

**THE
CHRISTIAN LAWYER®**
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LIVING ON PURPOSE:

Wellness, Self-Care, and the Fruitful Life

ALSO IN THIS ISSUE

The Spiritual Significance of Habit by Justin Earley

Stress-Defeating Spiritual Disciplines for the ... Christian Lawyer by Roberta Oluwaseun Roberts

The Ramifications of the Bostock Decision by Kim Colby



David Nammo,
Executive Director
and CEO

Can we hit fast-forward and get to 2021 already?

Someone looked at me today and said those exact words, followed up by, “2020 stinks. It stinks for everyone. Nobody is happy.”

I realized, watching the news about the state of the world and our country, that humanity is doing what it does best without the Lord – spiraling downward.

Whether it is the virus that hit the world like an asteroid, difficult U.S. Supreme Court decisions, the continued killing of Black people by police (and others), the protests, the now up and down of COVID spikes, or the economic uncertainty, it all seems to be piling up. Meanwhile, most folks are just trying to figure out how to do their jobs and stay safe, although brand new graduates are drifting, and students are still unsure what the school year will bring.

If we are honest, along with all the turmoil, there have been moments of panic or worry. I have days where everything is fine, but I confess to you that there have been a few days where I have just let anxiety rip through me. I know I am not alone, as I have spoken to so many of you in the last few months.

While the topic of this issue was planned long before the virus hit, I think it is even more relevant today. The legal profession, as you will read in the following articles, is already one of the least healthy professions in America. We have record high addictions, suicides, and general unhappiness. Lawyers as a whole are an unhappy lot, and they work themselves to the bone. Hopefully, it is a different story for Christian lawyers,

but we are all too often like our more secular counterparts. We worry about money, clients, practice, billing, partnership, and filings. The list goes on and on, and that does not even include our worries at home.

Add in all the stuff happening around us, and our stress levels are not getting lower. Whether we are a sole practitioner, part of a small firm or large firm, or whatever the position may be, the economy and the virus and the protests are not causing people to worry less. Of course, it is an election year, so everything becomes politicized, putting everyone more on edge.

We all know the verses that tell us to stop worrying, but I know them in my head, while my heart continues to worry – about work, family, children, the church, my country – you name it. “Do not be anxious about anything, but in everything by prayer and supplication with thanksgiving, let your requests be made known to God. And the peace of God, which surpasses all understanding, will guard your hearts and your minds in Christ Jesus.” (Phil. 4:6-7).

I do really need to take this and similar verses to heart. I know God is never surprised and never worried. That fact itself should give me peace. I hope reading through this issue will let you know you are not alone, and that if you are struggling, you should reach out to other Christians in the profession. It is the core of CLS – fellowship, prayer, relationships. All it takes is a phone call or socially distanced cup of coffee that keeps you or someone you know from falling into the well.

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Reframing the Wellness Challenges in the Legal Profession as Opportunities for Christian Lawyers to be Salt and Light

BY L.O. NATT GANTT

In August 2017, the National Task Force on Lawyer Well-Being published its seminal report entitled *The Path to Lawyer Well-Being: Practical Recommendations for Positive Change*. Although other sources had for years expressed concern over the state of well-being of those in the legal profession, the alarming findings in the report and the comprehensiveness of its recommendations intensified the calls that more needs to be done to address the problems with mental health, substance abuse, addiction, and related challenges faced by far too many judges, lawyers, and law students. State bars, local bar associations, law schools, and other key stakeholders have since responded to these calls by enacting ethics rule changes, conducting CLEs, drafting new reports, and taking other actions designed to improve the state of well-being in the profession. Then, early this year, the COVID-19 pandemic swept throughout the globe and created new challenges, some of which are still unknown at the time of this writing, but some of which have already harmed the struggling state of lawyers' and law students' wellness.

How can Christian judges, lawyers, and law students be “salt and light” (Matthew 5:13-15)¹ in the midst of these wellness challenges? This article first will discuss these challenges and then will offer approaches Christians in the legal profession might take to address them and ultimately work to improve the profession.

The State of Well-Being

The National Task Force, which was established by the ABA Commission on Lawyer Assistance Programs, the National Organization of Bar Counsel, and the Association of Professional Responsibility Lawyers, included in its report troubling statistics from a 2016 study of nearly 13,000 lawyers conducted by the ABA and the Hazelden Betty Ford Foundation. For instance, the study found that between 21% and 36% of the respondents qualify as problem drinkers and approximately 28% are struggling with some level of depression.² The report also included findings of a 2016 study of nearly 3,300 law students, which

found, among other things, that 43% reported binge drinking at least once in the prior two weeks and that 17% experienced some level of depression. In addition, one quarter of the student respondents were identified as being at risk for alcoholism for which further screening was recommended.³

Later reports affirm these troubling numbers. For instance, an ALM survey in 2018 of Am Law 200 firm leaders found that 90% of the respondents agreed or strongly agreed that alcohol abuse occurs in the firm and 86% agreed or strongly agreed that depression occurs in the firm.⁴ In addition, a 2018 survey of 886 Harvard law students found that 25% reported suffering from depression and that 21% said they were at a heightened risk of suicide while in law school.⁵ More recently, a late 2019 survey by ALM Intelligence and Law.com of more than 3,800 lawyers revealed that over 74% of the respondents said “yes” when asked whether the legal profession “has had a negative effect on your mental health over time.”⁶

National Responses

In the face of such alarming statistics, as the national report states, “lawyer well-being issues can no longer be ignored.”⁷ As noted above, many stakeholders in the legal profession have therefore responded with wide-ranging initiatives to improve well-being in the profession. Many such initiatives, as well as reports and resources on lawyer well-being, are catalogued online by the ABA’s Commission on Lawyer Assistance Programs.⁸ Most notably, the ABA produced a Well-Being Toolkit for Lawyers and Legal Employers that offers suggestions and resources individuals and employers can use to improve individual and workplace well-being.⁹ State bars have also underscored the importance of wellness by including wellness as a component of lawyer competency. For instance, in 2018, Virginia amended its rules of professional conduct to add to Rule 1.1 on Competence a comment that states, “A lawyer’s mental, emotional, and physical well-being impacts the lawyer’s ability to represent clients and to make responsible choices in the practice of law. Maintaining the mental, emotional, and physical ability necessary for the

representation of a client is an important aspect of maintaining competence to practice law.¹⁰

The COVID-19 pandemic has created new threats to wellness, especially by the inherent uncertainty over the impact of the pandemic in terms of how long it will last and how far-reaching it will spread. Early data on lawyers' responses to the pandemic confirm the impact of these challenges. An April 2020 survey of 136 lawyers, business services, staff, and leaders in Am Law 100 and Am Law 200 firms revealed that 28% of the respondents stated that "general anxiety" was their single, most significant challenge from working remotely because of COVID-19.¹¹ Similarly, a survey of 460 members of the Association of Corporate Counsel in early June 2020 found that nearly 50% reported that during the pandemic they were having trouble sleeping, nearly 44% were experiencing anxiety, and nearly 22% reported an "increased use of substances," such as alcohol and tobacco.¹² Although surveys of the mental health impacts of COVID-19 on law students are scant, an April 2020 survey of 2,086 college students found that 80% of the respondents reported that COVID-19 has negatively affected their mental health.¹³ Given these findings, the ABA's Commission on Lawyer Assistance Programs has understandably enhanced its online resources by adding those that particularly address wellness challenges related to COVID-19.¹⁴

The Role of Christians in these Responses

Undoubtedly, Christian judges, lawyers, and law students face these same threats to wellness as others do in the profession. In Jesus' call for believers to be "salt and light," however, we face a special responsibility to respond to these threats in ways that enhance our own well-being and the well-being of others throughout the legal profession. Below are some suggestions for how to do so.

First, we must recognize that Christians are not immune to mental health, substance abuse, and other threats to our wellness simply because of our Christian identity. Scripture teaches us that we "can do all things through Christ who strengthens" us

(Philippians 4:13) (NKJV), but this truth does not mean that Christians are impervious to the tremendous pressures the practice of law and law schools can bring. In a profession not known for its humility, Christian legal professionals' humble recognition that we too face these threats to wellness can foster self-awareness and be a cathartic appreciation that "apart from" Christ we "can do nothing" (John 15:5). Moreover, given that studies on millennials underscore how they especially value authenticity and genuineness in the workplace,¹⁵ such a recognition can be a refreshing uplift to others, particularly to younger lawyers and law students who may struggle with such issues, in part, because they mistakenly think other lawyers "have it all together." Collectively sharing our struggles with wellness and our testimonies when we overcome them can create bonds with other lawyers and law students that can inspire collegiality and enhance morale.

"A lawyer's mental, emotional, and physical well-being impacts the lawyer's ability to represent clients and to make responsible choices in the practice of law. Maintaining the mental, emotional, and physical ability necessary for the representation of a client is an important aspect of maintaining competence to practice law."¹⁰

Second, we must see it as part of our Christian service to the profession to work to improve the well-being of our fellow lawyers and law students. Scripture is replete with passages that emphasize how important it is for Christians to care for others, such as in Philippians 2:3-4 when Paul reminds believers to "value others above yourselves, not looking to your own interests but each of you to the interests of the others." Even if we have

not personally been impacted by the well-being challenges in our profession, we are aware of these challenges and, therefore, doing nothing is not a godly response.¹⁶ Of course, the form each person's response should take depends on his or her gifts and circumstances, but given the enormity of the problems with well-being, we should think creatively about how we can use our talents to tackle these challenges. Each of us, at a minimum, can be aware of the resources, like our state's lawyer assistance program, that the profession and other sources provide lawyers and law students struggling with mental health or substance abuse issues. Each of us can also be conscious in our dealings with others in the profession not to inject stress and anxiety into a situation and to de-escalate conflict in an effort to enhance the well-being of all parties involved. Furthermore, especially as concerns about social isolation have increased during the COVID-19 crisis,¹⁷ each

not personally been impacted by the well-being challenges in our profession, we are aware of these challenges and, therefore, doing nothing is not a godly response.¹⁶ Of course, the form each person's response should take depends on his or her gifts and circumstances, but given the enormity of the problems with well-being, we should think creatively about how we can use our talents to tackle these challenges. Each of us, at a minimum, can be aware of the resources, like our state's lawyer assistance program, that the profession and other sources provide lawyers and law students struggling with mental health or substance abuse issues. Each of us can also be conscious in our dealings with others in the profession not to inject stress and anxiety into a situation and to de-escalate conflict in an effort to enhance the well-being of all parties involved. Furthermore, especially as concerns about social isolation have increased during the COVID-19 crisis,¹⁷ each



of us can follow Philippians 2:3-4 and look for opportunities to reach out to those in need, express empathy, be a good listener, and point them to helpful resources as appropriate.

Third, our faith tradition provides us with a wealth of information on how to foster well-being and self-care. Christians, therefore, should not just be at the table when wellness issues are discussed; they should be leading the discussion. Since the publication of the National Task Force Report, CLEs and other resources have sprung up promoting secular approaches to well-being. Perhaps most notably, the mindfulness movement has garnered significant attention within legal professional communities nationally. For instance, the ABA Commission on Lawyer Assistance Programs lists on its website several resources on mindfulness and guided meditation.¹⁸ Christians in the lawyer wellness movement can alternatively point to the importance of prayer, contemplative Bible reading (or *lectio divina*), corporate worship, Christian counseling, and other faith-based practices to improve well-being. Particularly in the midst of the COVID-19 crisis, Christians can model how “God has not given us a spirit of fear” (2 Timothy 1:7 (KJV)), and that He instead gives us “peace that transcends all understanding” (Philippians 4:7).

Indeed, the peace of the gospel is ultimately the most powerful answer to the wellness crisis in our profession. As Christian judges, lawyers, and law students, we must embrace the transcendent power of the peace of Christ not only to enable us to overcome

our personal challenges with wellness but also to bring healing and wholeness to individuals throughout our profession.



Natt Gantt is a professor and the associate dean for academic affairs at Regent University. Before joining Regent in 2000, he served as a law clerk to the late Honorable Donald S. Russell of the United States Court of Appeals for the Fourth Circuit; as an associate at Wiley, Rein & Fielding in Washington, D.C.; and as a

proxy analyst at Fidelity Investments in Boston, Massachusetts. During his time at Regent, Professor Gantt’s scholarship and presentations have focused on two primary areas: (1) law school academic support and legal education reform and (2) legal ethics and professional identity formation. He served from 2010 to 2013 as a faculty member for the Virginia State Bar Harry L. Carrico Professionalism Course and from 2018 to 2019 as a member of the Virginia State Bar President’s Special Committee on Lawyer Well-Being.

END NOTES

- ¹ All Scripture quotations are to the New International Version unless otherwise noted.
- ² National Task Force on Lawyer Well-Being, *The Path to Lawyer Well-Being: Practical Recommendations for Positive Change* (2017) [hereinafter National Task Force Report], p. 7, available at www.lawyerwellbeing.net.
- ³ *Id.*

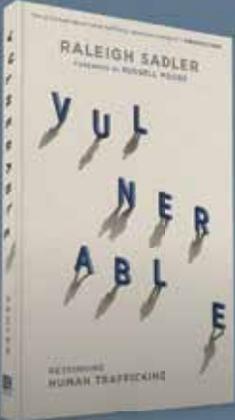


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- 4 Patrick Krill, *ALM Survey on Mental Health and Substance Abuse: Big Law's Pervasive Problem* (September 4, 2018), available at <https://www.law.com/2018/09/14/alm-survey-on-mental-health-and-substance-abuse-big-laws-pervasive-problem/>.
- 5 Amanda H. Chan et al., *Wellness at the Law School: Promises to Keep and Miles to Go Before We Sleep*, HARVARD CRIMSON (March 29, 2018).
- 6 Lizzy McLellan, *Lawyers Reveal True Depth of Mental Health Struggles* (February 19, 2020), available at <https://www.law.com/2020/02/19/lawyers-reveal-true-depth-of-the-mental-health-struggles/>.
- 7 National Task Force Report at p. 7.
- 8 See Commission on Lawyer Assistance Programs available at https://www.americanbar.org/groups/lawyer_assistance/.
- 9 Anne M. Brafford, *Well-Being Toolkit for Lawyers and Legal Employers* (August 2018), available at https://www.americanbar.org/content/dam/aba/administrative/lawyer_assistance/ls_colap_well-being_toolkit_for_lawyers_legal_employers.pdf.
- 10 VIRGINIA RULES OF PROFESSIONAL CONDUCT, RULE 1.1 CMT 7 (2018). See also CALIFORNIA PROFESSIONAL CONDUCT, RULE 1.1(B) (2018) (“For purposes of this rule, ‘competence’ in any legal service shall mean to apply the (i) learning and skill, and (ii) mental, emotional, and physical ability reasonably* necessary for the performance of such service.”) (emphasis added); VERMONT RULES OF PROFESSIONAL CONDUCT, RULE 1.1, CMT. 9 (2019) (“A lawyer’s mental, emotional, and physical well-being may impact the lawyer’s ability to represent clients and to make responsible choices in the practice of law. Maintaining the mental, emotional, and physical well-being necessary for the representation of a client is an important aspect of maintaining competence to practice law.”).
- 11 Victoria Hudgins, *Legal’s Biggest Challenge With Remote Work Isn’t Tech. It’s Mental Health* (June 12, 2020), available at <https://www.law.com/legaltechnews/2020/04/22/legals-biggest-challenge-with-remote-work-isnt-tech-its-mental-health/#:~:text=According%20to%20the%20survey%2C%2028,the%20sudden%20shift%20was%20unprecedented.>
- 12 Phillip Bantz, *How Stressed Are In-House Lawyers During the Coronavirus Pandemic?* (June 12, 2020), available at <https://www.law.com/corpcounsel/2020/06/12/how-stressed-are-in-house-lawyers-during-the-coronavirus-pandemic/>.
- 13 Sarah Brown & Alexander C. Kofka, *Covid-19 Has Worsened the Student Mental-Health Crisis, Can Resilience Training Fix It?*, THE CHRONICLE OF HIGHER EDUCATION (May 11, 2020) (discussing a survey conducted by Active Minds, a national mental-health advocacy group), available at <https://www.chronicle.com/article/Covid-19-Has-Worsened-the/248753>.
- 14 See Mental Health Resources available at https://www.americanbar.org/groups/lawyer_assistance/resources/covid-19-mental-health-resources/.
- 15 See *The Executive’s Guide to Engaging Millennials: From the 2018 Best Workplaces for Millennials* (2018), available at https://www.greatplacetowork.com/images/media/2018_millennials_report_3.0.pdf.
- 16 See, e.g., 1 John 3:17 (“How does God’s love abide in anyone who has the world’s goods and sees a brother or sister in need and yet refuses help?”).
- 17 Debra Coe, *Virus Posted Latest Test to Supporting Attys’ Mental Health* (March 23, 2020), available at <https://www.law360.com/articles/1255561/virus-poses-latest-test-to-supporting-attys-mental-health>.
- 18 See Mental Health Resources available at https://www.americanbar.org/groups/lawyer_assistance/resources/covid-19-mental-health-resources/.



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Reclaiming the Casualties of Our Tumultuous Lives

BY ANNE WINCKEL

I was planning to write about the casualties of our busy lives, but with the dramatic changes being wrought by the current pandemic, instead I am writing about our tumultuous lives. Regardless, the same principles apply. Wherever we are in life – whether we are crazy busy or suddenly on furlough from paid work or in self-isolation – it is so easy to inadvertently neglect aspects of life that are soul enriching. Reclaiming these casualties can help us feel like a “human being” and not just a “human doing.”

When a vice-chairman of Warburg’s Bank was asked what he believed to be the greatest casualty of a busy life, he responded, “Intimacy with God.”¹ I can certainly relate to that conclusion. Surely our relationship with God is the most important key to our lifeblood. Psalm 23:3 reminds us that it is *He* who restores our soul. That answer from Warburg’s VC started a journey for me of contemplation regarding what other casualties had resulted from my endemic busyness.

I quickly realised that creativity was a major loss in my life, closely followed by generosity, exercise and vitality, and the appreciation of beauty. And if I was not careful, my busy schedule also jeopardised my serenity and clarity (or wisdom). It was obvious that my soul was far richer when I re-engaged with these casualties and, given my shortage of discretionary time, I needed to find time-efficient solutions to my dilemma.

It is not uncommon for busy professionals to do a great job of handling the work-front and the home-front – while at the same time neglecting their own personal well-being. Often there is a sense of inevitability, as life is too full (or stressful) to allow day-long retreats or leisurely soul-enriching visits to an art gallery or a garden show. I interviewed a lot of really busy people who still had a spring in their step, and I found that they used a variety of strategies to prevent the soul-enriching aspects of life from becoming casualties of their busyness. At the end of this journey of contemplation, I had settled on 16 different casualties of our busy lives and eight different “sixty-second solutions” to re-engaging with these casualties, all which culminated in me writing the book, *Time Poor Soul Rich – 60 Second Solutions & Other Lengthier Remedies for Busy Professional Women*.²

These 16 casualties can be divided into four spheres of life:

4 Spheres	16 Soul-enriching Casualties of a Busy Life			
People Around Us	Generosity	Sociability	Unity	Intimacy
World Around Us	Beauty	Equity	Opportunity	Adversity
Ourselves Internally	Clarity	Serenity	Vitality	Spirituality
Ourselves Externally	Creativity	Integrity	Levity	Love

An astute reader may note that “adversity” does not sound very soul enriching, but I include it in the list because if we bury suffering or adversity, we may well be poorer in spirit instead of being strengthened and enriched. Generosity, on the other hand, is an obvious choice. Jean-Jacques Rousseau said:

“...if some deed of mercy or generosity meets our eye, what reverence and love does it inspire! Do we not say to ourselves, ‘I should like to have done that myself’?”³

Jesus himself was quoted as saying, “It is more blessed to give than to receive.”⁴

For the purposes of describing a few “sixty-second solutions,” I will use the example of creativity – which for me in my younger years was a soul-destroying loss. As a child I loved to write stories, but at the age of 16, I was at university where I overloaded my studies to complete three degrees in six years. Then, despite being able to qualify as a lawyer, I decided to become a school teacher of senior students. I taught history, legal studies, and English literature, but I had stopped doing anything creative myself. Neglecting the health of my soul meant I ended up feeling more like a shadow than my true self. I was performing well in my job as a teacher, but my soul had imperceptibly drifted into “survival mode.”

By the time I was 29, I was exhausted and brain-dead. It was actually so serious that I benefitted from a full year away from paid work – working on a teenage fiction mystery novel⁵ and then spending six months travelling the world. This sabbatical year helped heal my brain-fatigue. If I had, however, implemented some of the following strategies in those early years, I may have avoided that “survival mode” altogether.



60-second Solutions to Re-engage with Creativity

1. Recall Significant Incidents.

From your childhood, what creative activity gave you joy? Ponder if you would like to return to that creative activity.

2. Review Your Workplace.

Place something in your car, on your desk, or on a nearby wall that reflects your creativity – either something you have made or a photograph of it.

3. Resolve for the Future.

Decide to subscribe to alerts about the creative area that is your passion.

4. Research and Imagine.

Search the Internet for information on online courses in singing, oil painting, short-story writing, gardening, sketching, photobook making, guitar playing, bird watching, juggling, acting, pottery making, curry cooking, blog writing, website designing, leather working, sculpturing, wood carving, ballroom dancing, foreign language learning, public speaking, engine building, short film making, photography, astronomy, wine appreciation, YouTube video creation, etc.

5. Record in Your Notebook or on Your Electronic Device.

Draw quick sketches; write haiku poems; brainstorm the plot of your first novel; draw quick plans of your garden make-over; write down that melody that's been floating around your head; list the birds or plants you see on your way to work.

6. Reach Out to Others.

Contact a friend who has the same creative interest as you and suggest it is time to join forces.

7. Refocus with a Time-Poor Prayer.

Thank you, God that you created the world and everything beautiful around us. Please help me to use the creative side of myself that I've been neglecting. Please remind me to plan ahead to use my creative gifts. Inspire my soul.

8. Rest for 60 Seconds.

Stop everything; think of something in creation you are grateful for right now; and rest in the knowledge that you are free to imagine.

Lengthier Remedies

Actually start doing the online course that you found when researching.

Even when we have more time on our hands, it is possible that our inner well-being may still plummet into free-fall. It is not just the effects of the current pandemic – termination, sickness, self-isolation – but also a raft of other things such as injustice, injury, discrimination, retirement, and other inescapable circumstances that can result in us suddenly being out of paid work or having a lot of discretionary time.

This is the perfect time to recognise that richness of soul can have little to do with discretionary time and more to do with our response to the cards that life deals us. Are we going to be bitter or depressed? Or can we redirect our emotional energy into taking advantage of the break that is being forced upon us? In the midst of this pandemic crisis, Morgan Freeman recorded:

“My friend Nelson Mandela once said, ‘What counts in life is not the mere fact that we have lived; it is what difference we have made to the life of others.’ ... In this time of instability and fear, remember to cherish the good you see around you.”⁶

So, when we are suddenly not working, it is useful to protect our souls by being mindful about the way we spend our days. And in the worst-case scenario, when pursuing soul enrichment seems impossible, we should remember we are not alone and should look for the soul food that can be brought to us by others who are standing by ready to share our burdens. And don’t forget it was Jesus who said,

“Come to me, all you who are weary and burdened, and I will give you rest ... you will find rest for your souls.”⁷



Anne Winckel graduated with Law, Arts and a Diploma in Education from the University of Adelaide. After a career in the education sector and completing a Masters’ Degree in Constitutional Law, Anne became a legal recruitment consultant and later started her own executive search business, Delta Partners, in

Melbourne, Australia. Anne loves to share her insights on navigating life. You can follow Anne’s progress by visiting her Facebook page, www.facebook.com/AnneWinckelNavigatingLife, or her website, www.annewinckel.com.

END NOTES

- 1 Ken Costa is reported to have said these words by Mark Greene, *Supporting Christians at Work (Without Going Insane)*, Admirity and LICC, 2001, p. 12.
- 2 Anne Winckel, *Time Poor Soul Rich – 60 Second Solutions & Other Lengthier Remedies for Busy Professional Women*, 2015, Ark House Press.
- 3 Jean-Jacques Rousseau, *Emile*, 1762, Book IV, from the translation by Barbara Foxley.
- 4 Paul refers to these words of Jesus in the Acts of the Apostles 20:35.
- 5 After it sat in my bottom drawer for 20 years, I finally published my teenage fiction novel, *Winddance*, in 2018.
- 6 Morgan Freeman tweeted video, April 25, 2020.
- 7 Matthew 11: 28-29.



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The Spiritual Significance of Habit

BY JUSTIN EARLEY

The legal profession is in a mental health crisis.

Good habits are not just about wellness; they are also about being a missional lawyer.

“How did the missionary get converted?” That is the question I was asking myself in the middle of my mental breakdown.

For years I had worked as a missionary in China until I felt God calling me to work missionally within the vocation of law. By the time I made it to my first year at a big law firm, however, I was debilitated by anxiety. I felt called as ever to be a lawyer, but between the panic attacks and the insomnia, I found myself relying on a few sleeping pills or a few drinks just to get to sleep. That’s when I realized that the missionary had been converted to the medicating lawyer.

How did that happen? By habit.

The Legal Mental Health Crisis

In 2016, two years after my own mental health breakdown, the Hazeldon Betty Ford Foundation published a commissioned national study on mental health in the legal profession. Drawing on over twelve thousand participants, the study showed us just how bad things are in our profession. One fifth of us are problem drinkers; one-third of us are depressed; one in five of us struggles with anxiety; and one in every ten of us battles suicidal thoughts.¹

What’s worse is that now the most at-risk parts of the profession are the young lawyers, the ones like myself who have been in it for the shorter amounts of time. For example, of the 23% of problem drinkers, almost half (44%) reported beginning the problem in practice. Correlation alone doesn’t prove causation, but it should make us wonder.

Does the legal profession attract people prone to mentally instability? Or does the profession itself destabilize them? I have a strong anecdotal suspicion it is the latter – because, of course, that’s what happened to me.

How I Got Better

A little over a year into my struggle, as a sort of last-ditch effort, my wife and I agreed that I should try living according to some habits that could help reign in my chaos. I was willing to try it, but I didn’t think any of it would work because it was all such small stuff. For example, I committed to turning my phone off for

an hour each evening. I committed to reading something in the morning before I looked at my phone. I agreed to take one day off work each week and also agreed to make sure that I spent one hour every week in good conversation with a friend.

These all seemed like quaint ideas, but I didn’t really expect them to matter *because I had no idea at the time how much the smallest patterns of our days form our emotional lives in such significant ways.* My life began to drastically change.

As any good lawyer would, I started to dive into research to figure out why small habits were so powerful. What I found was fascinating, and it lends psychological and spiritual insight into exactly what is happening in the legal mental health crisis.

How Habits Form Our Brain

First, modern neuroscience has shown us that brain activity during habits works in the deepest part of the brain, which is how we can be thinking about one thing (work problem) and still make all the right turns on the drive home (habit activity). This separation of the brain’s functions is an incredible thing – until it is a bad habit. This division of the brain hamstring us when our top order thinking would like to stop compulsively checking our client email, but the lower brain habit keeps chugging along by habit.²

As a typical lawyer, this is how we become **formed** into the kind of people who can’t turn it off (lower brain function) even though we are **educated** enough to know this is no way to live (upper brain function).³ Put simply, no lawyer sets out to become a self-medicating mental health wreck, but vast portions of our profession get there by unexamined habit.

How Habits Form Our Soul

As important as this neurology is, Christians should understand the deeper theological roots of what’s happening in formation of habits. We know, as the Psalms proclaim, that “those who make and trust in idols will become *like* them.”⁴ Worship forms us. We also know that worship is not a Sunday morning activity, it is a whole life activity – the question of each moment is not whether we are worshipping, but what.⁵



Here's the point of the neurology and the theology – if worship is bound up in our habits, then our habits function as liturgies. Our daily smartphone habits, our email habits, our waking and working habits, our lunch break habits (or lack thereof) – these habits function as liturgies that guide us in the worship of something.⁶

Here is where we come to the conundrum for the Christian lawyer. It is possible to say one thing with your top order thinking (“I only care what Jesus thinks about me.”) but to actually worship something else through your liturgical smartphone habits (“Whether or not I can respond to every email is the most important thing about today.”)

Seeing Our Mental Health Crisis Through the Liturgical Lens of Habit

Lawyers are a profession in particular danger because lawyers have a strong habit culture. We are people known for always staying up later and waking up earlier, working through the weekends, being glued to our phones, and trying to get everything done fast. Law school provides something much more significant than an education – it is a formational experience where we are indoctrinated into the unseen habits of pressure, busyness, and a constant state of being overwhelmed.

This is how I became converted by my first year of lawyering. Even though I intellectually knew that my identity was in Christ, after living the habits for a few years of constant work and attention to the smartphone, the formation did its work. I finally became converted to the anxiety that my habits and routines preached – and my mind and body went bezerk.

I am not surprised, then, that so many lawyers (including Christian lawyers) find themselves mentally falling apart. Christians cannot remain neutral in the face of such a dark crisis – we should be walking into this storm to serve and help our profession.

I firmly believe that our profession will not make meaningful progress out of our mental health epidemic until we pay significant attention to the role of habits in malforming our minds, bodies, and souls.

As someone who *still* feels called to live missionally within the profession, I think Christians are called to play a significant missional role in this crisis of our profession because the Bible and the Christian tradition of spiritual disciplines give us resources that this mental health crisis needs.

Sabbath and Being Formed in Rest

One of the commandments we are given is to honor the sabbath. How thirsty our culture is for the practice of sabbath. On the surface level, studies show us that productivity sharply decreases somewhere around 45-55 hours of work each week. This alone should tell us that a day of rest is good for our professional productivity and client service. Much more important, however, is the formational work sabbath does for our sense of identity. In order to sabbath as a **habit**, you have to get comfortable with the idea that you can't get it all done. Something is going to be left undone – and this is part of the point of sabbath, which is to form us into people who are familiar with the idea that we can't get it all done, precisely so we can cling to the One who said, “It is finished.” Jesus has done all that needs to be done, which means

we can rest in His work and then go to work out of that rest. As Christians, we should not only practice sabbath as a personal spiritual discipline, but also we should work to create a culture of sabbath in our profession.

Scripture Before Phone and Being Formed in Love

Most of us wake to the blue glow of the smartphone, and this is one of the most dangerous realities of the modern world. In the morning our heads (education/top-order thinking) are only asking our phones, “What we need to do today?” Our hearts (formation/lower-brain habit), on the other hand, are asking our phones something much more significant – “Who do I need to become today to feel good about who I am?” Starting our day in work emails will push us into liturgies of justifying our existence through productivity; social media in the morning will push us into liturgies of justifying ourselves through how our living room looks; reading the news in bed will push us into justifying ourselves by angrily condemning the other political party. These smartphone habits have incredible formational consequences. In each scenario, we are not formed first in the unconditional love of God for us, but rather in the emptiness of what we have to prove. As Christians, a habit of beginning the day in the Scriptures (before we look at our phones) is one way to resist the dangerous parts of our default professional formation in busyness, but more importantly, we embrace the formation in the love of God. While our co-workers may not be ready to read the Scriptures, we can work to create a culture of lawyering that allows detethering from the smartphone.

Our profession needs us to embody a better way of working, and this is one powerful habit to begin shifting that culture.

The Grace That Motivates

My book, *The Common Rule, Habit of Purpose in an Age of Distraction*, details the depths of how habits form us and suggests many more habits to consider, but the most important thing you need to know is this: *Habits will not change God’s love for us, but God’s love for us can and should change our habits.*⁷ Plain and simple, the gospel of Jesus’ unconditional love for us should change everything, even our work habits.

My hope is that Christians with gospel-renewed habits could be a light in a dark moment of the profession. We are a profession in the valley of the shadow of death, and I wonder how Christians

could embody the light of God’s presence here in our offices.⁸ Could we work in ways that are so radically different, that our colleagues and profession would ask: “Can you give me a reason for the hope that is within you?”⁹



Justin Earley is a business lawyer, speaker, and writer from Richmond, Virginia. He got his law degree from the Georgetown University Law Center and, after beginning his career with big law in the M&A practice at McGuireWoods, he now runs his own business law practice at the Earley Legal Group. In addition to practicing business law, Justin frequently writes and speaks at businesses, churches, and conferences on habits, technology, family, and vocation, as well as wellness and mental health in the legal profession. You can learn more about cultivating a formational set of habits at www.thecommonrule.org.

END NOTES

- 1 See “Hazelden Betty Ford Foundation Study: The Prevalence of Substance Use and Other Mental Health Concerns Among American Attorneys,” Krill, Patrick R. JD, LL.M.; Johnson, Ryan MA; Albert, Linda MSSW, *Journal of Addiction Medicine*, January/February 2016, Volume 10, Issue 1, pp. 46–52.
- 2 For a compelling summary on the psychology and neurology of habit, see Charles Duhigg, *The Power of Habit* (New York: Random House, 2012).
- 3 For a concise and accessible look into how habits form identity, see James Clear, *Atomic Habits* (New York: Avery, 2018) (“Quite literally, you become your habits.”, p. 41).
- 4 Psalm 135:18; Psalm 115:18.
- 5 For a fascinating speech on this concept of universality of worship, see Wallace, David Foster, *This Is Water: Some Thoughts, Delivered on a Significant Occasion About Living a Compassionate Life* (New York: Little, Brown, 2009).
- 6 See James K. A. Smith, *You Are What You Love: The Spiritual Power of Habit*, Brazos Press; First Ed, (April 5, 2016).
- 7 See Justin Whitmel Earley, *The Common Rule: Habits of Purpose for an Age of Distraction*, IVP Books (February 19, 2019).
- 8 For an extended discussion on how counter-culture practices could actually be the language of evangelism in a secular age, see this talk here: <https://soundcloud.com/thirdrva/february-term-2018-week-2-neighboring-as-mission-n-a-secular-age-justin-earley>.
- 9 See 1 Peter 3:15.



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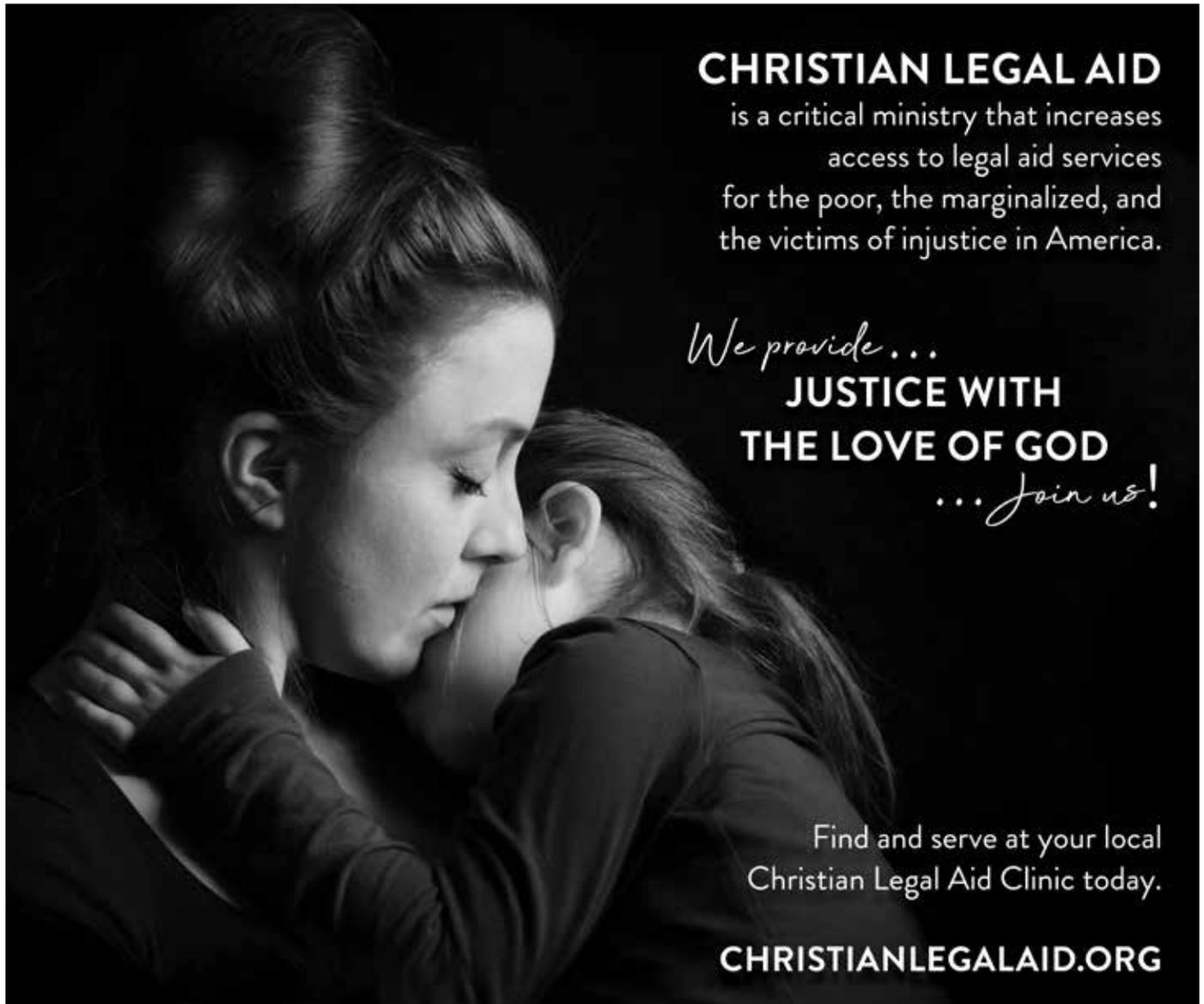
Stress-Defeating Spiritual Disciplines for the Stressed Out, Overwhelmed, Christian Lawyer

BY ROBERTA OLUWASEUN ROBERTS

I was serving on the Pastor Search Committee for my church, applying and interviewing for a new job while still working full-time as an attorney at the U.S. Department of Justice, and studying for a second Bar exam in another jurisdiction to increase my employment opportunities when I realized how overwhelmed I was.

Stressed out trying to meet my fast-paced deadlines for work. Fearful of failing the Bar exam and feeling like I did not measure up to my peers. Feeling the pressure and anxiety of trying my best to balance my personal and professional obligations without sacrificing too much of one for the other.

I am sure many of you can relate and have felt either some or all of these feelings before. Some of you may be feeling this way right now. Oftentimes when we think of wellness and self-care, we think of wearing an avocado face mask, lighting a scented candle, or getting more exercise. These are all fine ways to help manage stress, but I learned in my personal journey to spiritual, emotional, mental, and physical wellness that the Christian lawyer cannot rely on these types of methods alone. This is why I discuss seven spiritual disciplines lawyers can use to combat stress and promote wellness in our personal and professional lives.



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1. Prayer. Philippians 4:6-7 says: “Do not be anxious about anything, but in every situation, by prayer and petition, with thanksgiving, present your requests to God. And the peace of God, which transcends all understanding, will guard your hearts and your minds in Christ Jesus.” We lawyers are prone to overanalyze and catastrophize – after all, that is what we are trained to do to be successful at our jobs. While this can help us succeed in our careers, this type of thinking can often wreak havoc on our well-being and peace of mind. This is one of the reasons why prayer is so important for the Christian lawyer. By praying, we allow God to replace our anxiety with peace, improving our well-being.

2. Worship. Worship is not just for the choir on Sunday morning at church; we too can usher in a life-giving atmosphere even if we are not the best singers or dancers or musicians or poets. The legal profession is one where credentials are paramount and the competition can be cutthroat, causing us to become prideful and forget that God is in control. By engaging in worship through song, dance, or written word, or just expressing gratitude for our many blessings, we can keep ourselves humble and in awe of our good God. “Let the message of Christ dwell among you richly as you teach and admonish one another with all wisdom through psalms, hymns, and songs from the Spirit, singing to God with gratitude in your hearts” (Colossians 3:16).

3. Bible study/devotionals. While technology has made some areas of life more stressful (non-stop emails and instant messages, anyone?), technology has also made it easier for us to access targeted Bible studies and devotionals that share practical ways to live more peaceful, fruitful lives. For example, I love the YouVersion Bible app and website developed by Life Church. YouVersion includes thousands

of Bible plans on topics such as fear, stress, anxiety, tension in the workplace, and more, which can be a helpful start for turning to the Word for guidance on these topics. After all, the Bible was written to teach us in all areas of life! “For everything that was written in the past was written to teach us, so that through the endurance taught in the Scriptures and the encouragement they provide we might have hope” (Romans 15:4).

4. Journaling. As stated in Habakkuk 2:2: “Write the vision, and make it plain upon tablets, that he may run that readeth it.” Sometimes our source of stress is uncertainty about where we are in life or where we are supposed to go or what we are supposed to do next. By taking quiet time to write in a journal, we can relieve the stress of holding in our feelings and instead express ourselves to God, record lessons we learn, plan out our schedules and next steps to reach our goals, and more. Journaling is also a great way to have something to refer back to when you are feeling stressed – you can go back to your gratitude list or list of favorite Bible verses or answered prayers, for example. The opportunities for what you journal about are endless!

5. Hearing the Word of God. Another source of stress for many of us is a lack of faith. It can be easy to lose faith when we are in an environment that promotes an unhealthy level of skepticism and pessimism, which can be the case in many of our workplaces. “Consequently, faith comes from hearing the message, and the message is heard through the word about Christ” (Romans 10:17). As such, it is important for us to seek out sermons, podcasts, videos, and other biblically-based lessons to keep our faith strong no matter what environment we are in.

6. Biblical meditation. Talk of secular mindfulness and meditation for lawyers has become increasingly popular in



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recent years; however, Christian lawyers can look to biblical meditation to find peace, reflect, and keep the Word on our hearts. As explained in Psalm 1:1-3: “Blessed is the one ... whose delight is in the law of the LORD, and who meditates on His law day and night. That person is like a tree planted by streams of water, which yields its fruit in season and whose leaf does not wither—whatever they do prosper.” One way to increase your biblical meditation practice is to use an app such as the Abide Christian Meditation app, which includes guided Biblical meditations on a variety of topics such as anxiety, depression, sleep, and others. According to Abide’s research, “Christian meditation is linked to lower stress, depression and insomnia.”¹

7. Fellowship. Hebrews 10:24-25 tells us to “consider how we may spur one another on toward love and good deeds, not giving up meeting together, as some are in the habit of doing, but encouraging one another—and all the more as you see the Day approaching.” Isolation and withdrawal are common reactions to stress and anxiety that can lead to us becoming hopeless, depressed, and wallowing in defeatist thoughts if we are not careful. So, while it is important to have individual quiet time to journal and meditate on our own, for example, it is also important to have fellowship with other Christian lawyers to support and encourage each other when we have a stressful time at work or in our personal lives. Organizations like Christian Legal Society, in addition to your church, Bible study, small group, etc., can help provide that community support.

After practicing these disciplines more consistently in my own life, I noticed a marked increase in my satisfaction with life, spiritual growth, peace of mind, and overall well-being. I was moved to share this transformation with others, which led me to create a free online community and app for other Christian women lawyers and law students, Grace for the Grind™ Career Mastermind, where we practice many of these disciplines together.

I hope this article has helped you have a renewed desire to incorporate these spiritual disciplines into your self-care routine and that you experience a marked increase in your satisfaction with life, spiritual growth, peace of mind, and overall well-being as well.



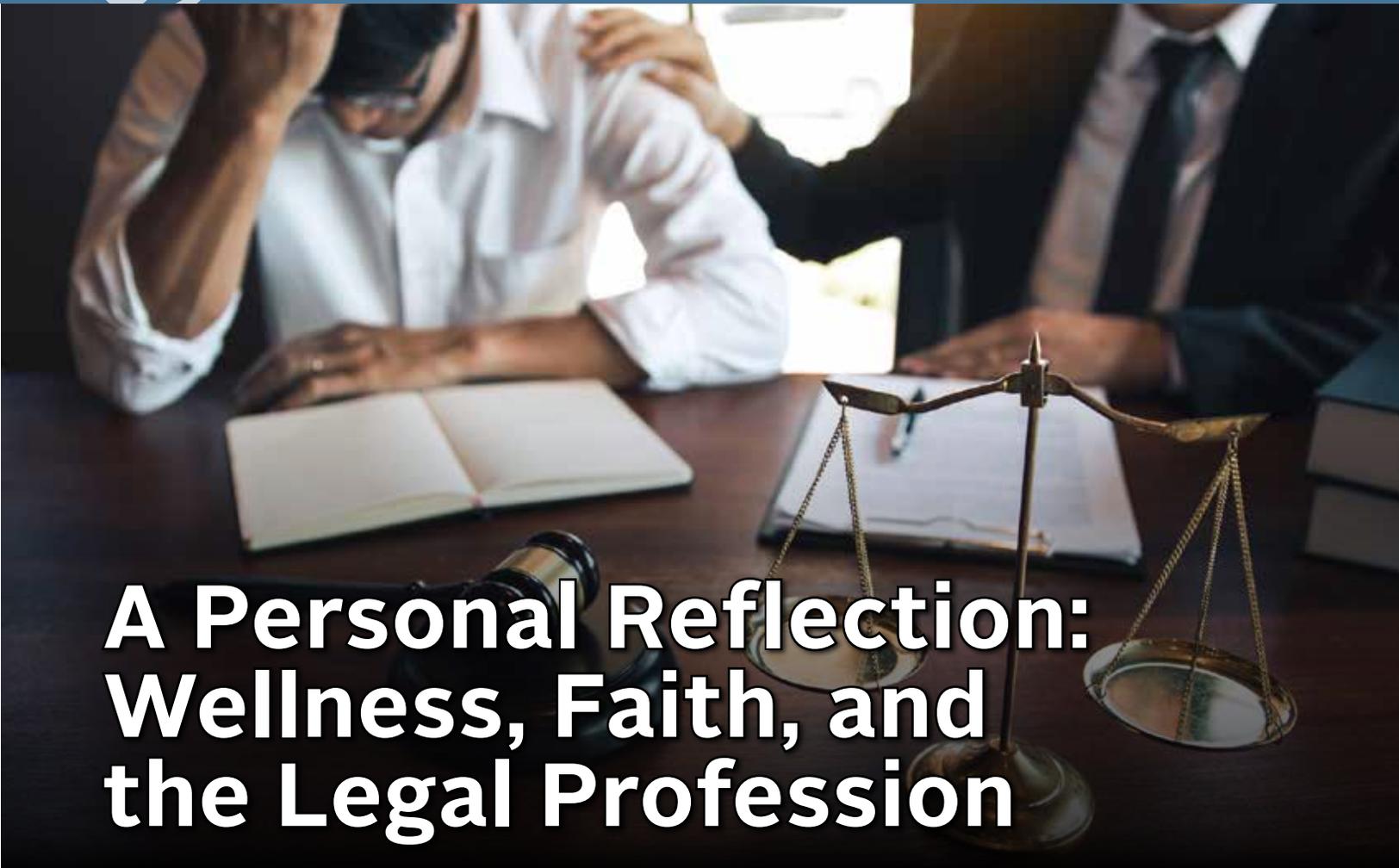
Roberta Oluwaseun Roberts is an attorney advisor with the U.S. Department of Justice and founder of Grace for the Grind™ Career Mastermind and Blessed & Barred™ Christian Bar Exam Coaching Program. Roberta, a certified Christian life coach, provides Bar exam and life and career coaching for Christian women

lawyers. Visit robertaoroberts.com and grab the free guide: *Five Things Every Christian Lawyer Must Do*.

END NOTES

- 1 Christian Meditation Linked to Lower Stress, Insomnia and Depression,” *Abide Blog*, May 30, 2017, available at <https://abide.co/blog/christian-meditation-linked-to-lower-stress-insomnia-and-depression/>.





A Personal Reflection: Wellness, Faith, and the Legal Profession

BY CAROLYN JEFFERSON

In the early years of my legal career, wellness was often a distant afterthought to pursuing justice and being a zealous advocate for crime victims. After all, I was a prosecutor, and I was passionate about my work. I became a prosecutor later in life after working as a television news reporter for several years. It was during this time that I gained exposure to our legal system by covering the courts, including criminal jury trials. Maybe it wasn't as dramatic as an episode of *Law and Order*, but I was absolutely intrigued by our legal system. So, I took a leap of faith and changed careers. It's hard to believe that was more than a decade ago. Oh, how time flies!

As a prosecutor, I worked very long hours managing 75+ cases with numerous witness and traumatized victims. It seemed I was always preparing for a jury trial, a preliminary hearing, or some other court proceeding. There were sleepless nights and many weekends at the office. Even when I wasn't working, I was still thinking about work, especially my cases involving victims of violent crimes. These cases could be particularly

challenging with victims who were fearful and who sometimes refused to cooperate.

I remember one case in particular that stuck with me. This victim had been robbed and severely beaten to the point of unconsciousness. Yet, at first, he refused to identify the defendant as his attacker. At one point, the victim even purposely gave the police a false description of the defendant. The victim feared not only for his safety, but also for the safety of his stepdaughter, as the defendant was the ex-boyfriend of the victim's stepdaughter and the father of her young son. The case was complicated with a history of domestic disputes and intimidation by the defendant. The attack against the victim had been in retaliation for coming to the aid of his stepdaughter following a domestic dispute with the defendant several weeks earlier.

Initially, no one wanted to testify against the defendant at trial – not the victim, not the victim's stepdaughter, nor the neighbor who witnessed the violent attack. It took a lot of time and effort, but eventually they all agreed to testify. The



victim finally came to the realization that the intimidation and violence would continue unless he found the courage to take the stand and identify the defendant as his attacker. In the end, the jury convicted the defendant of battery and robbery. My concerns for the victim did not end, however, with the successful prosecution of the defendant. I couldn't help but wonder whether the victim would ever fully recover from the emotional trauma of the attack or even from the family turmoil.

The gravity of working with victims of crime deeply affected me, especially working as a juvenile dependency lawyer representing abused and neglected children in the foster care system. The goal of reunification was not always in the best interest of my clients, and often-times the older foster children aged out of the foster care system with little or no support. I'll never forget the tragic case of one client neglected by parents struggling with addiction and abused by a relative. The parents were unable to care for my client who was developmentally delayed and had extreme behaviors that required a high level of care. As a result, she lived in two group homes and was hospitalized before eventually being placed in a treatment center for emotionally disturbed children. The treatment center was the most restrictive out-of-home placement in the foster care system. Sadly, it was unlikely my client would ever reunify with her family. This was a heartbreaking reality for too many of

my clients in the foster care system. Sometimes, even doing the best you can, things still turn out not the way you had hoped.

Statistics illustrate a troubling reality when it comes to wellness within the legal profession. Many studies have shown that lawyers experience high levels of stress, depression, and anxiety in their work. A recent study found that 75% of lawyers frequently work significant hours and 39% of lawyers reported that this

negatively impacts their personal lives.¹ More troubling is the number of lawyers who struggle with substance abuse and mental illness. Approximately 30% of lawyers suffer from depression, 19% struggle with anxiety, and more than 20% are impaired by stress.² Given these sobering statistics, it's not surprising that lawyers are one of the top five professions with the highest suicide rate.

Statistics illustrate a troubling reality when it comes to wellness within the legal profession.

Additionally, the American Bar Association (ABA) has noted that "at least 25 percent of lawyers who face formal disciplinary charges from their state bar are identified as suffering from addiction or other mental illness," and that substance abuse plays a role in "60 percent of all disciplinary cases ... 60 percent of all malpractice claims and 85 percent of all trust fund violation cases."³ Of course, the ABA requires lawyers to provide competent representation and defines competent representation as "the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation."⁴ In California, lawyers "shall not intentionally, recklessly, or repeatedly fail

to perform legal services with competence.”⁵ But what does it mean to be competent? In addition to diligence, learning, and skill, a lawyer must also apply “mental, emotional and physical ability reasonably necessary for the performance of all legal services.” Wellness is, therefore, an integral part of legal competency, and it should not be simply a mere afterthought.

As I progressed in my career, faith helped me understand the importance of wellness in my work with traumatized victims and managing the demands of the legal profession. Wellness and self-care are godly. Genesis 2:2 states: “And on the seventh day God ended his work which he had made; and he rested on the seventh day from all his work which he had made.” Admittedly, there are still weeks that require me to work long hours including Sundays. Being a lawyer in any practice area is rarely a 9 to 5 occupation; however, investing in my prayer life helps me maintain the wellness necessary to meet the demands of the legal profession, especially as a litigation attorney. A healthy vegetarian diet, fitness, and the support of my family also contribute to my wellness as an attorney.

Never has wellness been more important for me both professionally and personally than during this unprecedented year as the new Director of Legal Program for Christian Legal Aid of Los Angeles. At the same time COVID-19 quickly spread around the world and claimed thousands of lives, the death of George Floyd in police custody sparked outrage and protests across the country with Americans from diverse backgrounds and generations taking to the streets to demand justice and social change. These profound events occurring simultaneously were emotionally exhausting and even sometimes scary. Social distancing and face masks became the new normal as medical experts rushed to find an effective vaccine. Businesses shut down; unemployment soared. Life seemed tenuous and uncertain. The economic fallout from the virus triggered a significant increase in the demand for free legal advice. The number of calls to our office doubled in one month, with more and more clients

seeking assistance with evictions despite eviction moratoriums in Los Angeles during COVID-19. Through it all, I reminded myself of the importance of wellness, relying on faith to find peace in the uncertainty.

Our faith must remain constant even in the darkest of times.

Our faith must remain constant even in the darkest of times. The Bible tells us “they that wait upon the Lord shall renew their strength ... they shall run, and not be weary; and they shall walk, and not faint.”⁶ The Bible also tells us to “walk by faith, not by sight”⁷ and that “all things work together for good for those

who love the Lord.”⁸ It is my prayer that, as Christian lawyers, we always remember that when we hold onto our faith and rest in God, all is well no matter what challenges we face inside or outside the courtroom.



Carolyn Jefferson is Director of Legal Programs at Christian Legal Aid of Los Angeles. Carolyn was a television news reporter before going to McGeorge School of Law. She began her legal career as a prosecutor and then worked in healthcare law and served a juvenile dependency attorney representing abused and neglected

children in foster care systems.

END NOTES

- 1 “Lawyer Wellness & Mental Health: Changing the Conversation,” Sam Rosenthal, *Clio Blog*, February 6, 2019.
- 2 “Well-Being for Attorneys,” Stewart Levine, *ABA Law Practice Today*, January 14, 2019.
- 3 “Confronting a Legal Profession in Distress,” Law.com Editorial Board, *Law.com*, December 15, 2017.
- 4 American Bar Association, Model Rules of Professional Conduct, Rule 1:1.
- 5 California Rule of Professional Conduct, Rule 3-110.
- 6 Isaiah 40:31.
- 7 2 Corinthians 5:7.
- 8 Romans 8:28.

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Zooming to the Glory of God

BY BRENT AMATO AND MIKE SCHUTT

“I hope you and your family are well in these tough times.”

“May the Lord keep you sane in these trying days.”

It is increasingly difficult to continue to find email salutations and sign offs that both acknowledge that we live in an age of pandemic and radical political upheaval and yet still manage somehow to bypass the elephant in the room to get on to the ordinary stuff of life – questions about daily tasks, engaging in regular work conversations, and the like.

How often do you find yourself struggling to live in the present rather than biding your time for “life to go back to normal?” How can we live faithfully moment by moment, hoping for change, yet living as if life is *now*? Because life *is* now.

One of the purposes of Christian Legal Society – according to its bylaws – is “To provide a means of society, fellowship and nurture among Christian attorneys.” Then came COVID-19 with its “quarantine” and “stay-at-home orders” and resulting isolation. How does an organization whose purposes include providing “society, fellowship and nurture” achieve that in the time of COVID-19?

CLS attorney and student chapters, along with the rest of the world, are finding ways to love one and another and their neighbors, even in the absence of meeting face to face, primarily through Zoom meetings all around the country. A benefit of meetings by Zoom is that the chapters have had easier access to CLS national staff speakers on a variety of topics. For example, during the last month, Brent, who lives in the Chicagoland area, has had an opportunity to “visit” and speak to chapters in Phoenix, Arizona; Dallas, Texas; Orange County, California; and Memphis, Tennessee. Similarly, Mike has given talks “in” Topeka, Tampa, Tucson, and San Francisco; visited “face to face” with students from all over the country; and listened to academic lectures from Washington, Grand Rapids, and the Eastern Shore of Maryland. CEO David Nammo has even shown up at chapter meetings on occasion to just sit and listen.

CLS also has continued its summer Law School Fellows program on an extended schedule over the summer, hosted national law student mixers and meetings, and offered our staff and partners as speakers to electronic meetings for attorney chapters from coast to coast.

Yes. We've all figured out what Zoom is all about, and we are now used to seeing the back rooms of our friends and colleagues as backdrops to regular conversation. We've all adjusted, of course.

The results have been surprising. Virtual meetings have not caused, as some "old codgers" predicted, the end of civilization as we know it. In fact, on one hand, we have all been surprised by the benefits. Let's just say that a blessing in disguise of COVID-19 has been pushing this nearly 60-year-old organization into the 21st century. On the other hand, "being together" only digitally has been unsatisfying in a number of ways. As CLS' own Brent Amato, an Italian hugger – and possibly an "old codger" – observes: "One good hug is worth more than a thousand computer screen talking heads."

We agree with many of you that "virtual" is never as good an encounter as "actual" with its personal contact and "touches," and even hugs. But as someone once said, "Desperate times call for desperate measures."

We'll leave you with some random observations about our Attorney and Law Student Ministries' experiments in "gathering" while physically apart.

1. Chapter meetings, for both lawyers and students, have been just as well attended in many places, and the fellowship has been significant. Busy lawyers don't have to leave the office, fight traffic, or find parking, so the time commitment is easy. One attorney said that he loved the Zoom format because he "could look at everyone face to face, rather than at the backs of their heads." Thanks to the Zoom Breakout Room functions, attorneys and students are reporting much more intimate sharing.
2. Better speakers and a broader reach. Some chapters have invited folks from around the country to join in on the meetings, and they have been able to bring in "national" speakers at no cost to speak.
3. "Office Hours." At Law Student Ministries, Mike Schutt was able to sit at his desk with Zoom open and wait for interested students to pop in and chat. It was convenient for him, and it resulted in some of the most fun and encouraging interactions with student leaders all year.

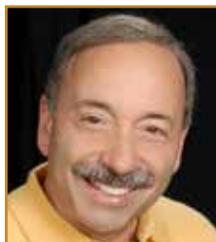
On the other hand ...

4. It turns out the coordinating Zoom calls for work, CLS meetings, church, and friends, on top of usual daily work tasks is really exhausting. The emotional toll of the ubiquitous video call is now infamous.

5. We have bodies and need human contact, and sharing with one another, even with a good visual, does not make the human connections that we need.

The expanded reach and benefit of the "Zoom connection" and all the good it has brought will stay with us as we exit the Age of Social Distancing. We are very grateful for the technology and means to "be with" friends and colleagues, but we will need to learn to handle its deficiencies and stresses, which will be much diminished when we are able to shake hands and hug one another in greeting.

Until then, may the Lord be with you in these interesting times.



Brent Amato is Christian Legal Society's Chicagoland Law Student & Attorney Ministries Coordinator. Brent leads Project Barnabas, which seeks to identify and train lawyers in the later stages of their careers as mentors and encouragers. Brent practiced business/corporate law in the Chicagoland area since 1976 and retired as Vice-President, General Counsel for Heritage-Crystal Clean. Brent is a family man, married to Sherrie since 1976. They are blessed with two children and five grandchildren.



Mike Schutt is the director of CLS' Law Student Ministries and the Institute for Christian Legal Studies (ICLS), a cooperative ministry of CLS and Trinity Law School. Mike is the author of *Redeeming Law: Christian Calling and the Legal Profession* (IVP 2007) and the editor-in-chief of the *Journal of Christian Legal Thought*.



The Ramifications of the *Bostock* Decision

BY KIM COLBY

The Supreme Court's decision on June 15, 2020, in Bostock v. Clayton County¹ signifies a seismic shift in the law that will have ramifications – some predictable but many unforeseen – for years to come. This article will briefly discuss some of the ramifications of the Bostock decision; for a more in-depth discussion of the decision, please read the companion article in The Journal of Christian Legal Thought.²

The LGBT Movement's 50-Year Effort to Re-define Title VII

Congress enacted Title VII of the Civil Rights Act of 1964 to prohibit discrimination against an individual in employment “because of such individual’s race, color, religion, sex, or national origin.”³ All agree that when Title VII was enacted in 1964, Congress had no intention of prohibiting discrimination on the basis of sexual orientation or gender identity.

Beginning in the 1970s, the LGBT movement worked to persuade Congress to amend Title VII by adding “sexual orientation” and, later, “gender identity,” as protected classes. Such legislation failed to be enacted.

Simultaneously, the LGBT movement pressed federal courts to interpret Title VII to include sexual orientation and gender

identity within the already-existing prohibition on sex discrimination. Until April 2017, no court of appeals had agreed to do so.⁴

But the courts’ consensus abruptly altered in 2017, when the Seventh Circuit re-defined “sex discrimination” to prohibit employment discrimination based on “sexual orientation” and “gender identity.”⁵ The Second and Sixth Circuits quickly followed in the Seventh Circuit’s footsteps. In *Zarda v. Altitude Express*, a skydiving instructor was fired after a customer alleged that he had touched her inappropriately. The employer responded to the instructor’s sexual orientation discrimination suit with a motion for summary judgment, relying on long-standing Second Circuit precedent. Eventually, the Second Circuit, sitting en banc, ruled that Title VII covered sexual orientation discrimination.⁶ In *EEOC v. Harris Funeral Homes*, a funeral home owner fired an employee who announced that, as part of his transition, he would dress as a woman at work. A Sixth Circuit panel ruled that Title VII prohibited gender identity discrimination in employment.⁷ In *Bostock v. Clayton County, Georgia*, a county employee claimed that his employer’s proffered reasons for firing him were pretextual and that he was fired because of his sexual orientation. An Eleventh Circuit panel upheld the trial court’s dismissal of his suit based

on circuit precedent that held Title VII did not cover sexual orientation discrimination.⁸

The Supreme Court Re-defines Title VII

The Court heard oral argument in the last three cases in October 2019. On June 15, 2020, the Court announced its 6-3 ruling that Title VII prohibits sexual orientation and gender identity discrimination.⁹ Justice Gorsuch characterized his opinion for the Court as a “textualist” reading of Title VII that was based on the “ordinary public meaning” of Title VII in 1964.¹⁰ Yet Justice Gorsuch also acknowledged that Congress in 1964 would have been surprised by his opinion. As Justice Alito in his dissent observed, “While Americans in 1964 would have been shocked to learn that Congress had enacted a law prohibiting sexual orientation discrimination, they would have been bewildered to hear that this law also forbids discrimination on the basis of ‘transgender status’ or ‘gender identity,’ terms that would have left people at the time scratching their heads.”¹¹

In a masterful dissent, Justice Alito, joined by Justice Thomas, evoked “a pirate ship” image for the majority opinion, as “sail[ing] under a textualist flag, but what it actually represents is a theory of statutory interpretation . . . that courts should ‘update’ old statutes so that they better reflect the current values of society.”¹² Justice Alito detailed the flaws with the Court’s opinion, including the long history of failed efforts to amend Title VII in the courts and Congress. All three dissenters described Justice Gorsuch’s approach as “literalist” rather than “textualist.” Justice Kavanaugh’s dissent focused on the unconstitutional violation of the separation of powers created by the Court’s usurpation of Congress’ legislative function.

The Ramifications of *Bostock*

At oral argument, Justice Gorsuch had foreseen “massive social upheaval” if Title VII were re-interpreted to include sexual orientation and gender identity.¹³ His majority opinion, however, brushed aside the consequences, implying it might be possible to confine its logic to Title VII, while punting the consequences for religious freedom to future cases.¹⁴ Nonetheless, *Bostock*’s ramifications are breathtaking, including:

1. Federal laws that prohibit sex discrimination:

Over 160 federal statutes that currently prohibit sex discrimination¹⁵ are now likely to be re-interpreted to include sexual orientation and gender identity discrimination, including Title IX’s broad prohibition on sex discrimination in education.¹⁶

2. State and local laws that prohibit sex discrimination:

Before the *Bostock* decision, 23 states had enacted laws prohibiting sexual orientation discrimination in employment, while 20 states prohibited gender

identity discrimination. With the *Bostock* decision, federal law prohibits employment discrimination on the basis of sexual orientation in the remaining 27 states, and on the basis of gender identity in the remaining 30 states – without a single vote being cast by those states’ legislators.

Equally importantly, 24 states previously prohibited sex discrimination in employment, but not sexual orientation and gender identity discrimination.¹⁷ Many state supreme courts now are likely to adopt Justice Gorsuch’s logic and re-interpret their state laws’ prohibition on sex discrimination to include sexual orientation and gender identity. Why does that matter? Because Title VII’s exemption for religious employers’ religious discrimination serves as a defense against federal claims, but not against state claims. While some state laws include religious exemptions, their scope varies. Moreover, state legislators might have provided broader religious exemptions if they had anticipated that they were prohibiting sexual orientation and gender identity discrimination when they prohibited sex discrimination.

3. Equality Act: Despite claims that *Bostock* diminishes momentum for the so-called Equality Act,¹⁸ its passage will remain a high priority for the LGBT movement. While *Bostock* eliminates the need for Congress to amend Title VII, other significant areas of federal nondiscrimination law do not prohibit sex discrimination, such as federal public accommodations law in Title II¹⁹ or federal financial assistance law in Title VI.²⁰ The Equality Act vastly expands the definition of “public accommodation,” which is not “limited to a physical facility or place”²¹ but encompasses nearly every business,²² as well as “an individual whose operations affect commerce and who is a provider of a good, service, or program.”²³ The Equality Act would render the Religious Freedom Restoration Act toothless.²⁴

4. Title VII exemption for religious employers: Title VII has strong protection for religious employers, but its scope is contested as to the breadth of the definition of “religious employers” who are entitled to claim the exemption.²⁵ And while Title VII defines “religion” broadly,²⁶ many liberal academics claim that a religious employer’s right to hire employees of a particular religion does not protect a religious employer’s standards of conduct for employees. That is, a Baptist college may limit its hiring to Baptists but may not refuse to hire a Baptist who enters a same-sex marriage. Future litigation is likely.²⁷ And, of course, Congress might have provided even broader religious exemptions had it known



in 1964 that it was also prohibiting sexual orientation and gender identity discrimination.

5. Ministerial exception: Rooted in both the Free Exercise and the Establishment Clauses, the ministerial exception requires judges to dismiss most cases involving religious congregations' and religious schools' employment decisions regarding the persons who lead worship or teach doctrine.²⁸ Even if the case involves race, sex, or other protected classes, the courts must respect religious organizations' autonomy. The ministerial exception, however, covers only a subset of religious employees.

6. Religious Freedom Restoration Act (RFRA): For six years, Congress has been under intense pressure to eviscerate RFRA's protections, especially in the non-discrimination context. The House of Representatives passed the Equality Act in May 2019, with its provision eviscerating RFRA. The misnamed "Do No Harm Act" would also gut RFRA if enacted.²⁹

7. The Free Exercise Clause: After the Court's 1990 decision in *Employment Division v. Smith*,³⁰ which severely weakened the Free Exercise Clause's protections, constitutional protection for religious exercise essentially went into hibernation for three decades. Yet in the past three years, the Court has issued three rulings in which the Free Exercise Clause seems to be reawakening. If the Court fails, however, to overrule

Smith next term in *Fulton v. City of Philadelphia*,³² religious freedom will continue to have no meaningful federal protection against state and local nondiscrimination laws, or at the federal level should RFRA's protections be diminished.

There are also two long-term ramifications of the *Bostock* decision. While its potential damage to religious freedom is deeply troubling, the *Bostock* opinion does even worse damage. Most fundamentally, the rule of law, and a self-governing republic, are possible only if words have objective meaning – the ordinary public meaning at the time the law is passed – that judges respect when they interpret and apply the law. *Bostock* erodes this essential element of the rule of law. The textualist legal movement promised an authentic respect for the rule of law. Such respect allows citizens to reach legislative compromises for pressing problems, but compromise requires citizens' confidence that judges will apply the legislative compromises as they are written.

Finally, even more troubling is *Bostock*'s betrayal of the many law students who daily articulate principled positions during classroom discussions at their schools. At serious personal reputational risk, these students articulate an idea deeply unpopular with their ideologically intolerant professors and classmates³³ – that the People's elected representatives' words have objective meaning that, when enacted into law, judges are duty-bound to honor by their oath to uphold the Constitution. The *Bostock* decision yanked the rug out from under these



students. They – and the country – deserved better.

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END NOTES

- 1 *Bostock v. Clayton Cty., Ga.*, 140 S. Ct. 1731 (2020), which is also the Court's opinion in *Altitude Express v. Zarda*, No. 17-1623, and *R.G. & G.R. Harris Funeral Homes v. EEOC*, No. 18-107.
- 2 The Fall 2020 edition of *The Journal of Christian Legal Thought* will be on the CLS website at <https://www.christianlegalsociety.org/resources/publications/journal-christian-legal-thought>.
- 3 42 U.S.C. § 2000e-2(a)(1).
- 4 *Bostock*, 140 S. Ct. at 1777 (Alito, J., dissenting) (listing cases).
- 5 *Hively v. Ivy Tech Comm. College of Ind.*, 853 F.3d 339 (2017) (*en banc*).
- 6 883 F.3d 100 (2d Cir. 2018) (*en banc*).
- 7 884 F.3d 560 (6th Cir. 2018).
- 8 723 Fed. Appx. 964 (11th Cir. 2018) (*per curiam*).
- 9 *Bostock*, 140 S. Ct. 1731.
- 10 *Id.* at 1738.
- 11 *Id.* at 1772 (Alito, J., dissenting).
- 12 *Id.* at 1755-56 (Alito, J., dissenting).
- 13 *Harris Funeral Homes v. EEOC*, No. 18-107, oral arg. trans. at 25, https://www.supremecourt.gov/oral_arguments/argument_transcripts/2019/18-107_c18e.pdf.
- 14 *Bostock*, 140 S. Ct. at 1753-54.
- 15 140 S. Ct. at 1791-96 (Alito, J. dissenting) (App. C) (listing 160 statutes).
- 16 See, e.g., *Whitaker v. Kenosha School District*, 858 F.3d 1054 (7th Cir. 2017) (Title IX prohibition on sex discrimination includes prohibition on gender identity, allowing transgender student to sue a school district for access to bathrooms and locker rooms of the student's choice).
- 17 Three states do not have nondiscrimination laws regarding employment.
- 18 H.R. 5, 116th Cong., at <https://www.congress.gov/116/bills/hr5/BILLS-116hr5rfs.pdf>; S. 788, 116th Cong., at <https://www.congress.gov/116/bills/s788/BILLS-116s788is.pdf> (46 co-sponsors).
- 19 42 U.S.C. § 2000a.
- 20 42 U.S.C. § 2000d.
- 21 H.R. 5, § 3(c).
- 22 *Id.*, § 3(a)(2)(c) (the definition includes in part "any establishment that provides a good, service, or program, including a store, shopping center, online retailer or service provider, salon, bank, gas station, food bank, service or care center, shelter, travel agency, or funeral parlor, or establishment that provides health care, accounting, or legal services").
- 23 *Id.*, § 3(c).
- 24 *Id.*, § 9.
- 25 E.g., *Spencer v. World Vision*, 633 F.3d 723 (9th Cir. 2011).
- 26 42 U.S.C. § 2000e(j) ("The term 'religion' includes all aspects of religious observance and practice, as well as belief, unless an employer demonstrates that he is unable to reasonably accommodate to an employee's or prospective employee's religious observance or practice without undue hardship on the conduct of the employer's business.>").
- 27 See Carl H. Esbeck, *Federal Contractors, Title VII, and LGBT Employment Decisions: Can Religious Organizations Continue to Staff on a Religious Basis?*, OXFORD JOURNAL OF LAW AND RELIGION, Volume 4, Issue 3, October 2015, Pages 368–397 (2015), at <https://academic.oup.com/ojlr/article-abstract/4/3/368/1557522>.
- 28 *Our Lady of Guadalupe v. Morrissey-Berru*, 140 S. Ct. 2049 (July 8, 2020).
- 29 H.R. 1450, 116th Cong., at <https://www.congress.gov/116/bills/hr1450/BILLS-116hr1450ih.pdf>; S. 593, 116th Cong., at <https://www.congress.gov/116/bills/s593/BILLS-116s593is.pdf>.
- 30 494 U.S. 872 (1990).
- 31 *Espinoza v. Montana Department of Revenue*, 140 S. Ct. 2246 (2020); *Masterpiece Cakeshop, Ltd. v. Colorado Civil Rights Comm'n*, 138 S. Ct. 1719 (2018); *Trinity Lutheran Church v. Comer*, 137 S. Ct. 2012 (2017).
- 32 *Fulton v. Philadelphia*, 922 F.3d 140 (3d Cir. 2019), *pet. filed*, No. 19-123 (July 22, 2019).
- 33 Aaron Haviland, *I Thought I Could Be a Christian and Constitutionalist at Yale Law School. I Was Wrong*, *The Federalist* (Mar. 4, 2019), <https://thefederalist.com/2019/03/04/thought-christian-constitutionalist-yale-law-school-wrong/>.



Make Law Your Ministry, Not Your Meaning

How to Survive and Thrive in Law School and Life

BY MARK POLITO

A Christian Law Student's Letter of Encouragement

Dear Future Attorney,

Congratulations on beginning your legal journey! Fewer than 1% of college graduates enter law school.¹ You are one of the select few who answered God's call to use your mind, heart, and faith to move His kingdom forward in the legal profession.

As a Christian, you will not be exempt from the trials and suffering of this broken world. Statistically, you, a classmate, or a loved one will face the mental health challenges that are prevalent in the legal profession. Today, between 30 and 50% of your law school classmates are battling the darkness of depression, anxiety, or loneliness that has led to this profession's high rates of life dissatisfaction, mental illness, substance abuse, and suicide.² But God created you for just this moment in history!

There is no better time, place, or field to be the hands and feet of Jesus.

Your Purpose is the Strongest Predictor of Life Fulfillment and Academic Thriving

The National Task Force on Lawyer Well-Being identified six critical and equally important elements – mental, physical, intellectual, social, occupational, and spiritual – that are necessary to ensure lawyer well-being.³ The Bible and multiple secular studies tell us that the spiritual dimension – our “purpose” and “what we are living for” – is the *most important element to our well-being and the strongest predictor of academic thriving*.⁴ “What we are living for” directs our time, focus, energy, and, most importantly, the who (or what) we love.

The Biggest Lie: Pursuing False Idols that Lead to a Meaningless Life

As Christians, we know that we are working for the eternal and can only take two things to heaven: (1) the good we did



in obeying the Lord to move His kingdom forward; and (2) the people we “loved to Jesus.”⁵ Jesus Christ gives us an eternal unchanging purpose and mission. If, however, we choose something else, trusting in that thing to define our purpose, happiness, and self-worth, then we’ll be constantly stressed, depressed, and, ultimately, find life meaningless.⁶

Studies show that beginning in their 1L year, students move from wanting to “do good and be good” to focusing on the external – grades, achievements, money, and prestige.⁷ As they do so, their mental health and life satisfaction declines. The move to external materialism (false idols) is the top predictor of decreased well-being.⁸ The study *What Makes Lawyers Happy?* reinforced these findings, showing that the achievements on which law students focus, such as school rank, grades, and making law review, had little to no effect on happiness and well-being. This trend continued into the legal profession. For example, “prestige” lawyers with the highest pay, best law grades, partnerships, and external success were less happy than public service attorneys who had far less earnings and “prestige.”⁹

Jesus Loves You Now – 100%

Jesus’ love for you is not based on your achievements. You are secure in His love and can rest in Him. He loves you 100% right now, as you are, and you can’t do ANYTHING to make Jesus love you more or less. Whether you’re first in your class, dead last, or leave law school to pursue His calling elsewhere, it will not change God’s love for you nor your ability to pursue His mission. His love is unchanging and never ending. You are a

living, breathing, walking miracle made in the image of God – special, unique, and beautiful now and forever.¹⁰

Put Your Oxygen Mask on First: Self-care Strategies so that You Can Care for Others

You have to be healthy to be able to help others. Law school overloads students. If you don’t set limits, you’ll burn out, so make your mental, physical, and spiritual health the priority.

Find First Responder Friends and Be a First Responder Friend

Try to find one or two “safe” people who you can freely talk to about your emotional and mental health and who will listen, encourage, and pray for you. And do the same for others. In law school it is easy to be negative, so if you’re an “encourager,” you’ll stand out and make friends fast.¹¹

Mental Coaching – Secrets of Professional Athletes and Wise Law Students

Professional athletes, such as LeBron James and Duke University’s championship basketball team,¹² utilize mental coaches and counselors because they know that their mental health is just as important to their success as their physical health. Your success in your career and as a law student is 100% dependent on how you think. Many schools provide mental coaches for free (counselors, wellness coaches, etc.). Make it a priority by scheduling recurring appointments and treating them like a class.

Prayer and Gratitude

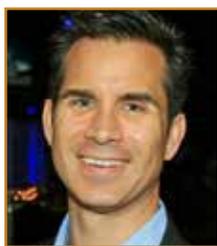
When you wake up, avoid rushing to pick up your phone, study, or search social media. Begin the day with a prayer of thankfulness. Being grateful reduces anxiety and keeps you happy throughout the day.¹³ Have a similar evening routine of gratitude before you go to sleep.

Rest – Observing the Sabbath

We need rest to recharge, and the Lord blesses you for making Him a priority. Research shows that our memories need time to rest.¹⁴

Work as if You're Working for the Lord

The Lord's purpose allows you to securely work for the joy of serving others. This process naturally leads to the traits found in "happy lawyers."¹⁵ In turn, you will be better able to show your classmates, future coworkers, and clients the grace, mercy, and love of Jesus Christ, especially to people who are often in the worst place of their lives.



Mark Polito spent 20+ years in management consulting, process improvement, and as an entrepreneur that started and sold two small businesses. He has a B.A. from Duke University, an MBA Southern Methodist University, and is currently a rising 3L at Regent University School of Law. Mark is a man saved by the grace

and mercy of Jesus Christ. Prior to law school, he based his value on his achievements. Then major depression stripped him of his cognitive abilities, identity, and job, but the Lord used that suffering to teach him about His unconditional love and purpose for Mark. He called Mark to Regent School of Law and surrounded him with classmates and professors who showed him Jesus every day. Their love and kindness changed Mark's life forever. So, be His love and measure your life by the love you give and the lives you change for the Lord.

END NOTES

- 1 <https://educationdata.org>; <https://blog.spiveyconsulting.com/aba-2019-data/>.
- 2 Benjamin, Andrew, 1986, "The Role of Legal Education in Producing Psychological Distress Among Law Students and Lawyers," *American Bar Foundation Research Journal*, vol. 11, no. 2, 225-252 (finding that "17-40% of law students and alumni in [the] study suffered from depression, while 20-45% of the same subjects suffered from other elevated symptoms"). For an extensive list of the

30+ years of research on student and attorney wellness, see Reich, Jarrod F., 2019, "Capitalizing on Healthy Lawyers: The Business Case for Law Firms to Promote and Prioritize Lawyer Well-Being," *Georgetown Law Faculty Publications and Other Works*, 2193.

- 3 The National Task Force on Lawyer Well-Being, *The Path to Lawyer Well-Being* (2017); <https://lawyerwellbeing.net/lawyer-well-being-week/>.
- 4 *Id.* at 56; see also <https://psychcentral.com/news/2019/12/27/finding-meaning-in-life-linked-to-physical-mental-wellness/152520.html>.
- 5 Matthew 22:35-40; John 13:34-35.
- 6 Matthew 6:33; Matthew 22:35-40; Exodus 20:1-17; *Put God First - Denzel Washington*, *Youtube.com*, https://www.youtube.com/watch?v=BxY_eJLbflk&feature=youtu.be; *Every Good Endeavor: Connecting Your Work to God's Plan for the World*, Timothy J. Keller ("You will not have a meaningful life without work, but you will lose yourself if you say work is the meaning of your life."); Pew Research Center, <https://www.pewforum.org/2018/11/20/where-americans-find-meaning-in-life/>.
- 7 Sheldon, Kennon M., and Krieger, Lawrence S., 2004, "Does Legal Education Have Undermining Effects on Law Students? Evaluating Changes in Motivation, Values, and Well-Being," *Behavioral Sciences and the Law*, vol. 22, no. 2, 261, 281 (2004).
- 8 Kasser, Tim, and Kanner, Allen D., *Psychology and Consumer Culture: The Struggle for a Good Life in a Materialistic World* (2004).
- 9 Lawrence S. Krieger and Kennon M. Sheldon, *What makes lawyers happy? A Data-Driven Prescription to Redefine Professional Success*.
- 10 John 3:16; Ephesians 2:8-9; Matthew West, *Walking Miracles*, 2020, https://www.youtube.com/playlist?list=OLAKSuy_l0Kl5WnoG-7muCOSggJ6C_h70rj6StvKE.
- 11 Ecclesiastes 4:9-12; Proverbs 17:17; Proverbs 18:24; 1 Corinthians 15:33; 1 Thessalonians 5:11.
- 12 Wise, Steve, *LeBron James Invests in his Mental Fitness and You Should Too*, February 24, 2020, <https://mental-fitness.us/2020/02/lebron-james-invests-mental-fitness/>; Duke University Official Athletics Website: <https://goduke.com/news/2018/7/30/211766427.aspx>.
- 13 Philippians 4:6-7; Harvard Medical School Health, <https://www.health.harvard.edu/healthbeat/giving-thanks-can-make-you-happier>.
- 14 Brown, Peter, and McDaniel, Mark, *Make It Stick: The Science of Successful Learning* (2014).
- 15 Lawrence S. Krieger and Kennon M. Sheldon, *What makes lawyers happy? A Data-Driven Prescription to Redefine Professional Success*, 83 GEO. WASH. L. REV. 554 (2015).



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- Montgomery Village
- Montgomery County Correctional Facility

MICHIGAN

Detroit Metro Area
Christian Legal Aid of Southeast Michigan

Grand Rapids Metro Area
West Michigan Christian Legal Aid

Kalamazoo
Christian Legal Aid of Southwest Michigan

Lansing
Christian Legal Aid of Lansing

MINNESOTA

Minneapolis
Park Avenue Walk-in Legal Clinic

Twin Cities
Twin Cities Christian Legal Aid (TCCLA)

MISSISSIPPI

Jackson
Mission First Legal Aid Office

MISSOURI

St. Louis Metro Area
New Covenant Legal Services

NEW JERSEY

Newark Metro Area
Immigrant Hope

NEW MEXICO

Albuquerque
New Mexico Christian Legal Aid

Las Cruces
Catholic Charities of Southern New Mexico

NEW YORK

New York City
Open Hands Legal Services, Inc.

NORTH CAROLINA

Durham
Justice Matters

Raleigh
Campbell Community Law Clinic

OHIO

Cleveland
Scranton Road Legal Clinic

Westerville (Columbus Metro Area)
Vineyard Immigration Counseling Service

Toledo
Christian Legal Collaborative

OKLAHOMA

Oklahoma City Metro Area
Trinity Legal

- Crossings Community Center
- Cross and Crown Mission
- City Rescue Mission
- Living Faith Ministry
- Salvation Army – Norman

Tulsa
Tulsa Dream Center

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

Murfreesboro
Murfreesboro Christian Legal Clinic

Nashville Metro Area
Compassionate Counsel

TEXAS

Houston
Houston Legal Aid Center

Houston
Community Christian Legal Aid

VIRGINIA

Arlington
Restoration Immigration Legal Aid

Northern Virginia
Good Samaritan Advocates

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

Roanoke
Roanoke Rescue Mission

WASHINGTON

Seattle
Open Door Legal Services

WISCONSIN

Milwaukee
JC Legal Resources Center INC

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





CHRISTIAN LEGAL SOCIETY
LAW SCHOOL
FELLOWS

May 23-29, 2021

**Program Information Available Now
Applications Open September 7**

Christian Legal Society's (CLS) Law School Fellows program is a week-long summer program designed for law students seeking a deeper understanding of the nature and sources of human law. The week will provide theological and philosophical tools for a mission-minded approach to legal study and law practice.

The CLS Law School Fellows program is designed for students who are entering their second or third year of law school. Expenses are covered by the program.

Equipping Law Students to Walk with Integrity

**PROFESSIONAL
INTEGRITY**

**CHRISTIAN
JURISPRUDENCE**

**VOCATIONAL
STEWARDSHIP**

From our 2020 Fellows

"I will forever consider the program a significant supplement to my law school education and a stepping point into greater learning." - 2L Penn State Law

"Participating just furthered my love for CLS, its mission, and the focus on relationships and support within the Christian legal community." - 3L Pepperdine School of Law

*"Connecting with others who are pursuing law as a calling to be used for God's glory and for the aid of those around us provides the double blessing of spiritual encouragement and variety of perspectives on how to implement faith in the day to day."
- 2L University of San Diego School of Law*

*"These fellowship sessions left me better equipped to evangelize through academia, correct when led to do so, and love as Christ deemed necessary."
- 3L University of South Carolina School of Law*

*"Even with all the obvious challenges associated with this year, the CLS Law School Fellow Virtual Program proved to be a highlight of my summer."
- 2L University of Georgia School of Law*

**CLS
FELLOWS
.ORG**



Sally Wagenmaker,
President and
Chairman of the Board

“Taste and see that the Lord is good; blessed are those who take refuge in him.... Those who seek the Lord lack no good thing.”

How do we take comfort from the familiar words of Psalm 34 amidst pandemic fatigue, racial tensions, virtual church, and so many uncertainties? Job answers in faith: “Yet will I hope in him.... This will turn out for my deliverance” (Job 13:15-16). Habbakuk likewise expresses hope, even joy: “Yet I will rejoice in the Lord, I will be joyful in God my Savior.”

How do we live out in hope and joy? One wise answer is to seek out fellow Christian lawyers and law students for encouragement and support, to grow together in fellowship and love. Another way is to share Christ with those who don't know Him. These answers lie at Christian Legal Society's core, through biblically approaching the law and related issues. Yet now, we face enormous challenges, including bridging political, cultural, and other divisions.

And yet: These days I am praying more. Are you too? These days, I am thankful for deepened family ties, my daily bread, the ability to work, reflection, and my internet connection. Are you too? God's amazing provision reveals our utter dependence on Him.

And yet: CLS is vibrantly continuing its four-fold mission focusing on lawyers, law students, religious freedom, and legal aid. Check out CLS' website (www.christianlegal society.org) to find out about CLS' recent webcasts on religious freedom, racial justice, and COVID-related issues, plus other valuable ministry resources. Get the Cross & Gavel app, too, for more fantastic CLS content. Enjoy this edition of *The Christian*

Lawyer on the providentially perfect topic of wellness.

And yet: CLS local chapters also continue to meet around the country, whether through Zoom or other means. Need a speaker? CLS speakers' bureau is available. Don't have a local chapter? CLS has started a pilot online fellowship group, so that many more can connect together through CLS' ministry. CLS is financially healthy too, with a terrific and talented staff and a strong national board.

And yet: Our CLS Board unanimously approved shifting the 2020 National Conference online. We mourn losing this deeply cherished annual gathering for friendship, fellowship, learning, and growth together. Lord willing, CLS' virtual 2020 National Conference will offer new and incredible opportunities for current CLS members and many more lawyers and law students to experience rich conference offerings. Please pray that this 2020 conference (as all others before it) will be the BEST conference ever!

And yet: Consider what Jesus' mother Mary did, in similarly facing a troubled world full of discord, uncertainty, and fear. She “treasured up” the gift of Jesus (Luke 2:19). With this Good News firmly in our hearts, minds, and souls, let us keep encouraging each other in Christ (Hebrews 10:25), unified through CLS and beyond, whether we meet and pray together virtually, in person, through phone calls, via email, or however else the Lord provides!

2020 CLS NATIONAL CONFERENCE

NOW VIRTUAL
OCTOBER 15-18, 2020



FEATURED SPEAKERS



OS GUINNESS



ROD DREHER



HELEN ALVARÉ



DEXTER NUTALL

RELIGIOUS FREEDOM PANEL FEATURING



**THE HONORABLE
KENNETH STARR
MODERATOR**



**THOMAS
BERG**



**KIM
COLBY**



**CARL
ESBECK**



**DOUGLAS
LAYCOCK**



**MICHAEL
MCCONNELL**

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