CHRISTIAN LAWYER®

A PUBLICATION OF CHRISTIAN LEGAL SOCIETY

CHRISTIAN LEGAL SOCIETY'S

CENTER FOR LAW &

RELIGIOUS FREEDOM CELEBRATES

The state of the s

ALSO IN THIS ISSUE

The Reckless Spending of Ourselves

by Anton Sorkin

The Equal Access Act Miracle
Interview with Kim Colby

Protecting Pluralism by Lori Kepner

FROM THE EXECUTIVE DIRECTOR





David Nammo

Executive Director

& CEO

My first job at CLS was for the Center for Law & Religious Freedom but not as one of the cool religious freedom attorneys.

Back when I was more of a journalist with a new law degree, the "then" Center Director Steve Mc-Farland reached out to me to get my help in writing radio spots for *Moody Radio* about the work of the Center.

It was my first foray into really reading and understanding the religious freedom battles the Center engaged in and continued to tackle on behalf of individuals, religious institutions, churches, and the like. Sure, I had learned a little of it in constitutional law class in law school, but nothing like the briefs, motions, decisions, and so on that I was steeped in while writing these 90-second spots.

It is amazing to think that, back in 1974, CLS realized the need for some entity to step forward and begin defending religious freedom and then met that need by establishing the Center for Law & Religious Freedom in 1975.

Our country and attitudes toward religious freedom have changed so much since then. In the 70s and 80s, some of our biggest critics were fellow Christians who claimed Jesus would never defend "drug users" (Native American religious drug use) or Rastafarian or any religion that was not Christian. Yet as attorneys, we understood the importance of the legal principle and that, one day, we might need those same religious freedom protections. Fifty years later, it is now Christians, churches, and

religious individuals who understand and support the idea of religious freedom for everyone, because they have come under attack for their beliefs.

Whether it is our work on the Equal Access Act, the Religious Freedom Restoration Act, the Religious Land Use and Institutionalized Persons Act, many state RFRAs, or other state legislation the Center has worked on in the last five decades—not to mention the many clients, decisions, briefs, and court cases over the years—the footprint of the Center is almost too big to really comprehend. But whatever the scorecard may say, we give the glory to the Lord, who does not need us to defend the faith yet invites us to do so in many ways.

Essentially, the Center's work helps maintain an open marketplace of ideas. As a Christian, I want to have the opportunity to speak and live out my faith as my conscience dictates, including sharing the gospel.

More than any nation on Earth, religious freedom stands brightest in the United States, despite our struggles. But if, gradually over time, the lamp of freedom is extinguished, who will carry the light of religious freedom forward? We work hard to never have to face the answer to that question. Fifty years later, it is a pleasure, honor, and blessing to continue the work of our Center for Law & Religious Freedom. We owe a debt and an appreciation to the many Center attorneys, clients, and friends who stepped into the breach over the years to make sure the lamp of freedom continues to shine bright.

CHRISTIAN LAWYER® vol. 21, no. 2 | fall 2025

The Christian Lawyer®is

CHRISTIAN LEGAL SOCIETY 8001 Braddock Road, Suite 302 Springfield, Virginia 22151 ChristianLegalSociety.org 703-642-1070 **EDITOR-IN-CHIEF**Jeff Peck

DECLON

Perceptions Studio

COPY EDITOR

aura Nammo

EDITORIAL EMAIL

FOR ADVERTISING inquiries, email clshq@clsnet.org.

Advertising in *The Christian Lawyer®* does not imply editorial endorsement. Opinions expressed in *The Christian Lawyer®* are solely the responsibility of the authors and are not necessarily those of the editors or members of Christian Legal Society.



MANUSCRIPT POLICY

CLS encourages the submission of story ideas from readers but does not accept unsolicited manuscripts or poetry. A query letter describing a proposed manuscript must first be sen to clshq@clsnet.org. Any unsolicited manuscripts will not be returned.

IN THIS ISSUE

Center Celebrates 50 Years	
Center Marks 50 Years of Defending Religious Freedom and Life	
The Equal Access Ad Interview with Kim C	ct Miracle8 Colby
Has RFRA Restored Steve McFarland	Freedom 32 Years On?
"Impressions" of the Center's Early Years. 15 Michael J. Woodruff	
Policy Control of the	CHRISTIAN LEGAL AID
	How Christian Attorneys Live out the Gospel
	LAW STUDENT MINISTRIES
	The Reckless Spending of Ourselves
	CENTER FOR LAW & RELIGIOUS FREEDOM
	Protecting Pluralism
	ATTORNEY MINISTRIES
	Workshops on Vocation & Law Set Stage for Local Adoption
	Spring and Summer Highlights
	Attorney Chapters
	Christian Legal Aid Clinics

WWW.CHRISTIANLEGALSOCIETY.ORG



center marks 50 Years

OF DEFENDING RELIGIOUS FREEDOM AND LIFE

In 1961, a small group of attorneys formed Christian Legal Society. They labored out of the limelight. They built relational capital, networked people together, and helped attorneys mature in their faith in a difficult industry.

Then, in 1975, Chris Hall at Campus Crusade for Christ urged CLS board members William "Skeeter" Ellis and Robert Toms to launch a center focused on defending religious freedom. Nobody really knew how God might use this novel idea. With 50 years in the rearview mirror, like everything God does, it is astonishing to see what He has done.

The Center for Law & Religious Freedom (the Center) was a response to legal and cultural shifts that were restricting religious individuals' ability to express their religious beliefs in the public square. Protecting religious student groups' right to meet on their high school and college campuses was the primary motivation for founding the Center.

The Center dove in with the first of its 106 briefs filed with the United States Supreme Court. The brief urged the Court to review a deeply troubling California state court decision in Johnson v. Huntington Beach Unified School District. The California court had ruled that a voluntary high school Bible study club could be denied equal access to meet on campus like other student groups. The Supreme Court denied the petition.² The trend of school administrators thinking that the Establishment Clause meant no religious speech was allowed on school property gathered momentum with additional Second and Fifth Circuit decisions (New York and Texas, respectively) further closing access to, at the time, mostly evangelical student groups who had previously met on campus without incident. But this did not discourage or stop the Center from moving forward. The Center's early mission was to end discrimination against religious speech in the public square.

Playing the long game

The Center entered the 1980s with no peers. CLS was pioneering a new type of religious freedom defense model: a legal staff unaffiliated with a particular denomination dedicated to pro-

tecting religious freedom in the courts and legislature. Faithfulness, not headlines, kept the team focused.

As the 1980s began, two providential events strengthened the Center. Sam Ericsson became the first, full-time Center director and brought the Center to Washington, D.C. A few months later, the Supreme Court decided *Widmar v. Vincent*³—the turning point in protecting religious freedom on university campuses. Five years later, in the first case heard by the Supreme Court addressing whether religious student groups could meet in high schools, the Center successfully represented a group of religious students who had been denied the right to meet for prayer and Bible study on an equal basis with other student groups meeting on their high school campus.⁴

At the same time, the Center was instrumental in the passage of the Equal Access Act of 1984 (EAA),⁵ which extended the *Widmar* precedent to public high school and middle school spaces. (See Kim Colby's interview for the fascinating details, p. 8.) In 1990, in the landmark decision in *Board of Education v. Mergens*,⁶ the Court held that the EAA was constitutional. That decision eventually led to correction by the Ninth Circuit in another equal access case in which the Center helped represent the students.⁷

The 1990s began with the Supreme Court handing religious freedom a great win for equal access in *Mergens* and a devastating loss for religious freedom in *Employment Division v. Smith.*⁸



Board members William "Skeeter" Ellis, Jr. and Robert Toms launch the Center in 1975.

In response to *Smith*, the Center co-led the lobbying by a coalition of 68 organizations from across the political and religious spectrums to re-establish strong religious freedom protection for Americans of all faiths. This labor bore fruit in 1993 when President Clinton signed into law the Religious Freedom Restoration Act (RFRA)⁹ that, for 32 years now, has protected all Americans' religious freedom from federal government interference. (See sidebar for details, p. 12.) The Center has tirelessly worked to defend RFRA in the courts and was instrumental in the fight to have dozens of states adopt their own RFRAs.

The Center's work has extended to state and lower federal courts as well. For example, Center Director Steve McFarland successfully argued before the Washington Supreme Court *First Covenant Church of Seattle v. City of Seattle*, ¹⁰ a case involving the constitutionality of historic preservation ordinances as applied to religious properties. The court ruled in favor of the church and held that the Seattle preservation ordinance infringed upon the church's religious freedom under the Free Exercise Clause and the state constitution's equivalents.

Center attorneys also served in the vanguard of the Charitable Choice movement, beginning with the federal welfare reform law in 1996, which freed religious ministries to compete equally for federal grants to provide social ministries to the underprivileged in their communities. And the Center helped protect churches' financial stability by testifying before Congress in support of the Religious Liberty and Charitable Donation Protection Act, which passed in 1998.

While the Center generally focuses on domestic religious freedom, it has often found itself working for international religious freedom as well. In the 1980s, Executive Director Lynn Buzzard played a key role in the release of the "Siberian Seven," a Pentecostal Russian family that found itself in diplomatic limbo after seeking refuge in the American Embassy in Moscow. In the late 1990s, the Center helped secure the passage of the 1998 International Religious Freedom Act. 12 Steve McFarland later



CLS frequently joined allies like the American Jewish Congress to support religious freedom initiatives.



High school students from the influential Bender case that went to the Supreme Court.

left the Center to become the first executive director of the U.S. Commission on International Religious Freedom.

In addition to providing direct representation to religious individuals and organizations, the Center burnished its reputation as an amicus curiae powerhouse, providing some of the best legal work in cases before appellate courts, including the Supreme Court. This reputation for excellence is due in large part to the fact that renowned religious freedom scholars often author the Center's briefs—leading scholars such as Professors Ed Gaffney, Tom Berg, Doug Laycock, Michael McConnell, Carl Esbeck, Rick Garnett, John Inazu, and Michael Paulsen. Dozens of Christian denominations, other faith organizations, and parachurch nonprofits routinely join the Center's amicus briefs.

All tallied, the Center has filed 291 amicus briefs, including 106 briefs with the U.S. Supreme Court, 72 in federal appeals courts, 36 in state supreme courts, and 17 in trials courts. In the last year alone, the Center filed amicus briefs in 15 cases.

In the 1990s, the Center also enhanced its reputation for working with other organizations to provide guidance to help government officials "get religious freedom right"—in other words, to prevent religious freedom problems before they arise. For example, the Center helped draft guidance for school officials regarding permissible religious expression in the public schools. Joined by Jewish, Muslim, and Christian organizations, the joint statement was endorsed by 35 groups from across the religious and political spectrums. President Clinton's Department of Education adapted the joint statement into a guidance document sent to all the nation's school superintendents to help them understand better how to protect students' religious freedom. Under Presidents George W. Bush, Donald Trump, and Joseph Biden, the Department of Education has continued to issue updated versions of the Clinton guidance.



Center staff during the 1980s, many of whom were critical to passage of the Equal Access Act.

The Center also worked on joint statements regarding the Bible in public schools, holiday observances in public schools, and employees' freedom of speech and religious exercise in the federal workplace, among other coalition work.

The year 2000 opened with the Center again leading a coalition to pass, nearly unanimously, through Congress the Religious Land Use and Institutionalized Persons Act (RLUIPA). This important law strengthened religious protections for churches in zoning matters and for prison inmates.

A voice for life

In the 1980s, the Center represented pro-life religious organizations who intervened to defend the constitutionality of a federal law, the Adolescent Family Life Act, that included funding for religious instruction on sexuality. The Supreme Court ruled that such funding did not violate the Establishment Clause, an important step in protecting religious organizations' ability to participate in federal grant programs.

When Sam Casey took the helm of CLS as executive director in 1994, the Center took an even more active role in advocating for pro-life protections. Since then, the Center has filed or joined amicus briefs in every life case before the Supreme Court, from abortion clinic counseling¹⁴ to partial-birth abortion¹⁵ to physician-assisted suicide¹⁶ to protecting the sanctity of human life.¹⁷

In 2004, the Center assisted in passing the Weldon Amendment, which has been adopted annually by every Congress since. It protects the right of medical providers to refuse to participate in abortions.

Most recently, the Center has represented pro-life organizations, such as Gateway Crisis Pregnancy Center, 18 as they suffer harassment from hostile state governments because of their pro-life work.

Discrimination and First Amendment burdens continue

In the 2000s, the Center assisted numerous chapters of Child Evangelism Fellowship (CEF) in carrying out their after-school ministry to elementary school students. Even after the Supreme Court ruled that community religious groups like CEF could meet after school in elementary school classrooms, recalcitrant school districts refused to distribute their permission slips to parents, despite their distributing information for other community groups. For example, Center attorneys helped an Oregon CEF club that had been denied access for after-hours school building use. Then Assistant Center Director Greg Baylor took its case to the Ninth Circuit. Center attorneys similarly won the right of CEF clubs to have their permission slips distributed in the Third Circuit¹⁹ and Fourth Circuit²⁰ after New Jersey and Maryland school districts denied their right to equal access.

In 1981 and 1995, the Supreme Court had held that the Establishment Clause did not justify education administrators' denial of equal access to religious groups. ²¹ But in the mid-1990s, college administrators conceived a new justification for discriminating against religious groups: nondiscrimination policies. Nondiscrimination policies that were intended to protect religious students began to be utilized to exclude their groups from campus. According to college administrators, it was religious discrimination for a religious student group to require that its leaders agree with its defining religious beliefs. Often CLS law student chapters were told they could not ask their leaders to agree with CLS' Statement of Faith. But it is common sense, not discrimination, for *Christian* Legal Society chapters to ask their leaders to hold core *Christian* beliefs. The Center successfully filed several lawsuits to defend CLS student chapters. For



Center staff head into the 2000s with Greg Baylor (front row, far right) directing the work.

5



Sam Casey, Matt Staver, and Steve McFarland with client Judy Madsen during a successful pro-life case, Madsen v. Women's Health Center.

example, in 2006, in Chrisian Legal Society v. Walker,22 the University of Southern Illinois ("SIU") told a CLS student chapter it could not require its officers to sign the CLS Statement of Faith and revoked the chapter's status as a recognized student organization, alleging it violated SIU's nondiscrimination policy. The Seventh Circuit ruled that SIU likely had discriminated against CLS based on its religious viewpoint and must restore recognition to the student group. In 2010, the Supreme Court agreed to review a case in which a San Francisco law school used its nondiscrimination policy to deny recognition to a small group of CLS students. A closely divided Court sidestepped the issue on which the petition for a writ of certiorari had been granted whether a nondiscrimination policy could be used to exclude a religious student group with religious requirements. Instead, in CLS v. Martinez, 23 the Court ruled, 5-4, that the law school had a novel "all-comers" policy that prohibited all student groups from having any leadership or membership standards based on beliefs.

Although the *Martinez* decision was extremely narrow, many education administrators failed to understand it dealt only with an "all-comers" policy that almost never exists in the real world. Indeed, such a policy cannot be applied to religious student groups if a college allows sororities and fraternities to choose their leaders and members based on sex.

Joining with other campus ministries, the Center has invested considerable time and effort since *Martinez* successfully defending CLS chapters and other religious student groups at Vanderbilt University, The Ohio State University, the University of Wisconsin, Arizona State University, Texas A&M, the University of Idaho, and more.

In 2020, the Center and other campus ministries were instrumental in the Department of Education's adoption of a regulation to protect religious student groups on public college campuses.²⁴ From 2021 through 2024, the Center and its friends led

the opposition to the Biden Administration's proposal to rescind that regulation, which, by God's grace, successfully resulted in retention of the regulation. And the Center continues its 13-year effort to see Congress pass legislation protecting college religious groups.

The Center continued its robust amicus work, including filing in support of Jackson Women's Health Organization in the history-changing *Dobbs* decision that overturned *Roe v. Wade*²⁵ and *Planned Parenthood v. Casey.*²⁶

In the 2000s, the Center also filed multiple amicus briefs in the appellate courts and the Supreme Court in opposition to the Health and Human Services mandate requiring religious organizations to pay for potential abortifacients for its employees.²⁷ These briefs and others filed by the Center urged the Court to interpret RFRA and RLUIPA to protect the religious freedom of Americans of all faiths.²⁸

The Center continues to advocate through amicus briefs for the overruling of *Employment Division v. Smith*. In key cases, the Center has filed in support of a religious organization or individual being denied free speech or free religious exercise by government officials wielding nondiscrimination laws to harm rather than protect religious persons and ministries.²⁹

The Center continues to fuel a decade-long resistance to the American Bar Association's Model Rule 8.4(g), when, in 2016, the ABA sought to impose a speech code (with possible career-damaging sanctions) on attorneys who run afoul of the new discrimination morality. Any state could potentially adopt the rule. Only two states have adopted ABA Model Rule 8.4(g), and seven others have adopted a modified version of ABA Model Rule 8.4(g), most of them only after declining to adopt the model rule itself. The Center has led a concentrated effort to inform states, as they consider adopting the model rule, why they should not adopt it. The Center has informed state bar associations and supreme courts through its comprehensive comment letters of the

Center Leadership Through the Years

. CLS Board Committee
Samuel Ericsson
Michael Woodruff
Steve McFarland
Prof. Carl Esbeck
Greg Baylor
Kim Colby
Laura Nammo (Interim)
Steve McFarland



Child Evangelism Fellowship clients in Texas. The Center defended CEF in multiple successful cases across several states.

dangers of adopting such a speech code for attorneys and has encouraged attorneys to submit comment letters as well.

Showdown at the Ninth Circuit

In 2019, school officials in San Jose, California, *de*recognized a Fellowship of Christian Athletes (FCA) club that had been meeting without incident at their public high-school. The Center, with the aid of the Becket law firm, fought the case up to the Ninth Circuit, winning on appeal. In September 2023, the en banc Ninth Circuit ruled that FCA students must be treated fairly and equally and that the district could not discriminate against their religious leadership standards under the First Amendment and the Equal Access Act.

This meant that 65 million Americans living in the Ninth Circuit's jurisdiction, easily the worst place for legal precedent regarding the rights of public high school students, discovered they now lived in one of the best jurisdictions for religious freedom.

The future of religious freedom

Looking back on 50 years, it is humbling to see a small Center of faithful attorneys and its network of allies show up at critical times and places for individuals and organizations who needed their expertise and encouragement. These fights aren't over. Each year people of faith find themselves self-censoring, disqualified, derecognized, defunded, or sued because their actions and views challenge what is thought to be good or true in the public marketplace. Pluralistic societies exist in a permanent state of tension. It's safe to predict that the need to defend and expand the religious protections necessary for a free society is a task for the ages—until Jesus returns.

ENDNOTES

- 68 Cal.App.3d 1 (Cal App.), cert. denied, 434 U.S. 877 (1977).
- The Court denied cert. because it was being asked to review a decision from a state court that was not the highest court in the state. And because denial of cert. has no precedential value, it does not "uphold" the reasoning of the court below.
- 3 454 U.S. 263 (1981).
- ⁴ Bender v. Williamsport Area Sch. Dist., 475 U.S. 534 (1986).
- 20 U.S.C. §§ 4071-4074.
- 6 496 U.S. 226 (1990).
- 7 Garnett v Renton Sch. Dist., 987 F. 2d 641 (9th Cir. 1993). At the time of the Court's Mergens decision, a cert. petition in Garnett was before the Court, on which the Court granted cert., vacated the judgment, and remanded to the district court (496 U.S. 914 (1990)). The Ninth Circuit later found in favor of the religious student group.
- 8 494 U.S. 872 (1990).
- 9 42 U.S.C. §§ 2000bb-2000bb-4 (1993).
- 10 840 P.2d 174 (1992).
- The Charitable Choice principles were enacted first as part of the 1996 welfare reform law to govern spending by states of their Temporary Aid For Needy Families (TANF) block grant funds. In 1998, Charitable Choice was added to the Community Services Block Grant program that provides funding to community action agencies and for services they provide in low-income neighborhoods. In 2000, two separate laws added Charitable Choice to SAMHSA (Substance Abuse and Mental Health Administration) substance abuse funding. All these bills were signed into law by President Bill Clinton.
- ¹² Pub. L. 105-292, 105th Congress (signed October 27, 1998).
- 13 Bowen v. Kendrick, 487 U.S. 589 (1988).
- 14 Madsen v. Women's Health Ctr., Inc., 512 U.S. 753 (1994).
- 15 Stenberg v. Carhart, 530 U.S. 914 (2000); Gonzales v. Carhart, 550 U.S. 124 (2007).
- 16 Washington v. Glucksberg, 521 U.S. 702 (1997).
- $_{\rm 17}~$ Dobbs v. Jackson Women's Health Org., 597 U.S. 215 (2022).
- Is Gateway Pregnancy Center is a New Jersey crisis pregnancy center being aggressively and unfairly harassed by the New Jersey Attorney General. The Center also filed two amicus briefs (at the cert. and merits stages) with the Supreme Court in 2025 in First Choice Women's Resource Centers, Inc. v. Platkin, No. 24-781, on behalf of five other similarly situated ministries.
- 19 Child Evangelism Fellowship of New Jersey v. Stafford Township Sch. Dist., 386 F.3d 514 (3d Cir. 2004).
- 20 Child Evangelism Fellowship of Maryland v. Montgomery Cty. Public Sch., 373 F.3d 589 (4th Cir. 2004); Child Evangelism Fellowship of Maryland v. Montgomery Cty. Public Sch., 457 F.3d 376 (4th Cir. 2006).
- Widmar v. Vincent, 454 U.S. 263 (1981); Rosenberger v. Rector and Visitors of the University of Virginia, 515 U.S. 819 (1995).
- 22 453 F.3d 853 (7th Cir. 2006).
- 23 561 U.S. 661 (2010).
- ²⁴ 4 C.F.R. §§ 75.500(d) & 76.500(d).
- 25 410 U.S. 113 (1973).
- 26 505 U.S. 833 (1992).
- 27 Burwell v. Hobby Lobby Stores, Inc., 573 U.S. 682 (2014); Little Sisters of the Poor Saints Peter and Paul Home v. Pennsylvania, 591 U.S. 50 (2020).
- See, e.g., Tanzin v. Tanvir, 592 U.S. 43 (2020); Holt v. Hobbs, 574 U.S. 352 (2015); Gonzales v. O Centro Espirita Beneficente Uniao do Vegetal, 546 U.S. 418 (2006).
- 29 303 Creative LLC v. Elenis, 600 U.S. 570 (2023); Fulton v. City of Philadelphia, 593 U.S. 522 (2021); Masterpiece Cakeshop v. Colorado Civil Rights Comm'n, 584 U.S. 617 (2018).

The Equal Access Act Miracle

INTERVIEW WITH KIM COLBY,

OF COUNSEL AND FORMER DIRECTOR OF THE CENTER FOR LAW & RELIGIOUS FREEDOM

Forty years ago, CLS and its Center for Law & Religious Freedom were instrumental in passing the federal Equal Access Act, 20 U.S.C. §§ 4071-4074 (EAA), that protects the right of students to meet for prayer and Bible study in public secondary schools. At the time, one critic of the EAA wrote that its enactment "was itself something of a political miracle." And he was right.

In our current political climate, passing legislation has become increasingly rare and vanishingly so with true bipartisan support. The story of how equal access for religious groups succeeded is an example of God using a humble band of followers to expand His kingdom. *The Christian Lawyer* (TCL) sat down with one of those followers, Kim Colby, to shed light on how the EAA's passage defied all odds.

TCL: What was the backdrop for the EAA? Why would such an act be necessary?

Kim: In the 1960s, the U.S. Supreme Court ruled that public schools could not begin the school day with prayer and Bible reading. The Court ruled against several other school-led religious activities as well. As a result, public school administrators believed that religious activity in any form was not allowed on public educational property. "No religion allowed" was the sign on the schoolhouse gate.

CLS started hearing about students who wanted to meet for Bible study and prayer but were told they could not on high school property even though other students could meet to play chess, discuss books, or promote social concerns. Just as one example, in Sonoma, California, in the early 1980s, a high school provided a smoking lounge for students but told the religious students they could only meet outside behind the band building!

Some courts began to rule against allowing religious student groups to meet because, in their misguided view, that would violate the Establishment Clause. The Second Circuit Court of Appeals wrote that it was "too *dangerous* to permit" these religious student groups to meet because other students might mistakenly think the school supported their religious beliefs.

In a case brought by the ACLU, the Fifth Circuit required the Lubbock School District to shut down the high school students' meeting for Bible study and prayer. So, we had two important courts of appeals saying the Constitution prohibited religious students from meeting. It was court-sanctioned discrimination against religious speech.

TCL: So, the judiciary is coalescing around this distorted view of the Constitution. Was there a case that began to reject this thinking?

Kim: In 1981, the Supreme Court decided a college case, Widmar v. Vincent. The University of Missouri had denied Cornerstone, a religious student group, the right to meet like more than 100 other student groups that the University allowed to meet for all kinds of speech. The University said the Establishment Clause was violated by a religious student group using an empty classroom's light and heat. Two CLS members—Jim Smart and Mike Whitehead—represented the students all the way to the Supreme Court! The Court held that not only was the Establishment Clause not violated, but also that the free



Kim Colby is interviewed following a Supreme Court case.



United States Supreme Court. Photo taken November 19, 1962.

speech rights of the student group *had been* violated. The Constitution protects students' rights to meet for religious speech, including prayer. *Widmar* was a real turning point.

TCL: So why did we need the EAA after the *Widmar* win?

Kim: Within days of the *Widmar* decision, we began to develop a strategy for applying *Widmar* to protect *high school student groups*. A footnote in *Widmar* had created uncertainty as to whether the Court thought high school students were mature enough to understand that just because they saw other students praying didn't mean the school was endorsing those prayers.

TCL: What was the Center's strategy to change things for middle and high school students?

Kim: There were two routes—get a Supreme Court decision and an act of Congress. In early 1982, a CLS member, Gerald Seevers, was at his church's coffee hour in Williamsport, Pennsylvania, when a high school student, Lisa Bender, told him their prayer group had been shut down. Jerry called us simply to ask what he should tell Lisa. The perfect case had found us! We filed a lawsuit in federal district court. In 1983, Judge William Nealon ruled that *Widmar*'s reasoning should apply to high school students' religious speech. Given the times, it was a courageous decision. A school board member appealed to the Third Circuit.

We were also working a second case. After the bad Fifth Circuit decision in Lubbock [Civil Liberties Union v. Lubbock Independent School District], the school board asked CLS' Executive Director Lynn Buzzard to assist by filing a friend-of-the-court brief urging the Supreme Court to hear its appeal. Lynn persuaded the Leon Jaworski to help us with the appeal. After retiring from his job lobbying for AT&T, Curran Tiffany, a Center staff attorney, persuaded 26 senators, including many Democrats, to sign onto the brief. It looked like we had momentum. But sadly, Mr. Jaworski passed away, and the Supreme Court denied review.

TCL: So, one case denied, the other hung up on appeal. Is there better progress with Congress?

Kim: Center attorneys Sam Ericsson and Steve Galebach and legal intern Lowell Sturgill drafted the original version of the EAA. Republican Senator Mark Hatfield of Oregon introduced the bill in 1982 to apply *Widmar*'s protection to high school student groups.

In 1983, Senator Hatfield re-introduced the EAA in the Republican-controlled Senate of the 98th Congress. Importantly, thanks to the *Lubbock* amicus brief, we had senators of both parties as co-sponsors, including Senator Biden, who served on the Judiciary Committee that would decide whether to send the EAA to the Senate floor. By May, we could point to the *Bender* [v. Williamsport Area School District] decision as judicial approval for the EAA's protection for high school students.



Rep. Carl Perkins (D-K.Y.) played a critical role in getting the EAA passed.

New Alabama Senator Jeremiah Denton, a former Vietnam POW, really believed in this and introduced his own version of the bill. As a member of the Judiciary Committee, he held an influential hearing at which recent graduates, Lisa Bender and Bonnie Bailey, a Lubbock student, provided powerful testimony. Bonnie essentially said, "I can swear. I can use God's name in vain in the halls of my school. But I can't pray."

Education groups hated it. Some of that hostility was to religion, and some of it was they just didn't want to be told what to do. The ACLU was walking the halls against it. Powerful opposition. At one point, I got a call from Hatfield's great staffer Randy Sterns. He let me know there was a strong push to narrow the language from "generally allows student groups to meet" to "allows noncurriculum-related student groups to meet." I said, "Please don't do it. It'll be a huge loophole that will devastate the act." I pled that "one or more" be inserted before "noncurriculum-related groups," which he agreed to do. God's sovereignty became clear to me after the EAA was passed. Although I did not know it at the time, the "one or more" language became critically important in future court enforcement of the EAA against recalcitrant school districts.

TCL: A divided Congress needs to agree on both sides. What about the House?

Kim: Democrat Don Bonker from Washington state put the EAA into play for the Democrat-controlled House. We had crucial assistance in visiting offices from the Baptist Joint Committee for Public Affairs, the National Association of Evangelicals, the General Conference of Seventh-day Adventists, and the National Council of Churches.

The EAA was sent to the House Education and Labor Committee chaired by Carl Perkins, a vintage Southern Democrat representing Appalachian Kentucky. He was a good friend to the education groups. In one of the biggest miracles in this story, he became an immovable supporter of the EAA against the expressed opposition of the education lobby.

CLS member Ed Larson, who was very astute politically, worked on the staff of the House Education and Labor Committee. It's another "this would never happen" without Ed's work. To nail down Chairman Perkins' support, Ed told us that we must have someone—anyone—from Eastern Kentucky testify in favor of the EAA.

The internet was not available. I didn't know how to find someone. Meantime, we were setting up to have Lisa Bender and Bonnie Bailey repeat their testimony before the House Committee. I called Lisa's home, only to have her parents say that reaching Lisa was going to be difficult. She was in missionary training at a wilderness camp. Pre-cell phone, she only received phone messages once a week. I asked, "Where's the camp?" Her parents said, "Appalachian Kentucky." Amazing!

When Lisa testified, Perkins knew she was a temporary constituent. But she was *his* constituent for six months, and he was going to get this bill through.

TCL: It's a long way from committee hearings to passage on the House floor. Did anything else get in the way?

Kim: A big obstacle was House Speaker Tip O'Neill, who made clear that there would not be a floor vote. Chairman Perkins was not used to being disrespected. So, he pulled a procedural maneuver called "Calendar Wednesday." It allows a chairman to bypass the Rules Committee and bring a bill that had passed his committee directly to the House floor. The hitch? It needs a two-thirds majority to pass.

On May 25, 1984, the House voted. We won a solid majority but were 20 votes short of the supermajority. That really should have been the EAA's demise.

But Perkins was *really* mad at how he'd been treated. He said to us, "Get the biggest majority vote in the Senate you can and then come back here. I'll get you another vote."

Perkins accepted a raft of amendments to the EAA's language to win additional House members' support. The changes broadened the EAA to protect not just religious student groups, but also political, philosophical, and ideological groups. Establishment Clause concerns were addressed, too.

On June 27, 1984, the EAA passed the Senate with the overwhelming bipartisan majority of 88-11. It returned to Speaker O'Neill, who again tried to bury it. Perkins used "Calendar Wednesday" again, and this time we had our supermajority. President Reagan signed it into law on August 11.

The timing was incredible for two reasons. The day before the House vote, the Third Circuit reversed our win in *Bender*. Had the internet been available to House members in 1984, who knows how knowledge of that reversal would have affected their votes. On August 15, Chairman Perkins died of a heart attack on a flight home. He had been the indispensable man for the EAA.

TCL: A few more days and the EAA might never have happened. But legislation often gets challenged in court. How does it hold up?

Kim: We took the *Bender* case to the Supreme Court where we won on a procedural technicality, but the Court, 5-4, side-

stepped the free speech issue. Our limited win signaled that we likely would win a case on the merits in the future.

Four years later, in 1990, the Court in *Board of Education v. Mergens* ruled, 8-1, that the EAA did not violate the Establishment Clause and should be broadly interpreted to end discrimination against religious student groups.

TCL: How has the EAA fared in the last 41 years?

Kim: It's still good law. Despite occasional challenges from recalcitrant school districts, the lower courts have essentially given us everything we've wanted as far as interpreting the act to protect student groups. Our latest win was in 2023 in *Fellowship of Christian Athletes v. San Jose Unified School District.* An incredibly hostile school district badly mistreated wonderful students because of their traditional religious beliefs. The Ninth Circuit ruled that the school district must allow the FCA students to meet not only because of the Equal Access Act, but also because the Free Exercise and Free Speech Clauses protect their right to meet.



Has RFRA Restored Freedom 32 Years On?

BY STEVE MCFARLAND

The Religious Freedom Restoration Act (RFRA) remains a singular achievement in this nation's long history of religious freedom, and one of the Center's most significant legislative involvements. When Congress enacted RFRA by overwhelming bipartisan votes, and President Bill Clinton signed it in 1993, it rededicated the nation to religious freedom for *all* Americans.

RFRA was a response to the Supreme Court's devastating decision in 1990 in *Employment Division v. Smith*, 494 U.S. 872, where the Court remarkably announced that the First Amendment's protection of the free exercise of religion has little to say when government substantially burdens religious exercise but does so through a neutral application of a generally applicable law. Translation: think about a law against providing alcohol to minors being used to prosecute a priest for allowing a child to partake of Eucharistic wine. *Smith* effectively rendered the first 16 words of the First Amendment toothless.

In response to the *Smith* decision, a 68-member coalition of diverse religious and civil rights organizations (led by Christian Legal Society, the Baptist Joint Committee on Public Affairs, the National Association of Evangelicals, the American Jewish Congress, the Religious Action Center of Reformed Judaism, and the American Civil Liberties Union, among other groups) came together to encourage Congress to restore substantive protection for religious freedom. Back in the early 90s, the Left and Right could agree on the importance of returning legal muscle to the First Amendment's Free Exercise of Religion Clause. It seemed surreal to work alongside Bob Peck of the ACLU and to go to meetings on the Hill with People for the American Way sitting next to varied Baptists and every Jewish association. I am not sure we will ever see that day again (barring Divine intervention again), but it certainly was an honor for me to co-chair the coalition's lobbying on Capitol Hill.



The Center joined President Clinton upon his signing of the landmark RFRA legislation.

RFRA is the rare reminder that America's government is a government of limited powers—a government that defers to its citizens' religious freedom except in compelling circumstances. It embodies American pluralism by evenhandedly protecting religious freedom for all citizens.



President Bill Clinton signing RFRA on the South Lawn.

RFRA restored the legal test for violations of free exercise to what it had been before the *Smith* tragedy. The law once again places the burden on the government to demonstrate that a law is compelling and unachievable by less restrictive means. Even though the "compelling interest" test is a high bar, the government has won many cases brought under RFRA. RFRA's critical role is that it requires the government to demonstrate it actually has a compelling interest before it can force a citizen to choose between obeying his God or his government.

RFRA is a remarkable law because it reinforces three foundational commitments of American constitutionalism: commitments to limited government, to pluralism, and to religious freedom. RFRA is the rare reminder that America's government is a government of limited powers—a government that defers to its citizens' religious freedom except in compelling circumstances. It embodies American pluralism by evenhandedly protecting religious freedom for all citizens.

In the 32 years since, RFRA has routinely appeared in cases across the religious landscape, further cementing its precedence. To take just one example, after Hobby Lobby won their RFRA-based suit to refuse insurance mandates involving contraception, Christian groups proceeded to win 17 of the 21 RFRA-based contraception cases that followed. Yet some surveys show that the religious claimant wins RFRA claims about half the time, which may be as it should be. It ensures that government must prove an "interest of the highest order" to justify denying a religious exemption from a law.

RFRA restrains the federal government from substantially burdening religious free exercise. Federal regulations, especially strings on federal money, can infringe on this. So can criminal prosecutions. So can federal prison officials. So can federal employers. Our religious freedom is first threatened when the government infringes on the most powerless or unsympathetic. But RFRA puts the government to the test at these earliest violations, thereby protecting the rest of us.

Congress recommitted the nation to the foundational principle that American citizens have the God-given right to live peaceably and undisturbed according to their religious beliefs. In RFRA, a nation begun by immigrants seeking religious freedom renewed its pledge to be a perpetual sanctuary for all faiths.



STEVE MCFARLAND practiced employment, commercial, and religious freedom litigation in Seattle; directed the religious freedom and pro-life advocacy ministry

of Chistian Legal Society (1991-99 and again currently); was the first executive director of the U.S. Commission on International Religious Freedom, a federal agency; worked on prison reform at Prison Fellowship International and in the Office of the Deputy Attorney General, U.S. Department of Justice; and served World Vision/USA as its chief legal officer (2009-23).

ENDNOTES

Stephen Cranney, Are Christians More Likely to Invoke RFRA—And Win—Than Other Religions Since Hobby Lobby, 72 Mercer L. Rev. 585, 591 (2021).

"Impressions" of the Center's Early Years

BY MICHAEL J. WOODRUFF

Author Gary Saul Morson asked questions we might consider when reflecting on 50 years of work at the Center for Law & Religious Freedom:

Is life primarily a matter of great, dramatic events or small, ordinary ones? Is a person's experience best understood in terms of its most memorable occurrences which would make a good story - or is its essential quality defined by the countless infinitesimal impressions that elude narrative?¹

The humble fact is that we may think we know our own history, but we do not. We do not even know the extent to which others deserve credit for what we think were "our" accomplishments.² Sam Ericsson, CLS' executive director from 1985-1989 and 1990-1991, spoke of understanding life as a tapestry. We see the rough underside of the woven pattern with dark patches and tied knots. It is an enigma until God reveals the beautiful right side of the tapestry.

As I reflect on my 50-year-old memories, I think Morson's questions are pertinent. For example, it seems like a small, ordinary memory to assure quality control. Center attorneys sought to achieve the highest professional standards for excellence in their work product. They sought to persuade with compelling

arguments any justices and clerks who would read the amicus briefs. Justice William Rehnquist, the story was told, always wanted the AFL-CIO amicus brief brought to him when and if it was filed. He considered their work the standard. We wanted to beat that standard. We paid attention to detail and respected the art of making arguments that could stay within the page limitation. Today, many would agree, Center briefs routinely meet the highest standards.

While not all Center briefs ended up on the winning side, we knew even Center briefs on the losing side still served a vital educational purpose. Our arguments were vindicated in cases like *Widmar, Amos,* and *Mergens.*³

Coast to coast

It was 1985—after a 13-year Santa Barbara, California, trial practice—that my life was redirected to the East Coast. I decided to attend a trial of interest to me at the Los Angeles Superior Court involving John McArthur's pastoral staff at Grace Community Church. In a packed courtroom, I looked over the heads of the visitors to see none other than my friend, Sam Ericsson, at counsel table. I met Sam through a former InterVarsity colleague, Ed Bradley. Ed, Sam, and their families attended McArthur's church, where Sam had been its legal counsel and



Center staff Mike Woodruff (back row, third from left) and Kim Colby (front row, second from left) and Center intern Phil Andrews (backrow, third from right) join the rest of the CLS staff in this 1987 moment.

administrator. Ed would later serve CLS as director of membership ministries and development (1986-1989). Sam was as shocked to see me as I was to see him. I thought he was in D.C. because he left Los Angeles in 1981 to join CLS as special counsel, a position that attorneys William "Skeeter" H. Ellis, Jr., John Whitehead, and Carl Horn III had previously served. Sam would help the Center focus primarily on student rights in public education, drawing on the talents of exceptional people including Stephen Galebach, Kim Colby, Lowell Sturgill, Edward Larson, and Michael McConnell. Carl Esbeck and Steve McFarland would not only contribute to the Center's amicus briefs, but would also later lead the Center as directors.

On the day of my court visit, Sam was defending the church from a putative negligence claim of pastoral malpractice. Sam's skillful leadership and perseverance despite negative press paid off as, in the end, *Nally* represented a landmark victory for the church, pastors, and pastoral counselors.

During the lunch recess, Sam shared that CLS was in a leadership transition. Lynn Buzzard, CLS' executive director who followed Loyd G. Pearcy (part-time executive director) as CLS' first, full-time director, had resigned to join the law faculty at Campbell University. I knew from my time on the CLS Board that Lynn's calling to ministry and the law was a blessing from God to all CLS members and more—that he possessed remarkable talents of insight and articulation, as well as a passion for law and justice. Lynn spoke everywhere, saw everyone, knew CLS inside and out, and seemed irreplaceable.

When I told Sam I was awaiting my next assignment, he urged me to pray about working for CLS. I sensed a calling, so in 1985, I relocated my family to Northern Virginia. The Oak Park, Illinois, office closed to put CLS under one roof in an old but renovated house close to Washington, D.C. The Chicago era was being redirected. A new story had begun.

Training interns, building networks, speaking hard truths

Generous to a fault, Sam was the chief fundraiser, a skilled administrator, and a believer that more could always be done. He welcomed law students as Center interns to do research on religious freedom cases. He relished the law student intern program. Law students lived in our homes, receiving room and board and working on the *Religious Freedom Reporter*, researching cases, and writing legal memorandums.

Sam saw how their friendships and eventual placement within key governmental offices enabled federal law and policy chang-



CLS' first full-time Executive Director Lynn Buzzard.

es. Stephen Galebach and Lowell Sturgill went to the Department of Justice. Dr. Edward Larson was at the Department of Education. Others were staff to members of Congress. Without networking, the expertise and help of others, and Sam's fervent exhortations, the Equal Access Act (EAA) would not have been passed. Sam knew the story was miraculous. He told it that way—how Calendar Wednesday gave a senior Democrat in Congress the opportunity to call for a vote. The EAA was a major success that gave CLS more credibility in the specialty field of public education and student rights. Sam would later start Advocates International to carry the vision of practicing law as a ministry of Christian attorneys and judges to the world.

Kim Colby will remember an early morning trip by car from Virginia to a U.S. District Court in Scranton, Pennsylvania. The Supreme Court had just remanded the *Bender* case⁵ back to the trial court. The school board did not want to follow the Court's reinstatement of student rights. We had both a political and a legal problem. The lesson? To "do justice" (as Micah 6:8 says) takes perseverance and determination. We had to ask the district court to enforce its order by holding the school board in contempt.⁶

From the Center's earliest days, it resisted the enculturated secularity that preferred opinion to facts. There was opposition from the start in the *Huntington Beach* case. Center attorneys articulated a position that was delivered in secular settings. Opponents were debated. Young attorneys could learn diplomacy without compromise and how to make common cause with co-belligerents who would never be true allies.

Center attorneys were no different than CLS members, serving God through law by a divine call. What is this call? We can think of it as an answer to prayer, an awareness that the position we are in was God-directed, is fulfilling God's purpose, and will take our best efforts until we are reassigned or redirected.

One example of this was the invitation to the Center to have someone speak to the annual meeting of the National School Board Association (NSBA) about a textbook case. We knew Gus Steinhilber, NSBA's general counsel, from education cases at the Supreme Court. To prepare for the talk, I went to the office of Jordan Lorence, who was representing the parents protesting inappropriate occult content in elementary school textbooks. Jordan had those textbooks. He let me read them and make notes. Then, in my speech, I directly quoted the textbooks, asking if these quotes were appropriate as a matter of law and policy. This talk opened the door to more candor. The lesson here? Pay attention to facts so that the truth can prevail. Facts temper and sometimes crush ideological opinion.

Thinking Christianly about law

Advocating for truth included telling the story of Christianity and the law's development in Western Civilization. The Center sponsored a jurisprudence project coordinated by Curran Tiffany, a Center attorney, where scholars from many faith traditions presented views on law and religion. After one particularly robust debate, I wondered if civility had been breached, and relationships broken. But the next morning at breakfast, the scholar on the receiving end of the harsh criticism had a big smile. He said, "The Holy Spirit has such a sense of humor. You won't believe who was my roommate last night." We laughed together. The disputants had made peace. The Center's jurisprudence project sessions led to publications and influenced new academic initiatives. The emphasis on jurisprudence stimulated Christian scholarship in the coming decades. Faith and law were no longer superficial subjects. We were trying to love God with all our mind and strength and to articulate that law was more than man-made rules imposed by the power of government with or without public consent. Religious freedom was to be repositioned philosophically in the thinking of

judges and attorneys, and that included the law schools. The jurisprudence project was a start to the pushback against an anti-Christian legal culture.

Don't be fooled by the kitchen sink

I often wondered what the two Department of Justice attorneys really thought when they arrived in a big, black car to the small, old house in Springfield, Virginia, where the Center had its office. It was late on a rainy, Friday afternoon when they came to pick up a memo we had prepared for the attorney general's speech on religious freedom. The men entered my office—a.k.a the kitchen. My desk was a folding table next to a refrigerator. The printer finally pushed out the memo on perforated paper that had to be separated, stapled, and placed in an envelope while the men waited. Given the surroundings, I hoped they weren't doubting the request to have the Center assist the AG with the speech he was giving. My office may have been in the kitchen, but what we lacked in appearance we made up for with action. I knew Attorney General Edwin Meese would soon deliver an address on religious freedom. His words would matter, and the Center had been invited to influence the words of the AG.



Alice Curtis, Sam Ericsson, and Mike Woodruff.

Center attorneys were no different than CLS members, serving God through law by a divine call. What is this call? We can think of it as an answer to prayer, an awareness that the position we are in was God-directed, is fulfilling God's purpose, and will take our best efforts until we are reassigned or redirected. I am very grateful for the friendship and encouragement I received from so many CLS members when the Center staff was busy with publications, moot courts, briefs, speeches, meetings, and conferences. The seamless tapestry that God is weaving is the glorious CLS story, one to be fully known and told one great day, all in praise to God and thankfulness for His faithfulness. Professor John Witte, Jr. wrote,

All of history, in Martin Luther's words, is 'a demonstration, recollection, and a sign of divine action and judgment, how God upholds, rules, obstructs, rewards, punishes, and honors the world, especially the human world.' We are within time, yet we are able to transcend it. Through our conscience and imagination, we gradually discover something of the meaning of God's plan for each creature. Through our creativity and experimentation, we slowly uncover something of the majesty of God's plan for the creation.¹⁰

May we together "slowly uncover something of the majesty of God's plan" for the work of the Center, for each Christian Legal Society member, as all bear witness to the love of Jesus and his amazing grace—while doing justice, loving mercy, and walking humbly with God. Thanks be to God for the past 50 years of the Center's work defending religious freedom for all. Together, we humbly petition His direction for its future.

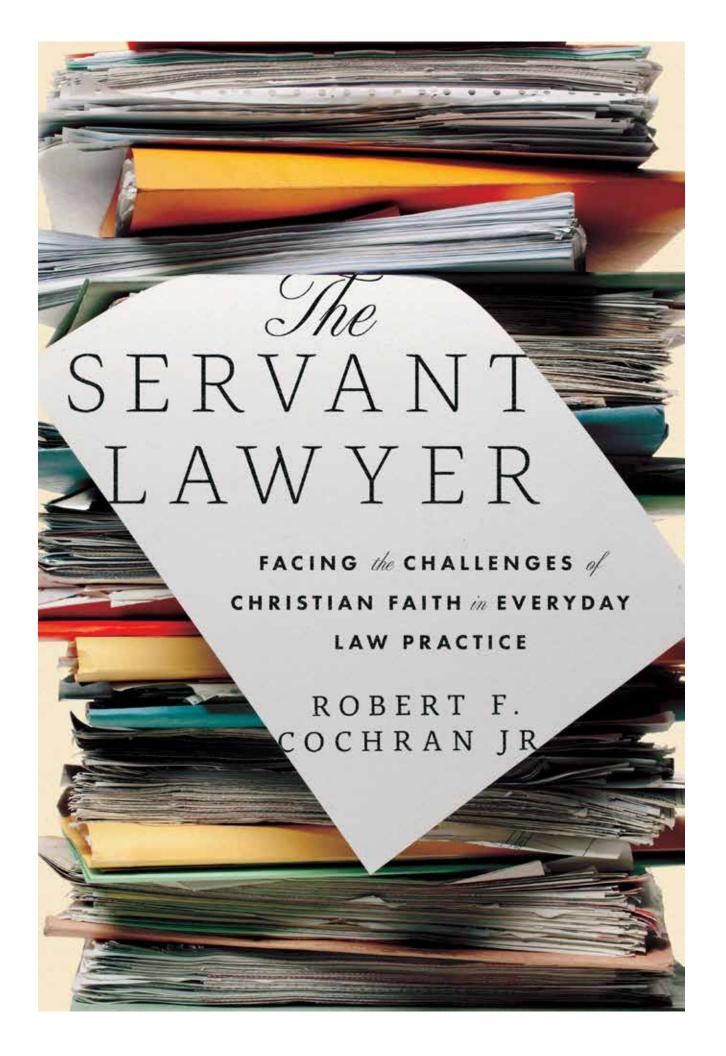


MICHAEL J. WOODRUFF was the director of the Center from 1985 to 1990. He practiced constitutional, nonprofit, and higher education law including a term as general

counsel for The Salvation Army, Western Region. He has published several scholarly articles and is an alumnus of UCLA Law School.

ENDNOTES

- G.S. Morson, Wonder Confronts Certainty: Russian Writers on the Timeless Questions & Why Their Answers Matter (Harvard University Press, 2025), 320.
- 2 This is apparent to me as I humbly reflect on the memories I have of serving with others under the banner of CLS. I owe a debt to so many and especially to God. All the story lines of life must await their true understanding and resolution in the presence of the Lord. Nevertheless, I am grateful to all of those who sacrificially served to advance the mission of CLS and the Center.
- 3 Widmar v. Vincent, 454 U.S. 263 (1981) (holding that when the government provides an "open forum," it may not discriminate against speech that takes place within that forum on the basis of the viewpoint it expresses—in this case, against religious speech engaged in by an evangelical Christian organization on a public university campus); Corp. of Presiding Bishop v. Amos, 483 U.S. 327 (1987) (holding that the exemption of religious organizations from the prohibition of religious discrimination in employment in Title VII of the Civil Rights Act is constitutional); Bd. of Educ. v. Mergens, 496 US 226 (1990) (holding that denying equal access to a religious club violated the Equal Access Act and that treating a religious club equally, including providing a sponsor like other clubs, would not violate the Establishment Clause of the First Amendment).
- 4 Nally v. Grace Cmty. Church, 47 Cal. 3d 279 (1988).
- s Bender v. Williamsport Area Sch. Dist., 475 U.S. 534 (1986). In this, the first case heard by the U.S. Supreme Court on whether religious student groups could meet in high schools for Bible study and prayer, the Center represented a group of religious students from Williamsport, Pennsylvania. The students were denied the right to meet for prayer and Bible study even though other student groups met on their high school campus. Although the Supreme Court ruled for the students only on procedural grounds and not on the merits, the case became the basis for the federal EAA and a Supreme Court victory four years later in Board of Education v. Mergens, 496 U.S. 226 (1990).
- 6 U.S. District Court Judge Nealon asked, "Why will the school board members not follow my order?" It was unanswerable. The school board's only option was to meet and vote to accept the Court's decision. Resistance would be a continuing feature of the church-state landscape. Even a Supreme Court ruling might not change public officials' firmly held opinion. They would not recognize students' speech rights that had been established in *Tinker Des Moines Independent Community School District*, 393 U.S. 503 (1969), because they resented their loss of authority over school operations.
- The Center submitted its first amicus brief on behalf of a student group's cert. petition at the U.S. Supreme Court in *Johnson v. Huntington Beach Unified School District*, 68 Cal.App.3d 1 (Cal App. 1977), a case in which a voluntary high school Bible study club sought recognition to meet during school hours. Though the Court denied the petition (434 U.S. 877 (1977)), that did not stop the Center from filing amicus briefs in future cases.
- 8 Mozert v. Hawkins Cnty. Bd. of Educ., 827 F.2d 1058 (6th Cir. 1987). School children and their parents brought an action seeking injunctive relief and money damages for alleged violations of their First Amendment right to free exercise of religion when the school required the students to read from textbooks the parents found offensive to their religious beliefs, thereby burdening the students' rights of free exercise of religion.
- 9 I thank God for Lynn Buzzard, Skeeter Ellis, Jay Poppinga, Bob Toms, John Brabner-Smith, Duncan Kilmartin, Kim Colby, Sam Ericsson, Ed Bradley, Laurie Eck, Tim Klenk, Brent Amato, Alice Curtis, Skip Li, Chip Grange, and so many more.
- $_{\rm 10}~$ J. Witte, Jr., God's Joust, God's Justice (William B. Eerdmans, 2006), 3.





BY BETH JONES

A Christian Legal Aid client recently shared with me that the service and support she receives in our monthly advisory clinic gives her hope and confidence and empowers her to advocate for herself and her children in other areas of her life. "Without that support, I honestly don't know how I would have made it this far. It's given me strength in one of the most challenging seasons of my life."

Serving others is an outward expression of our Christian faith. For believers, giving our time isn't just charitable, it's a response to the gospel. Scripture calls us to love our neighbors, to seek justice, and to serve with humility. One of the most powerful and practical ways Christian attorneys can live this out is by using their unique gifts to meet pressing, yet often overlooked, legal needs in our communities.

We are called to imitate Jesus, who "did not come to be served, but to serve, and to give His life as a ransom for many" (Mark 10:45). Jesus' ministry was marked by relentless compassion and service for the poor, the sick, the marginalized, and the oppressed. When we volunteer—whether in our churches,

neighborhoods, or legal aid organizations—we follow in His footsteps.

Volunteering builds up the body of Christ. Paul reminds us in 1 Corinthians 12 that we are each a part of one body, with diverse gifts given for the common good. Every believer has something meaningful to offer. From the person welcoming clients at the front door to the attorney offering legal representation, each role matters. When we use our unique abilities to serve others, we help fulfill the Church's mission of unity.

For Christian attorneys in particular, the call to volunteer carries a unique weight and opportunity. A law license is a powerful tool—and with that authority comes responsibility. When Christian attorneys step in to offer their services, they provide more than just legal advice and representation—they offer dignity, protection, and hope.

Proverbs 31:8–9 reminds us to "[s] peak up for those who cannot speak for themselves, for the rights of all who are destitute. Speak up and judge fairly; defend the rights of the poor and

needy." Pro bono and reduced-cost legal advocacy put this Scripture into action. Whether helping a family avoid eviction, guiding a domestic violence survivor through court, or assisting someone with record expungement, Christian attorneys are uniquely positioned to be voices for the voiceless.

Volunteering for a Christian Legal Aid clinic also shines a light in places where the gospel may not otherwise be heard. In a profession often associated with power and status, offering one's time to serve the poor is a quiet, albeit powerful testimony. Clients may not come looking for Christ but will surely leave having experienced His love.

Finally, volunteering transforms our own hearts. It deepens our empathy, humbles us, and keeps us rooted in the dark realities many people face daily. It reminds us that justice is not an abstract idea but a lived reality that God cares deeply about—and that we are called to pursue. "Therefore, my dear

brothers and sisters, stand firm. Let nothing move you. Always give yourselves fully to the work of the Lord, because you know that your labor in the Lord is not in vain" (1 Corinthians 15:58).



BETH JONES is the new director of Christian Legal Aid and an attorney with a background in ministry. She holds a B.S. in psychology: family studies from Corban

University and earned her J.D. from Willamette University College of Law in Salem, Oregon. Prior to joining Christian Legal Society, Beth practiced civil defense law, representing cities and counties across Oregon. She serves in several volunteer roles: as a board member for the Oregon attorney chapter of CLS, as founder and director of a local Christian Legal Aid clinic, as board member for a local Christian counseling center, and as a city councilor.



The Reckless Spending of Ourselves

"Most of what is good and most of what is bad in our history is rooted in our public theology."

—Robert Bellah

BY ANTON SORKIN

When people ask about my political theology, I point them to my theology of tropism marked by a desire to stay rooted in the soil of biblical conviction, while responding to the needs of hurting communities. This theory is rooted in the life of Christ who perfectly adhered to the will of God (John 6:38), including extending himself to the outcast of society: tax collectors, prostitutes, lepers, Samaritans, and the like. But to put in practice some of my ideas, it helps to look at the life of two individuals who embody the mind and heart of Christian conviction: Abraham Kuyper and Dorothy Day.

Exemplars of the Christian life

A public theology rooted in the activation of mind, heart, and soul is the quintessential rudder for Christian public engagement. Through the mind, Christians learn from the past and are encouraged by the labor of others who laid the foundation for new work. In studying the Scriptures, Christians are transformed into the image of the Son—better able to navigate the complexities of the modern condition (2 Thessalonians 2:15).

Towards this transformation, Abraham Kuyper is a man who practiced his convictions in service of solving a cultural crisis through the witness of his faith. Alive during the transitional years 1837-1920, Kuyper served his country of Netherlands as a churchman, politician, and educator. But what makes him special is his ability to discern the changing winds of culture and offer an adaptive theology to meet new conditions. In particular, the Industrial Revolution, seen by Kuyper as the "social question" of his time given the powerful and perilous new dynamics sown between workers and managers. It was, in the words of Charles Dickens, "the best of times and the worst of times"—defined by the onslaught of technological innovation that diminished the quality of workplace conditions and drove down the need for manual labor. These changes caused a corresponding revolt from the working class, including picket lines, strikes, boycotts, sabotage, and the maintenance of trade unions that endorsed violence as a form of public protest.²

In his effort to find the proper balance in resolving this tension, Kuyper struck a chord solicitous of both factions. Writing on

WWW.CHRISTIANLAWYER.ORG 21

The church was not only to share the Gospel, but also to implement a diaconate funding system wherein alms were collected from all and discretely donated to those in need.

Kuyper's reflection on what he called "fortune," John Witte, Jr. and Eric Wang explain this approach best:

Against both socialists who sought to dismantle property rights and market structures and capitalists who downplayed market problems and impoverished workers, Kuyper outlined new roles for church and state in confronting 'the social question.' In 'normal' situations, Kuyper wrote, the church was to assume responsibility for assisting the poor with their spiritual and material needs. Those churches that focused exclusively on spiritual needs ignored the reality that Jesus held promises 'for the present life' (1 Tim 4:8). Those that focused exclusively on material needs neglected that Jesus was far more than a social reformer. Thus the church was not only to share the Gospel, but also to implement a diaconate funding system wherein alms were collected from all and discretely donated to those in need. Miserly charity was insulting, and ad



Abraham Kuyper

hoc philanthropy was inadequate to meet the biblical commands to love and care for our neighbors. Kuyper recognized, however, that the Industrial Revolution had put the Netherlands in an 'abnormal' situation that required state intervention as well.⁴

Kuyper not only discerned the changing conditions of society, but also acted to mobilize the church to meet the needs of the moment. Without aligning himself with any one faction, Kuyper found a long-form solution that would prove viable for reconciliation. More than that, he was mindful of the need for state intervention, understanding that the novelty of the new industrial mechanisms and the proclivity of managers toward profit required a stabilizing hand of the state "to help workers secure their labor rights and minimum property needs," so long as the state respected "the sovereignty of the separate sphere of labor and capital, employer and employee."

Now comes the heart of Dorothy Day (1897-1980), who also found herself in the context of a struggle wrought by the Industrial Revolution. Instead of simply offering a structure for change, she entered the fray by establishing a life amidst the need. Writing in his essay on Day, Randy Lee captures her spirit in the founding of the Catholic Worker Movement and the subsequent sacrifice this produced:

Dorothy Day chose neither to help nor to advocate for the urban poor. She 'chose to live alongside' them, in fact to become indistinguishable from them. She chose not to share but to embrace not only their pain, but their joys, their sorrows, their experiences, their wisdoms, their dreams, their realities, their victories, their defeats, their hopes, and their fears. She chose to embrace the totality of their human experience just as her God had once chosen to embrace the totality of our human experience, and she did so because she loved just as her God loves.⁶

It was in her witness among the poor that we find love personified. While remaining political, Day refused to be conscripted into any single political party, choosing instead a type of localism as her political order where she serves her part in holding up the "great chain of being" with those who came and with those not yet born—all in the service of God.⁷ Thousands came through Day's houses of hospitality, not only having their physical needs met, but also seeing Christian love on full display.



"If we all carry a little of the burden, it will be lightened. If we share in the suffering of the world, then some will not have to endure so heavy an affliction." -Dorothy Day

Dorothy Day

In *The Reckless Way of Love*, we get a sense of the core of her giving spirit when she describes compassion as suffering participation: "If we all carry a little of the burden, it will be lightened. If we share in the suffering of the world, then some will not have to endure so heavy an affliction." We do this in many ways, but among them is in community. Day was no stranger here—extending herself to the bottoms of society in the effort of finding common space. As she explains, escaping loneliness is done through community, and to properly love, you must not only breach the comforts of distance, but also come to know the person intimately. A difficult task, but through the increment of small decisions we are able to enter into what Day calls the "reckless spending of ourselves in God's service and for his poor." 10

An exemplary image of the Christian life is the balance between the mind of Kuyper and the heart of Day. Where one thought through the dynamics wrought by changing industrial conditions, the other built a ministry centered on meeting the need and forming communities. Both were motivated by love, but more importantly, both were motivated by a love *for God* and the need to be a worthy witness of the true Christian life.

Our world also faces a challenge of industrial change. With the rapid rise of artificial intelligence, the workforce is facing a historical reconstruction that may very well lead to the type of response we saw from workers during the Industrial Era. For the Church to be the hands and feet of Christ, we must not only discern well the changing landscape, but also speak wisdom and practice love in the face of confusion.



ANTON SORKIN is the director of CLS' Law Student Ministries, where he helps law students nationwide integrate their work and worship. He has a passion for helping

students study the interaction between law and religion, engage with the complexity of the modern forms of public witness, and better love God and serve their neighbors. He is also a visiting scholar at the University of Texas School of Law.

ENDNOTES

- See generally Anton Sorkin, Theology of Tropism, 12 J. Christian Legal Thought 1 (2022).
- 2 See John Witte, Jr. & Eric Wang, Abraham Kuyper and Reformed Public Theology, 6(3) International Journal of Reformed Theology and Life 61, 74 (2020).
- 3 An umbrella term for questions of property, stewardship, work, labor, business practices, poverty, and pensions.
- 4 Witte & Wang, supra note 2, at 75-76.
- 5 Id. at 76.
- 6 Rande Lee, *Dorothy Day and Innovative Social Justice: A View from Inside the Box*, 12 William & Mary Journal of Women & the Law 187, 192 (2005).
- 7 Dorothy Day, The Reckless Way of Love xvi, 120 (Carolyn Kurts ed., 2017).
- s Id. at 87.
- 9 Id. at 104, 120.
- 10 Id. at 69.



BY LORI KEPNER

It is easy to be confused about the state of religious freedom in any given year. Recently, we've seen the U.S. Supreme Court issue decisions offering greater protections for religious individuals and organizations. But we also still see people with sincere religious convictions dragged into expensive, years-long litigation for views or actions that challenge popular social norms. They get labeled as "bigot" and "hateful," regardless of how respectfully they try to engage.

Protecting Pluralism

A trend continues at the Supreme Court that actively expands space for religious pluralism as it clarifies the constitutional right to free exercise of religion in what is plainly an increasingly diverse and divided culture. The two cases this term reflective of that trend are Catholic Charities, Inc. v. Wisconsin Labor & Industry Review Commission¹ and Mahmoud v. Taylor.² In Catholic Charities, the Court held the government must show "neutrality between religions" and may not draw distinctions "based on theological lines."³ In Mahmoud, the Court held that parents of elementary public school students have a free exercise right to direct the religious upbringing of their children and are entitled to notice and an opt out from certain curricular materials in public schools.

Religious pluralism and the religion clauses

Religious pluralism is the idea of creating space where contradictory religious views can coexist in an atmosphere of respect but not necessarily assimilation or agreement.⁴ The term "religious" in religious pluralism, however, may be inadequate because true pluralism must include a belief-based framing that is not limited to religion. Without this broader framing, religion may still end up marginalized in society, even though many people of faith see it as central to their entire way of life. Most people (whether religious or secular) have strongly held beliefs that drive their moral convictions.

True pluralism requires a healthy dose of mutual respect or tolerance, which becomes harder when differences are starker, especially disagreements about what is harmful or beneficial to the communities in which we live. When government tells people with religiously grounded values that their values are wrong and will not be tolerated because they conflict with dominant secular values, it undermines their religious exercise. Any time religious diversity is present, tension is inevitable. Our cultural moment always seems to be at a crossroads: either learn to live with that tension in our communities and respect differences

that feel intractable or succumb to the raw power struggle over who gets to stifle the views they find offensive.

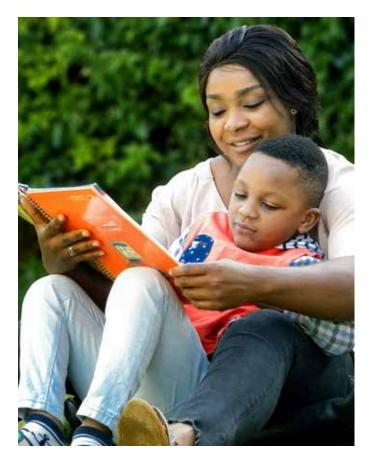
While it can never eliminate the tension, the Supreme Court has strengthened the rights protected in the religion clauses of the First Amendment, making the choice of coexistence possible in a pluralistic society. Its decisions over the last five years examining both religion clauses (Establishment and Free Exercise) clarify that the government must allow religious individuals and groups to determine and act consistently with their religious beliefs.⁵

For example, in a case about a public school football coach praying after a school game, the Court said the government did not have to single out religious speech for disfavor: "The Constitution and the best of our traditions counsel mutual respect and tolerance, not censorship and suppression, for religious and nonreligious views alike."6 In another case, the Court found a violation of free exercise rights when a state law granting tuition assistance to parents of children without access to public schools excluded its use for religiously affiliated schools.⁷ It grounded this conclusion in the importance of having a pluralistic community by saying, "A State's antiestablishment interest does not justify enactments that exclude some members of the community from an otherwise generally available public benefit because of their religious exercise."8 Finally, in a case about a religious school's right to control the hiring of those who teach and represent its religious views, the Court emphasized that religious institutions need freedom to establish "matters of faith and doctrine without government intrusion."9 It clarified that "State interference in that sphere would obviously violate the free exercise of religion" and "would constitute one of the central attributes of an establishment of religion." This term's cases further confirm that trend.

In the 9-0 *Catholic Charities* decision, the Court emphasized that the government must see all religions as equal before the law. Justice Sotomayor, writing for the Court, found the Wisconsin statute that allowed some, but not all, religious nonprofits to opt out of the state's unemployment program violated the Establishment Clause because it "facially differentiates among religions based on theological choices." The Court's strong agreement that courts may not parse theological frameworks undergirds basic religious pluralism. People and organizations need to be able to have rooted faith and to connect their choices and actions to their religious convictions without the government telling them that their theologically defined reli-

gious convictions are not sufficiently religious. The language in *Catholic Charities* focuses on distinctions "between religion and religion" and therefore did not involve the question of whether pluralism includes placing religious and secular views on equal footing. The justices' view of how to apply religious pluralism divides along ideological lines when the government's desire to apply "secular" goals and values comes into play. The *Mahmoud* case illustrates this dividing line.

A school district in Maryland incorporated LGBTQ+ books into its English curriculum from pre-K through eighth grade and refused to give religious parents an opt-out option. A majority of the Court held that parents' free exercise rights are burdened when books in the curriculum actively promote values contrary to the parents' religious beliefs and pose "a very real threat of undermining the religious beliefs and practices that the parents wish to instill." The majority assumes a value of pluralism in its description of religious rights, noting that "the religious development of children" is seen by many faiths as a "sacred obligation" that the government should not seek to disrupt. It then focuses on the parental perspectives stating that "freedom of conscience" must be protected from "coercive power." While the government may choose its curriculum, the parents were asking to have the opportunity to opt their





children out of content that undermines the religious development they were providing their young children. ¹⁶ The majority's argument is that an opt-out option is necessary to allow for religious pluralism in an environment where the government is normalizing and teaching (not just "exposing" children to) a specific secular and moral belief system that conflicts with the parents' religiously informed moral beliefs that they are actively seeking to inculcate in their children. ¹⁷ In his concurrence, Justice Thomas further clarifies that the government's pursuit of "ideological conformity" that would counter the parents' religious interests is exactly what is prohibited. ¹⁸

The dissent, however, instead frames the majority's effort as granting parents the right to interfere with a public school's neutral, secular efforts to encourage "mutual tolerance and respect" by exposing children to ideas that "promot[e] our common destiny" in "our multicultural society." It should not matter that such efforts incidentally conflict with parents' religious beliefs. Per the dissent, parents' and children's religious rights are only burdened when the government directly requires children to renounce specific beliefs. Teaching chil-

The majority's view is that people with religious beliefs who wish to raise their children with such beliefs have rights even in a secular context.

dren that secularly defined viewpoints are good and right is not the same as *requiring* them to reject their parents' contrary religious viewpoints.²³ The dissent appears reflective of academic arguments that the role of public schools is to "expose" children to enlightened secular ideas that will free them from the constraints of their backward religious parents who serve as "gatekeepers."²⁴

Mahmoud represents a divergence in the Court over what pluralism should look like. The dissent's view is that religious people may have personal religious beliefs that they privately teach to their children but may not object to the government's singular right to teach its favored, secular messages. The majority's view is that people with religious beliefs who wish to raise their children with such beliefs have rights even in a secular context and may seek to opt out of content that directly undermines their religious exercise, subject to limits when the government has a compelling interest in burdening it. The latter, while complex in practice, is more protective of diverse religious views and practices. It is also consistent with what the Supreme Court's recent religious case law appears to be making space for.

The two religious freedom cases this term avoid the distracting analysis that has dominated free exercise cases since *Employment Division v. Smith*²⁵ of whether a law is neutral and generally applicable.²⁶ Instead, this term's cases provide more clarity around the key dispute over how religious pluralism should be framed in relation to secular values.

Future questions the Supreme Court should confront

We are thankful the Court is moving in the direction of robust religious pluralism. This trend, however clear, can be clouded by occasional gaps in consistency. For example, certain minority religions don't fit normative concepts of religious practice and face differing applications of the law that effectively marginalize their religious practices.²⁷ In Apache Stronghold, the Ninth Circuit applied the Religious Freedom Restoration Act to say there is no "substantial burden" when a law results in complete destruction of a Native American holy site because it doesn't "coerce individuals into acting contrary to their religious beliefs,"28 and fits under a special exception for cases involving "a disposition of government real property." This is problematic because it invites unequal application of protections of religious exercise. If the goal of free exercise and corresponding statutory protections is religious pluralism absent a compelling government interest, then it should have a flexible enough definition of substantial burden that accounts for the unique dictates of diverse religious traditions. Justice Gorsuch, in a dissent from the denial of cert., points out this inconsistency.30 He says, "As a matter of ordinary meaning, after all, an action that prevents a religious exercise does not just burden that exercise substantially, it burdens it completely."31

Apache Stronghold shows that more work is needed if we are to continue wrestling with the promise of religious pluralism that the First Amendment's Free Exercise Clause holds forth. Some people worry about downsides to allowing religious protections to extend broadly to diverse religious peoples and practices, but this is what consistent application of the religion clauses and true pluralism requires. We will be best served by embracing religious freedom and the limiting principles it provides. It will force us to live in the reality of tension that pluralism requires, and that may not be such a bad thing.



LORI KEPNER is senior counsel with the Center for Law & Religious Freedom. Prior to joining CLS, she served as both in-house counsel and as a campus minister with

Cru for 18 years. Lori earned her J.D. from The University of California, Berkeley, in 2003, and clerked on the Eighth Circuit for two years before joining Cru. She lives in Northern California.

"As a matter of ordinary meaning, after all, an action that prevents a religious exercise does not just burden that exercise substantially, it burdens it completely." -Justice Gorsuch

ENDNOTES

- 1 605 U.S. ____, 145 S. Ct. 1583 (2025).
- ² Mahmoud v. Taylor, 606 U.S. ___, 145 S. Ct. 2332 (2025).
- Catholic Charities, 145 S. Ct. at 1587.
- 4 John Inazu offers a great discussion of religious pluralism in his book, Confident Pluralism (University of Chicago Press, 2016).
- 5 Notably, even in the Title VII case of Bostock v. Clayton County, 590 U.S. 644, 681 (2020), Justice Gorsuch took time to mention the importance of preserving "the promise of the free exercise of religion enshrined in our constitution; that guarantee lies at the heart of our pluralistic society."
- 6 Kennedy v. Bremerton Sch. Dist., 597 U.S. 507, 514 (2022).
- 7 Carson v. Makin, 596 U.S. 767 (2022).
- 8 Id. at 781
- Our Lady of Guadalupe Sch. v. Morrissey-Berru, 591 U.S. 732, 746 (2020) (cleaned up).
- 10 Id.
- 11 Catholic Charities, 145 S. Ct. at 1593.
- 12 Id. at 1594
- 13 Mahmoud, 145 S. Ct. at 2342 (citation removed).
- 14 Id. at 13.
- 15 Id. at 17.
- 16 Id. at 20.
- 17 Id. at 18, 22.
- 18 Id. at 28-29 (Thomas, J., concurring).
- 19 Id. at 33 (Sotomayor, J., dissenting).
- 20 Id. at 31.
- 21 Id.
- 22 Id. at 35.
- 23 Id. at 36.
- 24 See, e.g., Dailey, Anne C., In Loco Reipublicae, 133 Yale L. Rev 419, 426-27 (2023) (arguing schools should force parents to expose their children "to the world of ideas outside the home").
- 25 494 U.S. 872 (1990).
- ²⁶ See Fulton v. Philadelphia, 593 U.S. 522 (2021); Tandon v. Newsom, 593 U.S. 1 (2021) (clarifying Smith's limits). In contrast, Catholic Charities does not mention Smith because its analysis is focused on the establishment clause, while Mahmoud's majority avoids Smith by linking its analysis to a prior case directly distinguished in Smith and allowing it to skip the threshold question entirely.
- ²⁷ See, e.g., Apache Stronghold v. United States, 101 F.4th 1036 (9th Cir. 2024) (en banc).
- 28 Id. at 1051.
- 29 Id. at 1044, 1055.
- 30 Apache Stronghold v. United States, 145 S. Ct. 1480 (2025).
- 31 Id. at 1486.





BY MELISSA SCOTT

CLS hosted our inaugural Witte Workshops on Vocation & Law in Old Town Alexandria, Virginia, August 15-17, 2025. The focus of the weekend was to foster discussion among new attorneys from across the country on what faithful stewardship looks like in the law. The Witte Workshops was envisioned as an opportunity for new attorneys to have frank, unfiltered conversations about the natural tensions between faithful stewardship and practice, as well as vocation and the law. To prepare, participants were sent several books and other resources to review with the expectation that the materials would spark debate and provide varying perspectives on particular discussion points.

The 16 attorneys—who were selected after a robust application process—represented a wide range of professional experiences from boutique private practice to big law, from clerkships to the Department of Justice. The diverse personal and professional backgrounds of the attendees set the stage for distinctive commentary regarding issues of faith and the law, each shaped by their own experiences.

"We simply wanted to provide a space and topic connected to the theological, philosophical, and practical dimensions of vocation and law and then let them work out their differences through the forum of dialogical combat." - Anton Sorkin

The participating attorneys, in their first to seventh year of practice, lead six, 75-minute workshop discussions throughout the weekend, during which many thought-provoking conversations were had. The talented facilitators executed their jobs perfectly—facilitating discussion, not leading it.

In addition to fostering discussion, another hope of the weekend was that this group of strangers would find community.



John Witte, Jr. (faculty director of the Center for the Study of Law & Religion at Emory University) and Bob Cochran (author and professor emeritus at Pepperdine's Caruso School of Law) lead the opening session at historic Gadsby's Tavern.

They did, and we quickly realized how beneficial it would be if similar programs were held across the country. Broadening our reach, deepening the CLS impact—local chapters partnering with CLS National to host a one-day workshop series to build community not only within our existing CLS network, but also with those not yet connected to CLS.

We are excited to develop more consistent opportunities for fellowship, outreach, and engagement throughout the year—beyond the CLS National Conference and CLS Regional Retreats. This framework would be flexible enough to address many issues such as the intersection of faith and law, biblical perspectives on the value of work, remaining faithful in practice, creating Christian community in practice, and the balance between work and rest.

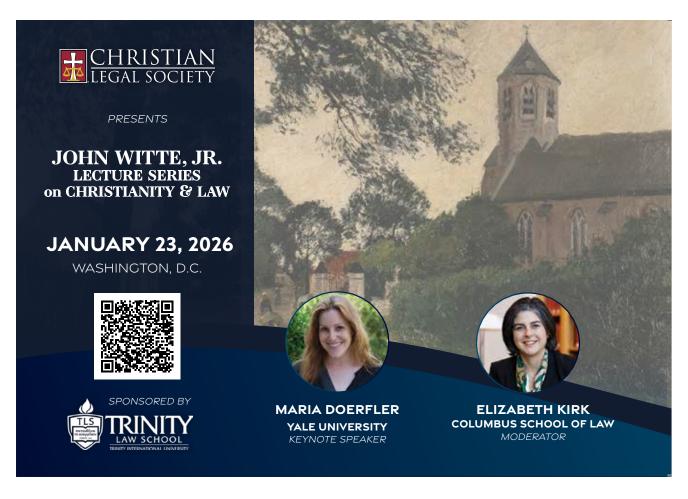
If you or your chapter are interested in hosting a one-day workshop, please reach out to me! I'd love to speak with you.

To read more about the inaugural Witte Workshops on Vocation & Law, check out the article written by my colleague Anton Sorkin on the *Cross & Gavel* Substack.



MELISSA SCOTT is the director of CLS' Attorney Ministries. While she earned her J.D., she served as a judicial law clerk, gaining invaluable insight into the judicial sys-

tem and developing a strong foundation in legal research and analysis. Before CLS, she practiced as an attorney in Ontario, Canada, advocating for clients and common-sense legal principles.





CLS LAW SCHOOL FELLOWS 2025

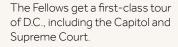
In May, CLS hosted the largest class of Fellows to date. Representing 36 different law schools, this impressive gathering of 41 law students poured themselves into a packed week of academic learning, community building, and a little touring. It is so exciting to see how Fellows become influential in their chosen legal paths after attending this program, and this class will be no different.

Applications for the 2026 class of Fellows will open in November. Visit our website for all the details or reach out to Anton Sorkin (asorkin@clsnet.org).

All photos by Kaitlynn Deboy.



Natt Gantt leads the Fellows in a session.







The Fellows build friendships quickly while enjoying the sights of D.C.

CHAPTER EVENTS AND HIGHLIGHTS

Despite the stressors facing us personally and professionally in our legal corner of the world, we see a faithful presence of God at work. Attorney chapters are reaching out through local networks to welcome new attorneys into this vital fellowship. And something is stirring on law school campuses. Reports of increased interest in chapter life are emerging far beyond what we've typically seen. God is preparing His people and using CLS members to participate. Some scenes from a busy 2025 summer are below!

If you have questions about joining or starting a local CLS attorney chapter, send our new Attorney Ministries Director Melissa Scott a note at mscott@clsnet.org.



Four local law schools were represented at the Chicago Area Student Chapter Leadership Summit.

Several Alabama Supreme Court justices joined the CLS Birmingham chapter for a packed presentation.









Welcome to our new staff members: Chief Operations Officer Jeremy Woodruff, Attorney Ministries Director Melissa Scott, and Christian Legal Aid Director Beth Jones.

Christian Conciliation Training

Coaching People to Reconcile
Mediating People to Reconcile
Advanced Coaching and Mediation
Teaching a Reconciliation Seminar
Fundamentals of Christian Adjudication



ATTORNEY CHAPTERS

CLS attorney chapters provide the opportunity for regular fellowship activity, mentorship, resources, and so much more. Each of our chapters listed below holds monthly or regular meetings that will help you integrate your faith and the practice of law while establishing healthy relationships with Christian attorneys in your community.

Don't see a chapter near you? If you are interested in starting one, please contact us at attymin@clsnet.org. We would love to start that conversation. To learn more about your local chapter or for current contact information, visit our website at **christianlegalsociety.org**.

ALABAMA

Birmingham

ARIZONA

Phoenix Tucson

CALIFORNIA

Inland Empire Los Angeles Orange County Sacramento San Diego

COLORADO

Colorado Springs Denver

DISTRICT OF COLUMBIA

FLORIDA

Central (Orlando) Jacksonville Miami Tampa West Palm Beach

GEORGIA

Atlanta

HAWAII

Honolulu

ILLINOIS

Chicago

INDIANA

Indianapolis

KANSAS

Topeka Wichita

MARYLAND

Baltimore

MINNESOTA

Minneapolis

MISSOURI

Kansas City Springfield St. Louis

NEBRASKA

Lincoln

NEW JERSEY

Cape May County

NEW YORK

Metro New York City Upstate New York

NORTH CAROLINA

Wake County

OHIO

Central Ohio

OKLAHOMA

Oklahoma City

OREGON

Portland/Salem

PENNSYLVANIA

Western Pennsylvania

PUERTO RICO

SOUTH CAROLINA

Greenville

TENNESSEE

Chattanooga Memphis Nashville

TEXAS

Austin
Dallas
Houston
San Antonio
Williamson County

VIRGINIA

Leesburg

WASHINGTON

Seattle

WISCONSIN

Madison

View complete chapter information by scanning the code below.



Connect with a Christian Legal Aid clinic in your community.

ALABAMA

Montgomery
Faulkner University Law
School Legal Clinics

ARIZONA

Tucson

Christian Legal Society of Tucson Christian Legal Aid Program

CALIFORNIA

Los Angeles

Pepperdine University Legal Aid Clinic

Los Angeles Metro Area Christian Legal Aid of Los Angeles

Oakland

Pope Francis Legal Clinic

Sacramento
Love & Wisdom (LAW) Clinic

San Diego Metro Area San Diego Christian Legal Aid

Santa Ana

Christian Legal Aid of Orange County Trinity Law Clinic & Mobile Legal Clinic

COLORADO

Denver

Justice and Mercy Legal Aid Center

Denver Metro

Christian Legal Clinic of Metro Denver Triage Legal Clinics

- · Denver Rescue Mission Clinic
- Broomfield FISH Clinic
- Samaritan House Clinic
- · Salvation Army Clinic
- Providence Network Clinic
- More Life Center Clinic
- · Life Center Clinic
- SECOR Clinic
- · The Rising Church Clinic
- · Dry Bones Clinic
- · Arvada Covenant Church

Fort Collins

Serve 6.8 Legal Clinic

Loveland

House of Neighborly Services Clinic

DELAWARE

Wilmington

Sunday Breakfast Mission Legal Aid Clinic

DISTRICT OF COLUMBIA

Christian Legal Aid of the District of Columbia

- · Central Union Mission
- · DC Dream Center

FLORIDA

Jacksonville

CLS Pro Bono Project

Jacksonville Metro Area
CLS Pro Bono Clinic

Miami

City on a Hill Legal Ministry Redeemer Christian Legal Aid Ministry (ReCLAliM), Inc.

INDIANA

Indianapolis Metro Area Neighborhood Christian Legal Clinic

KANSAS

Wichita

Wichita Christian Legal Aid

KENTUCKY

Georgetown

Merciful Justice Legal Clinic

Louisville

Access Justice

LOUISIANA

Shreveport

Christian Legal Aid of North Louisiana

MARYLAND

Baltimore

Good Samaritan Advocates

• City of Refuge

Montgomery County

Good Samaritan Advocates

- · Covenant Life Church
- Montgomery County Correctional Facility
- · The Salvation Army Center

MICHIGAN

Detroit Metro Area

Christian Legal Aid of Southeast Michigan

Detroit

The Joseph Project

Grand Rapids

West Michigan Christian Legal Aid

Kalamazoo

Christian Legal Aid of Southwest Michigan

lenison

Mel Trotter Ministries

MINNESOTA

Minneapolis

Park Avenue Walk-in Legal Clinic

MISSISSIPPI

Jackson

Mission First Legal Aid Office

MISSOURI

St. Louis Metro Area

New Covenant Legal Services

NEW JERSEY

Newark Metro

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

Greensboro

Wilberforce Center for Justice and Human Rights

Raleigh

Campbell Community Law Clinic

Durham

Justice Matters

OHIO

Cleveland Scranton Road Legal Clinic

Columbus Metro (Westerville)
Vineyard Immigration Counseling Service

Richland County
Richland County Legal Aid

Toledo Christian Legal Collaborative

*Delaware*Delaware Dream Center

OKLAHOMA

Oklahoma City Metro Trinity Legal Clinic

- · Crossings Community Center
- · Cross and Crown Mission
- City Rescue Mission
- · Living Faith Ministry
- · OKC First Church of the Nazarene
- Salvation Army—Norman

Tulsa

Tulsa University College of Law CLS Christian Legal Aid Clinic

OREGON

Salem

Christian Legal Aid of Marion and Polk Counties

PENNSYLVANIA

Philadelphia

Christian Legal Clinics of Philadelphia

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

Pittsburgh

Christian Legal Aid of Pittsburgh

TENNESSEE

Nashville Metro
Compassionate Counsel

TEXAS

Houston Restoring Justice Houston Metro (Cypress)
Houston Legal Aid Center
Houston Metro (The Woodlands)
Community Christian Legal Aid

VIRGINIA

Arlington

Restoration Immigration Legal Aid

Northern Virginia

Good Samaritan Advocates

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

WASHINGTON

Seattle

Open Door Legal Services

WISCONSIN

Milwaukee

JC Legal Resources Center Inc.

INTERNATIONAL

Toronto, Canada CCM Toronto Legal Clinic

Nairobi, Kenya

Africa Justice and Restoration Kenya

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



FROM THE CHAIRMAN





Josh Grosshans President & Chairman of the Board

"Blessed are the poor in spirit,
for the kingdom of heaven is theirs.

Blessed are those who mourn,
for they will be comforted...

Blessed are those who are persecuted because
of righteousness,
for the kingdom of heaven is theirs."

Matthew 5:3-4, 10 (CSB)

When I was a law student, my CLS law student chapter introduced me to Mr. Stuart, an attorney who has been a lifelong mentor. Recently, I found myself in need of wisdom, so I drove up to Tallahassee to sit with Mr. Stuart on his front porch. Amidst his piece of paradise near the Florida-Georgia line, I found the answers I was looking for. My friendship with Mr. Stuart is one of those decades-long relationships that CLS is excellent at cultivating. One comment he made over 20 years ago still rings in my head:

Young Josh, the practice of law is broken, and the practice of law by Christians is just as broken. This life will consume you if you let it.

As attorneys, we step into the heartache of others—a business or family in distress, an individual suffering from a physical or financial injury, or the unjustly accused. Or, all too often, we help an individual who is in a mess of their own creation. Typically, we are well equipped to handle other people's cases. But increasingly these days, I find myself with opportunities to sit alongside fellow attorneys facing crises of their own—trials of faith, questions about the future, or navigating a consuming legal practice at the expense of all else. Mr. Stuart was right; the legal world can devour us. But there is redemption in Christ. And in those moments, sitting with a friend who can't see a way forward, grieving with those in crisis, wrestling with difficult questions, I've seen God begin His beautiful and redemptive work.

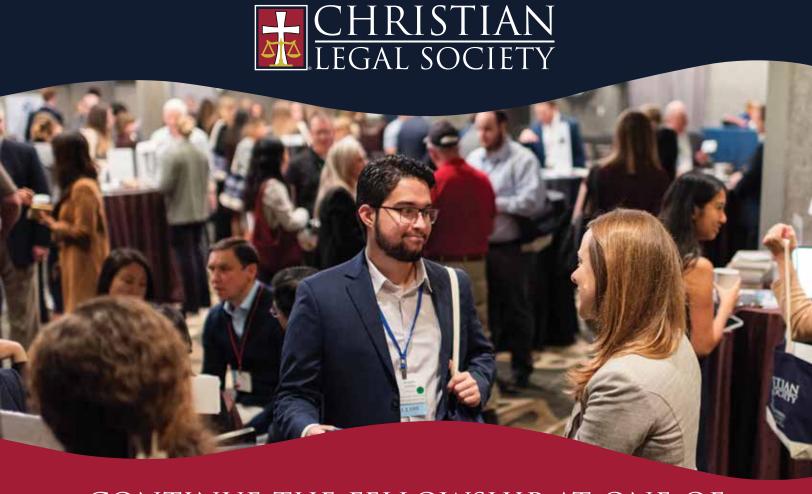
I don't have to tell you that we're all busy. Clients, judges, family, church, and volunteer activities demand our time and attention. And they are worthy of it. But in recent days, I've been challenged to carve out time for those whom Christ calls "blessed." Those in mourning, those whose spirits can't take any more, those who feel crushed and broken by circumstances beyond their control or of their own making. And often those people in our lives are other attorneys.

It's inspiring to read this edition of *The Christian Lawyer* and celebrate the Kingdom impact of CLS' Center for Law & Religious Freedom and the heroes that have given their all to its work. CLS has accomplished much over the decades to stand with the persecuted and for truth in the public square. Not to mention the dozens of Christian Legal Aid clinics CLS has started or partnered with to provide services to those in need. These are worthy causes that deserve your interest, time, and support.

But I also invite you to join in what, for me, is "the deep magic" of CLS. Have a cup of coffee with a new friend you meet at a local chapter gathering. Lend an ear to someone who, like "Young Josh," needs a mentor to help sort out the difficult life moments. Check on your friends in the throes of a legal practice—they need your encouragement. From this firm footing of community and support, CLS builds such an amazing network to accomplish the victories you've read about in these pages.

A heartfelt "thank you" to so many whose names and faces I will never know, but who have given your time and treasure to support the work of CLS. Your sacrifice has yielded the victories of the Center we celebrate today. But also thank you for helping build a community—one that stretches across the world. And one that set "Young Josh" on the right path with friends and mentors who have defined the course of my life. And for those of us who have benefited so deeply from CLS, let's set up a time to grab a cup of coffee and continue the good work of those before us.





CONTINUE THE FELLOWSHIP AT ONE OF CLS' 2026 REGIONAL RETREATS



MIDWEST JAN 30-FEB 1—LAKE GENEVA, WI
SOUTHWEST FEB 6-8—DANA POINT, CA
SOUTHEAST FEB 20-22—BLACK MOUNTAIN, NC
NORTHEAST FEB 27-MAR 1—SOUTHBURY, CT
NORTHWEST MAR 27-29—CANNON BEACH, OR