fairness under the law.

We know that unfortunately, we do not have “justice for all” in America. We have justice for some. Low-income Americans received no or not enough legal help for 92% of their civil legal problems.² Part of this is because there are simply not enough civil legal aid attorneys; the National Center for Access to Justice reports most states have fewer than three civil legal aid lawyers for every 10,000 people living below the federal poverty level.³ And this does not account for those whose incomes are

too high to qualify for legal aid services, yet do not make nearly enough to afford adequate legal representation.

But what do we mean by “civil legal aid problems”? Why should we care? While civil courts cover a vast array of issues, inadequate access to justice in civil cases may mean people are unjustly evicted from their homes, unable to receive protection in domestic violence situations, unable to stay in their homes after a family member dies, discriminated against in housing or employment, or denied health and/or economic benefits that provide stability and help meet basic needs. And because of the use of criminal penalties for failure to pay fines issued in civil court, low-income litigants may even be incarcerated and face cascading, destabilizing effects.

I previously worked as a civil legal aid attorney in Washington, D.C., where I witnessed the many ways the civil legal system either ensnares low-income litigants or fails to deliver the promises of the law. I advised a mom desperately looking to move because her baby tested positive for lead poisoning, yet her landlord would do nothing about the lead, and she could not afford to break her lease and move somewhere new. I counseled a client whose heat had not worked during the winter months but feared using the space heater her landlord had provided as his only response to her issue because she had previously lost a child in a fire caused by a space heater in *another* run-down unit. In the hardest case I handled, I represented a woman whose nose had been broken by the father of her child, yet she could not seem to get protection for herself or her children. All of these people lived just minutes away from our nation’s chief seats of power. So, as we engage in the conversation about what it means to be pro-life in America, a haunting chorus still rings in my ears from the cries of my former clients: “No one seems to care.”

Can we say that someone has inherent value and not be deeply moved by their pain, by the way their life is discounted or degraded? I don’t believe so. In a culture (and justice system) that is so quick to ignore or cast aside those without privilege or power, practicing Christian Legal Aid radically says: “I hear you. You matter. You bear the very image of the King of Kings.”

2. Christian Legal Aid affirms that we believe in the inherent dignity and worth of human beings by meeting clients’ material needs in this life.

We know the gift of Jesus Christ is eternal life with Him, but it is a cold heart and weak testimony that preaches eternity while turning a blind eye to his neighbor’s pain in this life. James,

after a stern warning against showing partiality to the wealthy and oppressing the poor, says it this way:

What use is it, my brethren, if someone says he has faith but he has no works? Can that faith save him? If a brother or sister is without clothing and in need of daily food, and one of you says to them, ‘Go in peace, be warmed and be filled,’ and yet you do not give them what is necessary for their body, what use is that? Even so faith, if it has no works, is dead, being by itself.⁴

Just as true, if living faith will manifest itself in works, so will love for neighbor manifest itself in caring not just for the salvation of others, but also for their present needs. That is not to suggest that caring for the here and now is the *ultimate* hope—the unique beauty of effective Christian Legal Aid is the marriage of both ultimate, eternal needs and present needs. As we point others to the living water that satisfies souls, we also offer a drink to their bodies dying of thirst.

3. Christian Legal Aid is a powerful testimony to the world that the church is willing to sacrifice to protect the dignity of human beings.

Committing to dismantling injustice will take us far beyond the confines of the courtroom, but the courtroom remains a powerful avenue exclusively available to us as attorneys. Yet pursuing justice costs us. At a minimum, participating in Christian Legal Aid will require us to sacrifice time, and time is money for attorneys. Even two hours at a monthly legal aid clinic will be time away from work and family obligations. It will require us to sacrifice comfort and resources, both professional and financial. Prayerful obedience may lead you to sacrifice more, giving up more lucrative career paths to dedicate your work to defending the defenseless or investing free time to pursue Christian Legal Aid in addition to or as part of your existing legal practice.

Perhaps this is by design. Perhaps it is precisely through this sacrificial giving that we bear witness to the world. If ultimate justice was accomplished on the cross where Jesus paid the debt of the world’s sin and despair, then justice certainly comes at a price. Perhaps God is calling us to more than “Facebook status advocacy” and inviting us into deep sacrifice. We will show the extent we truly believe in the value and dignity of God’s image bearers by the extent we are willing to sacrifice.

4. Practicing legal aid allows us to see and know more of God Himself.

In affirming the dignity of others, we ultimately see more of the One whose image they bear. I believe this happens for several reasons.

One, service refines us. The reality of practicing legal aid is messy and often inconvenient—it’s nice to talk about loving others until those people are real human beings in front of us whose brokenness runs smack dab into our own, isn’t it? Serving others will expose both our selfishness and our limitations as created beings, unable to “save the world.” Both point us to our need for a Savior.

Second, service refines our motives. While we will be blessed as we practice legal aid, it is ultimately not *about* us. If our hearts are motivated by clients’ gratitude, good or fair outcomes, or how much impact we can have, we will often be disappointed and quickly burn out. If instead, we see doing this work as joyfully responding to God’s call with faithfulness, and our aim is not the worldly but the eternal reward, we will find our feet on solid ground even when the waves of an unjust system crash over us.

Third, in serving image bearers, we actually serve the Lord. We see the very face of God. Jesus tells us that to the extent that we feed the hungry, satisfy the thirsty with something to drink, invite in the stranger, cloth the unclothed, visit the sick, and care for the prisoner, we actually do these things to Him.⁵ If our greatest desire is to serve Jesus on this earth, He has given us a clear way to do so by serving those who bear His image.

If there is an industry more likely to define human beings by their accolades, achievement, power, and prestige than the le-

gal field, I do not know it. Yet as Christians we know that the highest honors, the aspects most deserving of respect, are the incorrigible, inherent gifts mysteriously given by God—the gift of being made in His image, the gifts of living and being loved by Him in restored relationship through Jesus Christ. As we wrestle with what it looks like to affirm life in post-*Roe* America, Christian Legal Aid offers Christian attorneys a tangible path to declare that every human life is worthy of respect, protection, and care. It will be messy. It will often be frustrating. But it will be a powerful embodiment of the whole life ethic. May we move toward our fellow image bearers knowing that, in doing so, we move toward Christ Himself.



ANNIE BECKER is the director of CLS’ Christian Legal Aid. Prior to joining CLS, Annie worked in civil legal aid in Washington, D.C., representing clients at all stages of complex custody and domestic violence matters. Throughout her time in legal aid, Annie also provided brief legal services to indigent clients facing a variety of civil legal issues, including housing conditions, evictions, and consumer issues.

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“Compassion and gratitude come down from God,
and when they are exchanged in a glance,
God is present at the point where the eyes of those
who give and those who receive meet.”

—SIMON WEIL

Beaded Impotence

BY ANTON SORKIN

In recent weeks, Washburn University School of Law introduced the world to its brand-new law school building named after its most decorated alumni, Senator Bob Dole, who passed away in 2021. In the words of Washburn President Dr. JuliAnn Mazache, “Senator Dole was a great friend to Washburn and truly lived Washburn’s motto of ‘non nobis solum,’ ‘not for ourselves alone,’ throughout his life.”¹ The new facilities marked a monumental investment for the school, costing nearly \$33 million and a labor of two years. In a time where law schools are being shuttered, the workplace abandoned² and the legal profession seeing an unsettling inculcation of an existential threat in the form of artificial intelligence, here is a school investing heavy dollars in buildings and people driven by a motto that speaks a profound truth about the capacity of the legal profession to adapt to the changing landscape: “non nobis solum.”

In 44 BC, it was Cicero who likewise appropriated this phrase in his seminal study on duties addressed to his son, Marcus. During his time, Cicero also saw an existential crisis engulfing his life and the legacy of his beloved city. Having already faced an enforced retirement from politics following the victory of Julius Caesar in the Great Civil War and Caesar’s subsequent assassination during the Ides of March, Cicero wondered if the Republic was not also fated to go the way of all mortal flesh. Picking up his pen, he put to paper in his study that same

sentiment—“non nobis solum”—that would come to embody the spirit of Washburn University: To be exact, writing on his four cardinal virtues bestowed on man by the faculty of reason (1.15), he began with a recital of the first great virtue, which is wisdom (1.18-19); and, then, to the second great virtue, which is justice, as an opening salvo to the “three remaining heads” that seek to bind the commonwealth and its citizens therein (1.20). Turning to the role of the citizen in the shadows of the obligations of justice, Cicero wrote poignantly about the sacrificial duty bestowed on man by virtue of his origin:

But as Plato so nobly put it, we are not born for ourselves alone [non nobis solum], for our country claims a share in our origin, and our friends likewise; and again, as the Stoics have it, all that the earth produces is created for men’s use, and men have been begotten for men’s sake to be of service to each other. Therefore we should follow nature as our guide in this sense of making available shared benefits by exchange of our obligations, by giving and receiving, and in this way binding the community and its individuals closely together by our skills, our efforts, and our talents (1.22).

In short, man, bestowed with the gift of life, also inherited the obligation of self-sacrifice to the place he finds himself dwelling and to the people that dwell therein.

It was Jordan Furlong who rightly noted that the coming wave of technological innovation would open the attorney's mind to the opportunity of "higher-value work." This work is centered, not on the accrual of billable hours, but on the well-being of clients. "It's the lawyer as *person*, not as *technician*," he writes, "that resonates most with those we serve," noting that these "Human Skills," while lost decades ago, speak to the very essence of what lawyers are supposed to be—a profession driven by open-minded and warm-hearted people who seek to serve the common good.³

For Christian attorneys, the obligation here should be a natural one. For it is rooted in the moral example of the Good Samaritan, who embodied the words of "non nobis solum" better than his lawyerly neighbor ever could on that infamous road to Jericho. He did this by doing a simple thing—refusing to ignore his duties to the man who fell among robbers.⁴ He was not the first to walk by the man in need, but he was the first to meet that need through the extension of kindness. An act of kindness that began first with the awareness of a need and a subsequent refusal to let cultural markers define the confines of jurisdictional imperatives. In short, the Good Samaritan refused to let social norms dictate eternal obligations. Unlike the lawyer asking Jesus to define his terms in order to dampen his sense of obligation, the Good Samaritan adapted to the categorical need by demonstrating a loving gesture.⁵ For the parable is clear that the priest and the Levite saw the man left half dead but did not help. And, likewise, the parable is clear that the Samaritan saw the man left half dead and had compassion, putting to work any technical measures alongside his human skills. Through his example, the Good Samaritan not only embodied the words of Cicero in offering his service for the well-being of others, but also bound the religious community by the indictment of conscience for time immemorial.

Likewise, the Christian attorney should seek to embody the Good Samaritan in his legal profession by moving in this technological revolution to appropriate time toward the well-being of clients. To use whatever available means to restore the legal profession to its lofty place in being a source for catalytic change.⁶ Christian attorneys should be the first to help rebuild the welfare of their cities and seek to lift the burdens of others in the wake of political, judicial, and social changes. They should be the first to appropriate technological change in favor of a more human representation. The first to speak prophetic truth of the Kingdom to come and what that reality might look

The Christian attorney should seek to embody the Good Samaritan in his legal profession by moving in this technological revolution to appropriate time toward the well-being of clients. To use whatever available means to restore the legal profession to its lofty place in being a source for catalytic change.

like in the here-and-now. Maybe then the Church can restore its place in society as the voice of moral reason and constructive change. Perhaps, in accepting this sacrificial obligation to restore the fallen and the lame, the Church can even play its part in transforming the road to Jericho, "so that men and women will not be constantly beaten and robbed as they make their journey on life's highway."⁷



ANTON SORKIN 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.

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David Williams
dwilliams@davismls.com

Tucson

CLS Tucson
Jim Richardson
richardsonjim@icloud.com

CALIFORNIA

*Inland Empire**

CLS Inland Empire
Maureen Muratore
mmlawyer@peoplepc.com

Los Angeles

CLS Los Angeles
Kelly Shea Delvac
kellysheadelvac@gmail.com

Orange County

CLS Orange County
Sadie-Megin Daniels
clsorangecountychapter@gmail.com

Sacramento

CLS Sacramento

San Diego

CLS San Diego
Michael Kuo
sandiegochristianlegalsociety@gmail.com

San Fernando Valley

CLS San Fernando Valley

San Francisco

CLS San Francisco
Kirstin Wallace
Kirstinwallace555@gmail.com

*West Los Angeles**

CLS West L.A.

COLORADO

Colorado Springs

CLS Colorado Springs
Joseph Brown
clscolospgs@gmail.com

Denver

CLS Metro Denver
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CONNECTICUT

See New England

DISTRICT OF COLUMBIA

CLS DC Metro
Austin Cromack
clsdcchapter@gmail.com

FLORIDA

Jacksonville

CLS Jacksonville
Tom Harper
tom@employmentflorida.com

Central Florida

CLS Orlando
A. Jay Fowinkle
af@markslawfla.com

West Palm Beach

CLS West Palm Beach
Betty L. Dunkum
bld@victorytrial.com

GEORGIA

Atlanta

CLS Atlanta
Brian Pelon
bpelon77@yahoo.com

HAWAII

Honolulu

CLS Hawaii
William Harrison
wharrison@hamlaw.net

ILLINOIS

Chicago

CLS Chicago
Mike Wang
Mike.wang@ronblue.com

INDIANA

Indianapolis

CLS Indianapolis
Ashley Dayhuff
andayhuff@nicelawfirm.com

KANSAS

Topeka

CLS Topeka
Matthew L. Shoger
matthew.shoger@outlook.com

Wichita

CLS Wichita
Doug Coe
dough@legacylegalllc.com

LOUISIANA

New Orleans

CLS New Orleans
Frank Bruno
frank@fabruno.com

MAINE

See New England

MARYLAND

Greater Baltimore

CLS Maryland
Matt Paavola
matt@myworkerscomplawfirm.com

MASSACHUSETTS

Boston

CLS Boston
Mark Cianci
mark.cianci@ropesgray.com

MINNESOTA

Minneapolis

CLS of Minnesota
Ted Landwehr
tland@landwehrlaw.com

MISSISSIPPI

Jackson
CLS of Central Mississippi
Jeff Rimes
clsofjackson@gmail.com

MISSOURI

Kansas City
CLS Kansas City
Mike Whitehead
mikewhitehead1@gmail.com

St. Louis
CLS St. Louis
Bob Arb
bob@arblawfirm.com

Springfield
CLS of Springfield
Lydia Siefner
lydia@spfdfamilylaw.com

NEBRASKA

Lincoln
CLS Lincoln
Jeff Downing
jd@keatinglaw.com

NEVADA

*Las Vegas**
CLS Las Vegas

NEW ENGLAND

CLS New England
Matthew Branaugh
clsnewengland@gmail.com

NEW HAMPSHIRE

See New England

NEW JERSEY

Cape May
CLS Cape May
Anthony Monzo
amonzo@mchlegal.com

NEW YORK

Albany
CLS Upstate
Patrick Sorsby
sorsbylaw@gmail.com

New York City
CLS Metro NYC
Lane Paulsen
nychristianlegalsociety@gmail.com

NORTH CAROLINA

Wake County
Wake County CLS
Max Rodden
max@newdirectionfamilylaw.com

OHIO

Columbus
CLS of Central Ohio
Rebecca Kells
info@clscentralohio.org

Willoughby Hills
CLS of Ohio Northeast

OKLAHOMA

Oklahoma City
CLS Oklahoma City
David Van Meter
david@vanmeterlawfirm.com

OREGON

Salem
CLS of Oregon
Nathan Pogue
npogue@bittner-hahs.com

PENNSYLVANIA

*Greater Philadelphia**
CLS Philadelphia/Delaware Valley

Pittsburgh
CLS Western Pennsylvania
Lauren Rushak
lrushak@clarkhill.com

RHODE ISLAND

See New England

SOUTH CAROLINA

Greenville
CLS Greenville
Erika Fowler
erlka.fowler616@outlook.com

TENNESSEE

Chattanooga
CLS Chattanooga
Chris Clem
cclem@sampleslaw.com

Memphis
CLS Memphis
Jay Lifschultz
jay.lifschultz@usa.net

Nashville
CLS Greater Nashville
Nicholas Barry
Nicholasbarry@gmail.com

TEXAS

Austin
CLS Austin
Don Neal
donteresaneal@sbcglobal.net

Dallas
CLS Dallas
Roshan Mansinghani
president@clsdallas.org

Houston
CLS Houston
Jordan La Raia
Jordan.LaRaia@expro.com

San Antonio
CLS San Antonio
Chad Olsen
chad@braychappell.com

Williamson County
CLS Williamson Co
Terence Davis
terence@cedarparkattorney.net

VERMONT

See New England

VIRGINIA

Virginia Beach
CLS Virginia Beach
Rob Showers
hrshowers@simmsshowerslaw.com

Leesburg
CLS Northern Virginia

*Richmond**
CLS Richmond

WASHINGTON

Seattle
CLS Seattle
Timothy Wagar
seattle.cls@gmail.com

WISCONSIN

Madison
CLS Madison
Colin Hoffman
Colin.hoffman48@gmail.com

**Asterisks denote inactive chapters*



CHAPTER EVENTS AND HIGHLIGHTS

Attorney and Law Student Ministries chapters gather regularly throughout the nation. Getting plugged in to your local chapter provides a great opportunity for fellowship and for learning how to incorporate our faith into the practice of law. Visit CLS online to find your nearest chapter. We hope you can either begin or continue connecting with local Christian attorneys and law students in your region!



The **CLS Houston** chapter hosted its third annual CLS summer clerk coffee social downtown. This event is for attorneys, but also to welcome those who may be interning in law offices for the summer to the Houston legal community.

Photo credit: Lakuita Bittle

Law students from various law schools in the Pittsburgh area consistently gather to fellowship with local attorneys in the **CLS Western Pennsylvania** chapter to discuss topics impacting their faith on campuses and in the legal community.

Photo credit: Lauren Rushak



CLS of Tucson (Arizona) recently hosted a "Meet the Judges" event featuring Court of Appeals judges. This informal gathering, which had a great turnout, allowed both attorneys and law students to inquire about this area of the legal profession.

Photo credit: Jim Richardson



CLS LAW SCHOOL FELLOWS 2023

The CLS Law School Fellows program gathers law students in Washington, D.C., each year for an intense week of lectures, mentoring, discussion, and fellowship. This year, almost three dozen Fellows attended and dug into Christian jurisprudence and other biblical worldview topics. We are excited to see where God takes this group of young men and women in the legal profession.

If you are interested in joining the 2024 CLS Law School Fellows program, please apply at [clsfellows.org](https://www.clsfellows.org) or contact CLS' director of Law Student Ministries, Anton Sorokin.



CHAPTERS IN PROCESS

God is moving! CLS is constantly growing, and we hope you will join our prayer that God will establish at least one CLS Attorney Ministries chapter in each state. Below are photos of how God has begun a good work in new regions. We know that in His timing, He will be faithful to complete it. If you are interested in starting a chapter in your area, contact Lakuita at lbittle@clsnet.org. It only takes a few, dedicated Christian attorneys to begin.



We continue to keep the momentum going in the **Tampa Bay** area. Christian attorneys and law students gathered again this year in sunny Florida to break bread—many meeting for the first time. Stay tuned for the next gathering and updates regarding chapter formation.

Photo credit: Eyesenia Reyes, CLS Fellow '23

We are excited to see what God will do in **Louisville, Kentucky**. Recently, several attorneys and law students came together to discuss how to begin a new chapter and ways these attorneys can continue to minister to local law students.

Photo credit: Lakuita Bittle



CLS *Chairman's* CRUISE

FEBRUARY 3-10, 2024

Join CLS' Chairman of the Board, Jeff Fowler, and his wife, Lenay, aboard the Celebrity Apex February 3-10, 2024.

The cruise will sail from Ft Lauderdale, Florida, and includes stops in Roatan, Honduras; Belize City, Belize; Cozumel, Mexico; and George Town, Grand Cayman.



Learn more now by visiting
CHRISTIANLEGALSOCIETY.ORG/EVENTS



Jeffrey S. Fowler
President &
Chairman of the
Board

Post-Roe—The Battle Wages On

Roe v. Wade is among one of most polarizing issues we have faced as a society, issues that have invoked very strong feelings on all sides. How “our” government treated us led to the Revolutionary War. The debate about slavery contributed to a civil war. The suffrage movement led to the “Night of Terror” in November 1917, when dozens of women who had been arrested for protesting were brutally beaten and hundreds of women were imprisoned. Segregation led to protests: some peaceful, and many not. Protests about the Vietnam Conflict led to students being shot by the National Guard at Kent State.

A quick Google search showed one list containing 474 instances of violent civil unrest as part of U.S. history.

Many of these instances hit close to home. My office is in downtown Chicago, and, in 2020, the National Guard set up roadblocks because of rioting—roadblocks that even prevented me from getting to my office. Other times, they hit close to home in a non-geographical sense. Even I have stories related to abortion, but those are for another day.

There are causes people feel passionately about, and *Roe v. Wade* is one of them. And, just like many other social issues, disputes over *Roe v. Wade* and abortion have led to violence, including bombings and at least 10 murders. Indeed, in 1998, the U.S. Department of Justice established a Task Force on Violence Against Health Care Providers.

Author Isaac Asimov is attributed with the saying, “Violence is the last refuge of the incompetent.” Before becoming a lawyer, I was a soldier in the United States Army and then a police officer, and I can well attest that this incompetency is and has been rampant in our society. Strong beliefs evoke strong passions and, when the results of a decision can be catastrophic, those passions have led to violence.

There are many conflicts in our society where people have become really good at talking AT those on the other side, often with volume and sometimes through actions rather than words. In the abortion arena, just as in many others, I’m unsure we have become very good at talking WITH one another. In Isaiah 1:18, the Lord said, “Come now, let us reason together.” Together does not mean *at* each other, it means *with* each other.

That is my prayer, and prayer is the only way I see potential for resolution because any real resolution of this debate would be a miracle. Nevertheless, while we as humans are often incompetent, we should always try to be less so and instead to do as God commands—strive to convince other people through reason and not violence or even by words that have the force of violence. That is one of the areas where we, as Christians and as lawyers, have a key role—to use reason rather than rhetoric and discussion rather than raised voices.

While we must stand up for God’s Word, we must also always remember that God loves the people on the other side of this argument too.



CHRISTIAN LEGAL SOCIETY

2024 *National Conference*

Washington, DC

CAPITAL HILTON

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Join us for fellowship at

CLS' 2024 REGIONAL RETREATS

MIDWEST—FEBRUARY 3 to 5—LAKE GENEVA, WI

NORTHEAST—APRIL 12 to 14—SOUTHBURY, CT

NORTHWEST—APRIL 5 to 7—CANNON BEACH, OR

retreats in planning ... **SOUTHEAST, SOUTHWEST**