

Ronald Reagan Presidential Library Digital Library Collections

This is a PDF of a folder from our textual collections.

Collection: Blackwell, Morton: Files
Folder Title: Christian Legal Society
Box: 34

To see more digitized collections visit:

<https://reaganlibrary.gov/archives/digital-library>

To see all Ronald Reagan Presidential Library inventories visit:

<https://reaganlibrary.gov/document-collection>

Contact a reference archivist at: reagan.library@nara.gov

Citation Guidelines: <https://reaganlibrary.gov/citing>

National Archives Catalogue: <https://catalog.archives.gov/>

Christian Legal Society

October 10, 1983

Dear Friends:

Clergy malpractice, the "school prayer" controversy, religious speech rights, parental rights, "the squeal rule", tax exemptions, parsonage allowance, Form 990--the list in the church-state arena seems endless - and growing!

Some pastors and church leaders wonder if law school might not have been as helpful in preparing for the ministry as seminary. A Supreme Court Justice described the law as a "seamless web". No doubt, we all feel caught in the web, at a loss as to how we got there, and how to get out.

If these issues are on your mind as a pastor and church leader, the Christian Legal Society invites you to a unique seminar specifically designed to inform, clarify and provoke your thinking on the issues facing the church in the legal arena today.

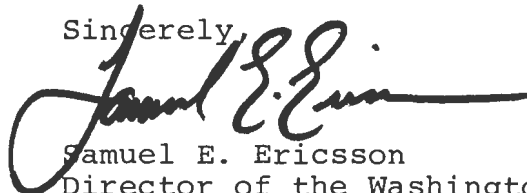
The line-up of speakers will address the issues, not from the vantage point of having read about them, but because they wrestle with them on a daily basis. The speakers hold key staff positions in the Congress, White House, Department of Justice, as well as in the private sector.

The seminar will be practical. The speakers will avoid speaking in "legalese". Their desire is to help you understand how the law affects you and your church.

Please review the enclosed program and register right away. All those attending the seminar will receive a 300-page handbook explaining in layman's terms more than 22 major issues facing us in the church-state arena today. In addition, those who R.S.V.P. by November 8 will receive a 32-page monograph addressing the novel and disturbing legal theory called clergy malpractice, written by the attorney who successfully handled the much publicized California case on this issue.

I look forward to seeing you.

Sincerely,



Samuel E. Ericsson

Director of the Washington, D.C. Office

Christian Legal Society

RELIGIOUS FREEDOM, OR CONTROL: WHAT DO WE REALLY WANT?

Date: Tuesday, November 15, 1983

Time: 8:00 AM to 5:00 PM

Cost: \$35.00 (if R.S.V.P. by November 8)
\$45.00 (if R.S.V.P. after November 8)
(cost includes luncheon, church-
state handbook, and written
materials)
(Space Is Limited)

Place: Westpark Hotel
8401 Westpark Drive
McLean, VA
(495 and Leesburg Pike, Exit 10 West)

8:00 AM - Registration

8:30 AM - Welcome and opening remarks. "CHRIST'S EYE EXAMINATION:
YOUR PERSPECTIVE IS THE KEY" - Samuel E. Ericsson, Director
of the Washington, D.C. Office of CLS.

8:45 AM - "WHEN PLURALISM IS IN, ARE JUDEO-CHRISTIAN VALUES OUT?" -
Carl Horn III, Special Assistant to the Assistant Attorney
General, Civil Rights Division, Department of Justice.

Pluralism is in vogue, at least up to a point. Some
"secular pluralists" view Judeo-Christian values as "re-
ligious" and therefore outside the bounds of legitimate
choice in public institutions. On the other hand, some
"religious pluralists" would exclude the secularists. Mr.
Horn, a graduate of the University of North Carolina Law
School and secretary of the National Board of CLS, will
ask the tough questions and leave you thinking about the
answers.

9:30 AM - "DOES THE FAMILY REALLY COUNT FOR MUCH IN OUR TOWN?" -
Stephen H. Galebach, Deputy Assistant Director for Legal
Policy, Office of Policy Development of The White House.

Is the trend in law supportive or destructive of the family?
What are the major issues facing the family in the courts
and in the Congress? Mr. Galebach, former Note Editor of
Harvard Law Review, was Director of Research for CLS before
joining the White House staff. Issues concerning the "tradi-
tional family", "Baby Doe regulations", abortion, and "the
squeal rule" are not merely of academic interest to Mr.
Galebach.

10:30 AM - "THE IRS: FRIEND OR FOE OF THE CHURCH?" - Forest Montgomery, Counsel for Office of Public Affairs, National Association of Evangelicals.

The Bob Jones case, parsonage allowance, and mandatory social security for employees of religious organizations are issues that trouble liberals, conservatives, and moderates alike. Mr. Montgomery, a graduate of Georgetown Law Center, spent 25 years with the IRS before joining the D.C. office as counsel for NAE. As one who has been on both sides of the tax fence, Mr. Montgomery's focus will clear the air on issues impacting both the pastor's pocket and the church's offering plate.

11:15 AM - "THE LEGAL AUDIT: WOULD YOUR CHURCH PASS A LEGAL PHYSICAL?" - George "Chip" Grange, Partner, Gammon & Grange, Washington, D.C.

What is the legal health of your church? When was the last time you conducted a legal audit--if ever? Mr. Grange, a Harvard graduate, is counsel to more than 100 non-profit religious organizations and a member of the CLS National Board. He will provide a checklist aimed at preventing problems before they occur. This presentation alone is worth the registration fee.

12:00 PM - Luncheon. "THE LAW IS TOO IMPORTANT TO BE LEFT TO LAWYERS" - Rev. Robert Dugan, Director of Office of Public Affairs, National Association of Evangelicals.

There is a misconception that the "separation of church and state" means that the church should remain silent on legal issues and leave it to the "professionals". Rev. Dugan, a former pastor and candidate for Congress, who has represented NAE in Washington for many years, will challenge you to be involved in the process

1:30 PM - "CHURCH, STATE, AND FAMILY: DID GOD ORDAIN ONE INSTITUTION TOO MANY?" - Curran Tiffany, Coordinator of CLS Jurisprudence Task Force.

History has been the tale of the relationship among three God-ordained institutions: church, family, and government. Mr. Tiffany, a Stone Scholar at Columbia Law School, brings 30 years of experience to bear on these important foundational issues.

2:15 PM - "IS THERE AN 'AMEN' TO THE SCHOOL PRAYER CONTROVERSY?" - Kim Colby, Director of Research of CLS.

Has the Supreme Court removed God from the public schools as some claim? Why has religious speech often received second-class treatment at public universities and public schools? Is there a way out of the "school prayer" thicket?

Ms. Colby, a Harvard Law School graduate, has played a key role in developing a concept which has won the day in the federal courts and has become widely accepted in Congress on this volatile issue. In a clear and concise presentation, Ms. Colby traces the thread running through the major decisions touching on religious activities in the public schools. She will give you the facts and leave the rhetoric to others.

3:15 PM - "HAVE THE COURTS MADE MONKEYS OUT OF CREATIONISTS?" - Ed Larson, Assistant Counsel for the Subcommittee on Human Resources of the Committee on Education and Labor, House of Representatives.

The evolution/creation debate has been a lively one for sixty years. The controversy surrounding public school curriculum continues to boil. Mr. Larson, a Harvard Law graduate and former CLS staff counsel, served as counsel to the House Judiciary Committee in the State of Washington. A Ph.D. candidate, whose dissertation examines the evolution/creation debate in the courts, traces this issue, its current status and surrounding implications.

4:00 PM - "THE OVERLOOKED OPEN DOORS TO RELIGIOUS INSTRUCTION IN THE PUBLIC SCHOOLS" - Samuel E. Ericsson, Director of the Washington, D.C. CLS Office.

Nearly 40 million children attend the public schools in our country. Are the doors closed for any kind of religious instruction to these children? Mr. Ericsson, a Harvard Law graduate, will share the overlooked opportunities for religious instruction for public school children. He will challenge those attending to pursue the open doors in practical and proven ways.

5:00 PM - Adjourn.

Name _____ Phone _____

Address _____

City, State & Zip _____

Church or Organization Name _____

I will be attending the CLS seminar.

I will be bringing _____ people with me.

I regret that I will be unable to attend the CLS Seminar.

Please place my name on your D.C. Office mailing list.

Amount Enclosed: \$ _____

Please return slip and check to: Christian Legal Society
P.O. Box 1492
Springfield, VA 22151

Micah 6:8

AND WHAT DOES THE
LORD REQUIRE OF YOU,
BUT TO DO JUSTICE, TO LOVE
MERCY, AND TO WALK
HUMBLY WITH YOUR GOD.

Name

Address

City

State

Zip

Place
Stamp
Here

CHRISTIAN LEGAL SOCIETY
P.O. Box 1492
Springfield, Virginia 22151

METROPOLITAN WASHINGTON OFFICE

Enclosed is my gift for the ministry of
CHRISTIAN LEGAL SOCIETY
Metropolitan Washington Office

- ☐ As a Partner in Reconciliation (Christian Conciliation Service)
☐ As a Partner in The Justice Center
☐ As a Partner in Religious Freedom (Center for Law and Religious Freedom)
☐ Other _____

Name	Occupation

Address	

City/State	Zip

RESPONSES, REACTIONS & OTHER THINGS TO DO

We really want to hear from you. Here's your chance to respond to us.

FOR THOSE WITH A NEED TO KNOW

- ☐ Send me the released time memo (\$10.00).
- ☐ Send me the clergy malpractice monograph (\$3.00).

FOR THOSE WITH A NEED TO GIVE

- ☐ I was on vacation this summer. Here's my belated gift of \$_____.
- ☐ I did not go on vacation this summer and saved the enclosed \$_____.
- ☐ Count on me for \$_____ per month, even during vacation.

FOR THOSE WITH A NEED TO RESPOND

- ☐ I am praying for you.
- ☐ Keep reporting the good news.
- ☐ Give us more bad news.
- ☐ I like the family news.
- ☐ Hang in there.

FOR THOSE WITH NO NEEDS AT ALL

- ☐ I don't need this newsletter. Drop me from your mailing list. Thanks.

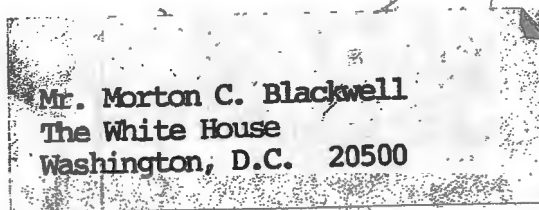
Name _____

Address _____

City, State & Zip _____

Christian Legal Society *file*

P.O. Box 1492
Springfield, VA 22151



ADDRESS CORRECTION REQUESTED
RETURN POSTAGE GUARANTEED

REPRODUCTION COPY

Christian Legal Society

TO: Friends & Supporters.

DATE: September 10, 1983

FROM: Samuel E. Ericsson, Director of D.C. Office

RE: June-August Report

THE BAD NEWS ABOUT GOOD NEWS - OR - DOES THE NAME PAVLOV RING A BELL?

Recently, I heard of a bumper sticker--"Does the name Pavlov ring a bell?" It started me thinking. How conditioned have I become to responding to things for the wrong reasons? What does it take to trigger a response by me?

The reason I mention this upfront is that we have noticed a definite pattern in responses to our newsletters. When our reports are full of good news, reporting major wins in court cases, significant progress in legislative matters, or other achievements, we hear very little from anyone. It seems as if good news puts most minds at ease, or at least in neutral.

But when we report bad news (and there is plenty of that--just check your most recent fundraising letters from other organizations), there seems to be an automatic response by way of letters and checks.

In this report, I am going to strive for a happy balance. There are many good things to report and to praise God for, but there remains serious issues which require prayer and real commitment.

WILLIAMSPORT: A DECISION THAT IS OPENING DOORS

Last time we reported our major victory in the Bender v. Williamsport case. The federal court in Pennsylvania ruled that the Constitution cannot be used to bar secondary school students from meeting for prayer and Bible study in student-initiated and student-run groups. Soon after the decision, a group of Christian students at Williamsport met for a time of praise. It took nearly two years to get there, but they were excited when it happened.

The Williamsport decision is having a real impact across the country. Just this week, a school board member in Kentucky called for counsel on how the decision applies in their district where a number of Christian students wanted to meet. Likewise, in Pennsylvania, a number of school boards, who had forbidden student prayer groups because of threatened lawsuits, voted unanimously to permit prayer groups and Bible studies because of the Williamsport decision. The decision is having similar effects in California, Colorado, Wisconsin, and elsewhere. We feel very good about this, but there is a troubling cloud on the horizon.

WILLIAMSPORT: OUR ADVERSARIES WANT TO SHUT THE DOOR AGAIN

One of the school board members in Williamsport, an attorney, got real upset by the decision. He chose to appeal, even though the other board members voted not to do so. Although he is a leader in a local church, he contends that the public high school campus is no place for Bible study or prayer. In his opinion, students between 14 and 18 years of age are at their most impressionable stage. He offered the club permission to meet at his church during the club period. The only problem with this offer was that it would require a ten mile round trip during the 30-minute club period!

Our adversary has been joined by three very influential and well financed legal groups: American Jewish Congress, Anti-Defamation League and Americans United for Separation of Church & State. In their separate briefs, these groups argue that voluntary student-initiated prayer is "too dangerous to permit." After all, some naive high school student may think that a student body leader seen praying in a small group may be worth emulating. In their view, religion belongs "under the steeple" and behind closed doors at home.

OUR RESPONDING BRIEF IS A TEAM EFFORT

The CLS staff in D.C., joined by the local Williamsport attorney and the attorney who won the landmark Widmar case (which opened the public university door for student prayer and Bible study clubs) spent much of August preparing our brief. It was filed on September 2. We point out to the federal appeals court that the bottom line is whether the following sign should be posted on schoolhouse gates across our land:

ATTENTION STUDENTS: YOUR BILL OF RIGHTS FORBIDS
ALL VOLUNTARY RELIGIOUS SPEECH AMONG STUDENTS IN
A GROUP OF TWO OR MORE IN ANY ROOM ON CAMPUS, BEFORE,
DURING OR AFTER THE SCHOOL DAY IN THE SIGHT
OF ANY SCHOOL EMPLOYEE.

Our adversaries insist that this is what our Bill of Rights gives us. We disagree. We need your prayers and your support. My former law firm in Los Angeles would have charged at least \$25,000 for the brief we filed. Our total budget for the CLS-D.C. office in August is about \$8,000. Your gift would help meet those expenses.

PASTORAL COUNSELING: SHOULD A JUDGE AND JURY SECOND-GUESS CHURCH COUNSELORS

In October, 1981, I succeeded in having a California court throw out a malicious, inflammatory and dangerous lawsuit which sought to launch a new product line called clergy malpractice. The attorneys who filed the suit contend that churches should "defend before a jury the quality of counseling" given by pastors and church counselors.

They chose to appeal their loss and this summer we finally received their opening brief. I have just finished our reply brief--97 pages in all--and feel confident that we will win. What is really needed is a well written court opinion which will permanently close the door on the idea of suing pastors and churches for the counseling they give those in need. The courts simply do not have the competence to evaluate the content of spiritual counseling or the competence of church counselors. The right decision will save churches millions of dollars which they now pay in premiums for so-called "clergy malpractice insurance." Please be in prayer on this issue.

TWO EXAMPLES OF GOD'S SOVEREIGN HAND IN LAWSUITS

Courts rely primarily on decisions made in prior cases. However in the Williamsport and clergy malpractice cases we are breaking new ground and there are no previous cases directly on point. When this happens, courts often turn to current articles by legal scholars focusing on the issue at hand.

In Williamsport and the clergy malpractice cases, God's timing was perfect. On the day I began writing the brief in the clergy malpractice case, I had received an excellent article published by a California law school in May, 1983 dealing specifically with our case. There can be no better article than one focusing on your particular case. In addition, a major law school on the East Coast will publish an article dealing specifically with the Williamsport case. It will appear in their October, 1983 publication--just the time when the court will hear argument in the Williamsport case. It sure doesn't hurt to work for the One in control of all things.

WHAT IS ONE OF THE BIGGEST OVERLOOKED MISSION FIELDS IN THE WORLD?

Imagine a mission field equal in size to the combined population of 28 African nations. For those wishing to serve, there are no foreign languages, no visa requirements, no missionary barrels to pack, no travel costs, no exposure to exotic diseases, or immunizations to suffer through. Part time workers are preferred and summer vacations are mandatory. The mission field is the American public school system with nearly 40 million children. Many Christians have written off public schools as a lost cause. Yet, the open door of released time (RT) religious education has existed since 1915. Today there are many excellent RT programs from New York City and Cincinnati to Burbank and Oakland, California. In New York City, 30,000 children are released from their schools every Wednesday afternoon for religious instruction. The RT program in New York City operates on a budget of \$14,000 per year. Their secret--volunteers. In Wisconsin, a creative RT program called "Time Out" ministers to hundreds of high schoolers every week. The great tragedy in all of this is that very few evangelical churches are involved anywhere.

A new organization called National Released Time Religious Education Association has been formed to promote RT. CLS believes that RT has unlimited potential and has prepared a comprehensive question and answer memo explaining what the law allows--which is a great deal! The memo has proven to be a useful tool in well over 100 programs already. It is available for \$10.00 from our office.

But even here there is opposition. A defrocked pastor in Ohio has threatened to challenge RT in his state and we have been asked to provide counsel on this matter. Fortunately, this is one open door that is firmly established by the courts, but that does not stop those who oppose God's work from trying.

THE SUMMER WAS BAD NEWS FINANCIALLY

The weather this summer wasn't the only thing that was sluggish. Our financial support was the worst in the three years we have had our D.C. office. Perhaps many people thought that the last report on our effectiveness in the legal arena meant that finances would flow naturally. Unfortunately, the summer months left us at least \$14,000 short. We thank those of you who have faithfully continued to support us and encourage the others to review their commitment to preserving and extending religious freedom. Although our mailing list has grown tremendously this past year, it appears that very few "newcomers" consider these issues a priority. Please pray about this.

WE DON'T WANT TO BE YOUR JUNK MAIL

All of us receive more mail than we care to read. Much of it is viewed as junk mail. The only way we know whether you are reading our newsletters is by your responses to us. Please let us know on the enclosed form whether you want to keep hearing from us.

FAMILY NEWS

Greetings! Family news is again brought to you by Bobby.

We have had the joy of seeing many of you during our travels this summer. Our vacation was marvelous! I wish I had room to tell you all about it! Ryan was hoping to see "that mountain where there's a carving of Ronald Reagan and Benjamin Franklinshtein"!

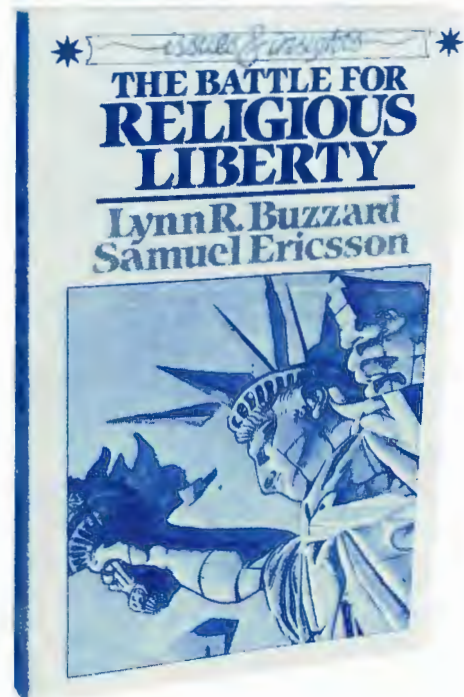
Fall brings new TV programming; however, the only viewing allowed in our home is nature shows. Ryan decided "Bugs Bunny" and "Trees Company" should qualify.

I am attacking my Magic Mill/Bosch business with renewed vigor after having attended a training seminar in Chicago recently and am planning to become a distributor by January. Debbie Stevenson has also joined me as a dealer.

Our home Bible study and my art classes have resumed and we are settling comfortably into our fall schedule.

What would *you* do if your country's laws threatened your religious freedoms?

- ☐ Obey them?
- ☐ Ignore them?
- ☐ Resist them?
- ☐ Change them?



You may not have long to decide.

The Battle for Religious Liberty By Lynn Buzzard and Sam Ericsson

Civil rights are for Christians, too! But there seems to be an attempt in America to challenge traditional Christian values. And this challenge has begun to diminish the rights of many Christians. Christians must act quickly and decisively to preserve their rightful liberties and lifestyles. This practical up-to-date handbook for Christian leaders and laypersons tells you how.

Are your religious liberties *really* assured?

- In California 2 Bible study groups were prohibited from meeting in private homes until they defended their rights before a zoning board.
- In Massachusetts a minister was told it was against the law for him to invite more than 4 people to his home for Bible study.
- In New York State students at a high school were not allowed to meet in a classroom before school to pray together. The New York Court of Appeals said such a practice was "too dangerous to permit."

With examples like these, authors Buzzard and Ericsson warn that a real battle is on—and your religious liberty is at stake!

Buzzard, Executive Director of the Christian Legal Society, and Ericsson, a lawyer who is national coordinator of the Center for Law and Religious Freedom of CLS, explain what rights you have under the Constitution, and how to use them.

"This new and long-needed offering by Buzzard and Ericsson should be read by every Christian leader and worker."

John MacArthur—Pastor, teacher, author

"...comprehensive, detailed, and practical in its content. I found it impossible to think of any question a concerned person might have regarding the theme and the First Amendment that would not be answered in this volume."

**Richard C. Halverson—Chaplain,
United States Senate**

issues & insights

SCHOOLS: THEY HAVEN'T GOT A PRAYER

Lynn R. Buzzard



issues & insights

TELL IT TO THE CHURCH

RECONCILING OUT OF COURT

Lynn R. Buzzard
Laurence Eck



Also by Lynn Buzzard:

Schools: They Haven't Got a Prayer

A penetrating look into the past—and future—of religion in public schools.

Tell It To the Church

Telling Christians why and how they can settle their differences out of court.



Lynn Buzzard



Sam Ericsson

ORDER YOUR COPIES NOW. USE THE FORM BELOW.

Fill out this form and return with check or money order to:

Christian Legal Society
Box 1492
Springfield, VA 22151

Title	Order #	Price	Quantity	Total
The Battle for Religious Liberty	55525	\$6.95	X _____	= _____
Schools: They Haven't Got a Prayer	57133	\$5.95	X _____	= _____
Tell It To the Church	56309	\$5.95	X _____	= _____

For shipping and handling, include 5% of your order plus an additional \$1.00. Maximum charge is \$7.50. California and Illinois residents add appropriate sales tax.

I'm enclosing \$ _____
in ☐ money order ☐ check

SEND TO:

Name _____

Address _____

City _____ State _____ Zip _____

Phone number (in case of question) _____

File → Sep 30, 1982

CLS Takes It to Court

By Larry Witham
WASHINGTON TIMES STAFF

"We have become a litigation-oriented culture," said Harvard-trained lawyer Sam Ericsson, who is thinking in terms of just what should be rendered to Caesar.

Working voluntarily now with the Christian Legal Society, Ericsson and his colleagues have turned a one-time religious fellowship into a national task force of legal professionals. And the need obviously is great.

Being a profession wrought with ethical dilemmas, these lawyers first met to "integrate their faith with their practice," Ericsson said. That began 21 years ago, and now with the increasing passage of religious issues through the courts, they have expanded to take on the task of moderating who should rightfully render what to whom.

The CLS has a four-pronged approach to its goals, beginning with its origin — a fellowship for lawyers and lawmakers to measure themselves up to the precepts of the Bible.

Its second approach stems from the related Center of Law and Religious Freedom, which focuses on the preservation of First Amendment guarantees of free exercise of religion. The Center publishes the *Advocate* and *The Religious Freedom Reporter*, both well-known for clarifying the very complicated nature of church-state relations, and listing comprehensively the decisions, cases and legislation under way across the country.

According to Ericsson, 1,200 to 1,500 church and state-related cases are in the courts today, compared to 100 or so only 10 years ago. "There is a growing tension between an increasingly secular society bidding for its turf, and religious society bidding for its share of the turf," he said.

In the midst of this climate, the Oakpark, Ill., national headquarters established a branch office of CLS in the Washington area last year. Of all the things the Washington office would like to be known for, the field of church and state takes precedence.

The subtleties of the legal problem, they feel, emerge especially in the arena of public and Christian schools. A total of 37 states have challenged the right of Christian schools to be accredited in the last 15 years.

"It is a question of who has the authority to say who has the right to teach," CLS lawyer Curran Tiffany said.

Although racism and taxes ostensibly are at issue in the public mind, the underlying

contention between the public and private interests is licensing, accreditation and the question of who has jurisdiction.

Another example of tension relates to the use of public school facilities for religious meetings. "There is a lot of confusion on what the Supreme Court said in 1962 and 1963," Ericsson said. The court decision intervened on state-sponsored religious activities only, yet the impression has spread that the Supreme Court has put a clamp on voluntary religious activities, he explained.

These lawyers don't think it will help "to get the public school teacher to lead religious ritual," as the prayer amendment implies. Through the guarantees of free exercise, they would rather allay the problem that many students and teachers are having across the country, of meeting for religious purposes on the campus, outside of official school time.

CLS constantly is surprised at the argument of "impressionability" that often causes school officials to frown on religious activities open to young students.

"Students should be allowed to talk about religious subjects just like they can talk about sports," Ericsson said. "We are overly-influenced by a 'steeple mentality' which says that religion belongs in the church only. Religion is not just a private thing, like it must be in Russia, but is an idea in the free market place."

Under constant demands to "search out the truth," lawyers themselves are pushed to the line constantly on matters of conscience. Harvard Law School graduate Kim Colby said for instance, "lawyers are very good at facilitating the breakup of a marriage, but not trained in how to reconcile marriage."

And, because the "Church has not provided an alternative to what often goes to the court," according to Ericsson, perhaps those in the field of law should open up such a means of reconciliation.

The third prong of CLS, the Christian Conciliation Service, has done just that. Drawing from a procedure found in Matt. 18:15-18, the service, now in 15 cities, has participated in 4,000 to 5,000 cases of conflict and litigation through the year.

Though long ago, Paul took up the topic in his letter to the Corinthians, reminding them that "to have lawsuits at all with one another is defeat for you." CLS couldn't agree with him more.

The fourth and fledgling direction of CLS is to provide legal services for those who cannot afford them. "We are trying to

Continued on Page 8C



Sam Ericsson of the Christian Legal Society.

Willard Voiz/Washington Times

Christian Legal Society



October 4, 1982

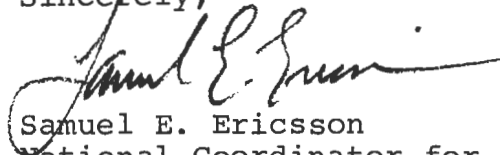
Mr. Morton C. Blackwell
Special Assistant to the President
The White House
Washington, D.C. 20500

Dear Mr. Blackwell:

I am sending you under separate cover our book, The Battle For Religious Liberty, which I hope you will find interesting and informative on matters in the church-state arena.

We are very encouraged by the excellent reviews we have received from people such as William Ball, Dean Kelley, Dr. Richard Halverson, and others. We feel it will serve as a helpful tool for both the religious and legal communities.

Sincerely,



Samuel E. Ericsson
National Coordinator for
Religious Freedom Services

SEE:dls

FRANCIS E. P. MCCARTER
ARTHUR C. HENSLEY, JR.
EUGENE M. HARING
JULIUS B. POPPINGA
GEORGE C. WITTE, JR.
STEVEN B. HOSKINS
RODNEY N. HOUGHTON
THOMAS F. DALY
ALFRED L. FERGUSON
CHARLES R. MERRILL
ANDREW T. BERRY
JOSEPH E. IRENAS
JOHN L. MCGOLDRICK
RICHARD C. COOPER
PETER C. ASLANIDES
WILLIAM H. HORTON
FREDERICK B. LEHLBACH
MARY L. PARELL
RICHARD M. EITTEIM
JOHN E. FLAHERTY
STEVEN G. SIEGEL
WILLIAM T. REILLY
HAYDEN SMITH, JR.
JOHN B. BRESCHER, JR.
TODD M. POLAND
JOHN J. SCALLY, JR.
THOMAS V. SICILIANO

MCCARTER & ENGLISH
ATTORNEYS AT LAW
550 BROAD STREET
NEWARK, N.J.

07102

(201) 622-4444

DOMESTIC TELEX 642929
INTERNATIONAL TRT 178016
TELECOPIER (201) 622-0012
CABLE "MCCARTER" NEWARK

ONE WORLD TRADE CENTER
SUITE 2665
NEW YORK, NEW YORK 10048
(212) 466-9018

150 E. PALMETTO PARK ROAD
SUITE 505
BOCA RATON, FLORIDA 33432
(305) 368-6500

JOHN R. DROSDICK
GEORGE W. C. MCCARTER
ROSLYN S. HARRISON
ROBERT S. SCAVONE
GITA F. ROTHSCHILD
RONALD J. HEDGES
DAVID R. KOTT
JOHN J. LAMB
LOIS M. VAN DEUSEN
MICHAEL A. GUARIGLIA
ROSS J. HOLDEN
LANNY S. KURZWEIL
JOHN W. MCGOWAN, III
DEBORAH L. GREENE
DAVID A. LUDGIN
SARA B. CHRISMAN
JOHN F. BRENNER
JOSEPH FALGIANI
FRANCIS C. BAGBEY
JAMES H. GORMAN
JEFFREY W. MORYAN
DANIEL L. RABINOWITZ
JOSEPH E. BOURY
LYNN G. GOLDMAN
KATHLEEN M. MIKO
GORDON M. CHAPMAN
FRANK E. FERRUGGIA
RUSSELL M. FINESTEIN
CHERYL L. HARATZ
JONATHAN KOLES
JAMES A. KOSCH
KEITH E. LYNOTT
ROBERT P. SEAWRIGHT
HINDA B. SIMON
MICHAEL A. TANENBAUM
CHARLES J. BENJAMIN
RICHARD K. FORTUNATO

WOODRUFF J. ENGLISH
NICHOLAS CONOVER ENGLISH
JAMES R. E. OZIAS
OF COUNSEL

October 19, 1982

Morton C. Blackwell
Special Assistant to the President
for Public Liaison
The White House Office
Washington, D.C. 20006

Dear Mr. Blackwell:

From time to time I have been receiving material from your office all of which I appreciate. I attended the White House luncheon last Spring in my capacity as President of the Christian Legal Society.

In May of this year, I completed my term of office and Melvin Schlueter, Esq. of Schlueter, Ecklund, Barrett & Olson, 4023 Charles Street, Rockford, Illinois, 61108, has succeeded me. You may wish to put him on your mailing list in my place.

Attached below is a copy of your mailing label on which I have corrected the spelling of my name in case, for any reason, you will be keeping my name on your list.

Best regards,


Julius B. Poppinga

JBP:pb

cc: Melvin Schlueter, Esq.

Mr. Julius B. Poppinga
Christian Legal Society
McCarter and English
550 Broad Street
Newark, NJ 07102

Corrected

CHRISTIAN LEGAL SOCIETY

Center for Law & Religious Freedom
8001 Braddock Road, Suite 103
Post Office Box 1492
Springfield, Virginia 22151
(703) 321-8004

November 10, 1982

Dear Friends:

Two years ago we packed our things and moved from Los Angeles to Washington, D.C., to establish the D.C. office of the Christian Legal Society. We felt that the move was the right one for us for so many reasons. We had high hopes, coupled with a deep trust that He would honor our efforts. We sought to live out Micah 6:8 with Psalm 37 as the backdrop.

Yet, what has transpired these two years is beyond our fondest dreams. Time and again we have seen the truth of Psalm 37:4 and 5: "Delight yourself in the Lord; and He will give you the desires of your heart. Commit your way to the Lord, trust also in Him, and He will do it."

There is no way to effectively communicate all the things that have transpired even in the past few weeks. In view of the Thanksgiving season, I thought it appropriate to focus on the theme of "A Time For Thanks." Paul wrote: "In everything give thanks; for this is God's will for you in Christ Jesus." (I Thess. 5:18). I often refer to that verse as the "Golden Rule For Losers" because most people, especially Christians, can't give thanks when the law does not seem to break in their favor all the time.

So, here are a few items for which I am thankful that I want to share with you:

A TIME FOR THANKS...

For the Supreme Court's decision in Widmar which prohibits public universities from discriminating against religious groups who wish to meet for Bible study, prayer, and worship on campus;

For the University of California professor who told me that the university campus had never been more open for students sharing their faith with one another;

For Attorney Jim Smart, a true servant, who represented the students in Widmar with virtually no financial assistance from any church, religious organization or group;

Lynn R. Buzzard, Executive Director

Thomas S. Brandon, Jr., Associate Executive Director and
General Counsel

Laury Eck, National Coordinator of the Conciliation Service

Samuel E. Ericsson, National Coordinator of Religious
Freedom

National Headquarters
Post Office Box 2069
Oak Park, Illinois 60303
(312) 848-7735

For Attorney Tom Johnson of Lubbock, Texas, the lead counsel in the Lubbock case which is now going to the Supreme Court where we hope to protect religious speech among public school students in the same way that university students have the protection under the First Amendment;

For Mr. Leon Jaworski, the former president of the American Bar Association and Watergate prosecutor, and Mr. Keith Jones, a former Harvard law professor and a member of Mr. Jaworski's firm, who are assisting Tom Johnson and CLS in preparing the appeal of this critical case in Lubbock to the U.S. Supreme Court;

For the groups who are preparing to file briefs on behalf of the Lubbock students in the appeal;

For Senator Hatfield and his staff's efforts to engage other Senators and Congressmen in a brief to the U.S. Supreme Court in the Lubbock case;

For Senator Hatfield's efforts to deal with the real issue in school prayer--religious speech--and for his gracious words about CLS and our work which he expressed September 17, 1982, before the full Senate;

For the Christian attorneys in California, Washington, Texas, Illinois, South Carolina, Pennsylvania, and elsewhere who give sacrificially of their time and resources to protect the rights of students to meet on public campuses for prayer and Bible study;

For CLS attorneys in the D.C. office, Curran Tiffany and Kim Colby, who have worked as full-time volunteers this past year for the cause of religious freedom, legal services for the poor and needy, and helping Christian lawyers integrate their faith and practice;

For Steve Galebach's tremendous work this past year in the D.C. office before taking a leave to join the White House staff to oversee church-state and pro-life matters;

For our summer clerks, Lowell Sturgill and Robert Payne, in doing excellent research and writing on the issues of religious speech on campus and religious released time programs;

For the finest secretaries money can't buy, Debbie Stevenson, Phyllis Lewis, and Lisa Mace, without whom none of this work would have gotten done;

For Immanuel Baptist Church and their generous offer to allow us to use their facilities this coming year for office space;

For Matt Archer for laying the foundation for the Christian Conciliation Service in the D.C. area;

For the few churches that see religious freedom and the ministry of reconciliation as ministries worthy of their missions support;

For the scores of individuals who have given so generously of their resources, supplies, and time;

For the 120 radio stations that now carry the CLS "Benchmark" program which provides daily three-minute reviews of issues facing Christians in the legal arena;

For the opportunity to see reconciliation take place amongst Christians in bitter disputes that have been brewing for many years;

For the opportunity to share our ministry on Dr. James Dobson's "Focus on the Family" (to be aired December 17) and John MacArthur's "Grace To You" (to be aired November 26);

For the tremendous response to the recently released books, The Battle For Religious Liberty, Schools: They Haven't Got A Prayer, and Tell It To The Church (we are told that the first printing of the Battle book has already sold out);

For the excellent working relationship CLS has developed with scores of groups in the church-state arena;

For the opportunity to share our concerns with the key leaders of the American Jewish Committee;

For Lynn Buzzard, Tom Brandon, Professor Carl Esbeck of the University of Missouri, and Judy Kaponya for their tremendous work in producing the monthly Religious Freedom Reporter which has established itself in less than two years as the most professional and authoritative periodical in the church-state field;

For the ongoing ministry to law schools and law students on over thirty campuses across the nation and the joint venture by CLS and Inter-Varsity to reach these students;

For the opportunity to debate the ACLU on statewide television in Pennsylvania on November 18 on the school prayer controversy;

For the opportunity to share our ministry with 250 pastors at the Shepherds' Conference at Grace Community Church and to help many pastors who are wrestling with legal issues facing their churches;

For the recent opportunities to speak in Virginia Beach, Fredericksburg, and Arlington, Virginia, Sacramento, Fullerton, and Los Angeles, California;

For the 30+ cities that have established active Christian Conciliation Service ministries and will assist in reconciling 5,000 disputes in 1982 by having Christians "tell it to the church";

To our Lord, without whom these things would not be possible and apart from whom the efforts would have no meaning or significance.

FOR THOSE WHO WANT MORE

In my effort to give you a large quantity of things for which to be thankful, we realize that we have sacrificed on leaving out the more in depth stories. For anyone who would like to have the "unabridged" and "amplified" version of this report, simply return the enclosed sheet. We will then send you an 11-page report that I gave to our Board covering the exciting developments during the past year.

A TIME FOR PRAYER

At CLS we find that it is often so tempting to slip into using the world's tactics, strategies and methods to do battle in the church-state arena. However, we believe that the way we do things in law is as important as the ends we seek to reach. We are convinced that the Lord is not pleased with un-Christlike attitudes and methods. To paraphrase Christ: "What would it profit the Christian church if we gain all of our religious freedoms, but lose our witness in the process."

At CLS, therefore, we seek to integrate our faith in the methods we use in the battle for religious liberty. One tool that we as Christians have a monopoly on, but seldom put to use, is prayer. We would urge you to commit the Lubbock case, its counsel, and most important, the nine Supreme Court justices, to prayer on this case. In our 20 year history, CLS has never put more energy and resources into a case than the Lubbock case. We believe it has the potential to be the most important case in religious freedom in 30 years. Please put this matter near the top of your prayer list.

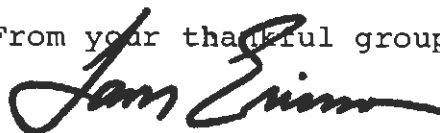
Also, please be in prayer for the Christian Conciliation Service. There are nearly 100 cities that want to establish a conciliation ministry in their community. At this point in time, we are unable to fill that critical need.

KIDNAPPED!

On Friday, October 8, 1982, Bobby and I were driving north on Interstate 95 on our way to the inner harbor in Baltimore for dinner. We had planned this evening out for a couple of weeks. Bobby asked me to pull out a letter in her purse which contained the following note consisting of pasted newspaper letters and words: "DON'T PANIC! YOU ARE BEING KIDNAPPED...COOPERATE AND YOU WILL BE SAFELY RETURNED SUNDAY. I LOVE U."

I soon discovered that I was the victim of a massive kidnapping conspiracy. Bobby, along with my secretary Debbie Stevenson, were the prime felons in clearing my schedule of all appointments and responsibilities for three days. During my ordeal, I discovered that a central problem in crime in America is that there are not enough of the right type of "crimes". The traumatic experience left me convinced that the couple that gets kidnapped together, stays together! I was held "captive" for three days on Delaware's eastern shore. For me, it turned out to be the Perfect Crime. Thank you Bobby, Debbie, Andy, Jim, et al.

From your thankful group



THE WHITE HOUSE

WASHINGTON

December 2, 1981

*Christian
Legal
Society*

MEMORANDUM FOR MORTON C. BLACKWELL

FROM: FRED F. FIELDING 

SUBJ: Contact with IRS to arrange meeting for
Christian Legal Society

Both our own Staff Manual and the Treasury Department's internal regulations provide that contact between the White House Office and the Treasury Department on regulatory matters be directed through the Counsel to the President to the Deputy Secretary of the Treasury. Direct contact with components of Treasury is prohibited. Accordingly, any efforts you make to arrange a meeting between IRS and the Christian Legal Society should be in writing and should be sent through me to the Deputy Secretary.

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

November 23, 1981

MEMORANDUM FOR FRED FIELDING

FROM

MORTON C. BLACKWELL *MB*

SUBJECT

Requested meeting for the Christian Legal
Society and the IRS

These folks want a meeting with the IRS. We have been
advising them verbally but feel we should contact you
before making any calls to the IRS for this request.

MEMORANDUM OF CALL

YOU WERE CALLED BY— Maiselle
 (Organization) Steve Geelback
Christian Legal Society
 PHONE NO. CODE/EXT. 321-8004
☐ YOU WERE VISITED BY—
☐ FTS
☒ PLEASE CALL →
☐ WILL CALL AGAIN
☐ RETURNED YOUR CALL
☐ IS WAITING TO SEE YOU
☐ WISHES AN APPOINTMENT

MESSAGE

re: IRS public
policy matter

RECEIVED BY K

DATE 11/12 TIME 4:00 PM

STANDARD FORM 63 (Rev. 8-76)
Prescribed by GSA
FPMR (41 CFR) 101-11.6

63-109

☆ U.S. G.P.O. 1981-341-529/26

MEMORANDUM OF CALL

TO: Maiselle
☐ YOU WERE CALLED BY— ☐ YOU WERE VISITED BY—
Sam Erickson
 OF (Organization) 321-8004-
☒ PLEASE CALL → PHONE NO. CODE/EXT. ☐ FTS
☐ WILL CALL AGAIN ☐ IS WAITING TO SEE YOU
☐ RETURNED YOUR CALL ☐ WISHES AN APPOINTMENT

MESSAGE

nothing can happen
until after
Nov 19th
after that, he wants

RECEIVED BY K DATE 10/30 TIME 9 AM

63-109

☆ U.S. G.P.O. 1981-341-529/26

STANDARD FORM 63 (Rev. 8-76)
Prescribed by GSA
FPMR (41 CFR) 101-11.6

action →

Christian Legal Society

October 20, 1981
P.O. Box 1492
Springfield, VA 22151

Mr. Morton Blackwell
Special Assistant to the President
for Public Liaison
The White House
Room 191
Washington, D.C. 20500

Dear Mr. Blackwell:

I am writing to you requesting some assistance from your office in arranging a small meeting with key staff of the Internal Revenue Service.

One of the functions of the Christian Legal Society is its Center for Law and Religious Freedom, which concerns itself with matters in the church-state arena. Of particular concern to us is the practice and apparent policy of the IRS to evaluate exemption of religious organizations based on the content of sincerely held religious beliefs. An example of this practice and policy is the case recently granted certiorari by the U.S. Supreme Court, Bob Jones University v. United States.

It is our desire to have a meeting with a couple of persons from the IRS who can articulate the position, policy and practice of the IRS on this issue. I have invited William Bently Ball, a renowned constitutional lawyer who has been lead counsel in 19 cases in the Supreme Court in the area of religious freedom, to attend this meeting along with myself. I am enclosing a resume of Mr. Ball for your information.

In terms of the format, we would like to have a transcript made of the meeting which we expect may take about two hours. As a sincere believer in the principle that "an ounce of prevention is worth a pound of cure", we hope that this meeting will help in resolving some of the confusion which presently exists on this issue. A number of other individuals who have spoken to you or your staff (including Attorneys Robert L. Toms, Orrin Briggs, and John Whitehead) have all deferred to this meeting and its outcome.

Post Office Box 2069 • Oak Park, Illinois 60303 • (312) 848-7735

The Center for Law & Religious Freedom • 1776 Massachusetts Avenue, NW
Suite #700 • Washington, D.C. 20036 • (202) 775-0069

Mr. Morton Blackwell
Page 2
October 20, 1981

If I can be of any assistance to you in bringing this meeting about, please do not hesitate to contact our office at telephone 703-321-8004.

Sincerely,

A handwritten signature in dark ink, appearing to read "Samuel E. Ericsson", with a long horizontal flourish extending to the right.

Samuel E. Ericsson
National Coordinator for
Religious Freedom Services

cc: William B. Ball

Handwritten note: Enclosed are 10 copies of the letter to Mr. Blackwell.

THE WHITE HOUSE
WASHINGTON

Morton -

- Jay Cole

Sent this to us -
it shows the President's
campaign statement

regarding IRS + church

auditing. You are meeting
w/ some of these people

this week + they want
us to take
some
action

from Jay Cole

125
J. A. Christwell
Secretary

Ronald Reagan has been introduced by Dr. W. A. Christwell, Pastor of the First Baptist Church in Dallas.

Thank you, Dr. Christwell. Thank all of you. Thank you very much. Our two good governors who are here, Dr. Christwell, Edward Chairman, ladies and gentlemen here on the platform, and you ladies and gentlemen.

You know, a few days ago I addressed a group in Chicago and received their endorsement for my candidacy. Now I know this is a non-partisan gathering and so I know that you can't endorse me but I only brought that up because I want you to know that I endorse you and what you are doing.

Since the start of my presidential campaign I and many others have felt a new vitality in American politics, a fresh sense of purpose, a deeper feeling of commitment is giving new energy and new direction to our public life. You are the reason. Religious America is awakening perhaps just in time for our country's sake. I've seen the impact of your dedication, I know the sincerity of your intent, and I'm deeply honored to be here with you tonight.

You know, I'm told that throughout history man has adopted about 4 billion laws. It's always seemed to me, however, that in all that time and with all those laws, we haven't improved by one iota on the Ten Commandments.

Today, you and I are meeting at a time when traditional Judeo-Christian values, based on the moral teachings of religion, are undergoing what is perhaps their most serious challenge in our nation's history.

Nowhere is the challenge to traditional values more pronounced or more dangerous than in the area of public policy debate. So it's fitting that the topic of our meeting should be national affairs, for it is precisely in the affairs of our nation where the challenge to those values is the greatest.

In recent years we've seen a new and synical attack on the part of those who would seek to remove from our public policy debate the voice of traditional morality. This tactic seeks not only to discredit traditional moral teachings but also to exclude them from public debate by intimidation and name calling as we were so elequently told just a short time ago.

We have all heard it charged that whenever those with traditional religious values seek to contribute to public policy their attempting to impose their views on others. We're told that any public policy approach incorporating traditional values is out of bounds. This is a matter that transcends partisan politics and demands the attention of every American regardless of party. If we have come to a time in the United States when the attempt to see traditional moral values reflected in public policy leaves one open to irresponsible charges then the structure of our free society is under attack and the foundation of our freedom is threatened.

Under the pretense of separation of church and state religious beliefs cannot be advocated in many of our public institutions, but atheism can. You know I've often had a fantasy. I thought of serving an atheist, a delicious

gourmet dinner and then asking he or she whether they believed there was a cook.

When I hear the First Amendment used as a reason to keep traditional moral values away from policy making I'm shocked.

→ [The First Amendment was written not protect the people and their laws from religious values, but to protect those values from government tyranny. This is what Madison meant when he drafted the Constitution and that precious First Amendment. This is what the state legislatures meant when they ratified it, and this is what a long line of Supreme Court decisions have meant. But over the last two or three decades the Federal government seems to have forgotten both that old time religion and that old time Constituion.

The results of this gradual but profound change in official attitudes are all about us. As our schools have tried to educate without ethics we've seen the mounting evidence in crime rates, drug abuse, child abuse and human suffering. As government became morally neutral its resources have been denied to individuals professing religious beliefs and given to others who profess to operate in a value free environment. Many of you, I'm sure, remember the controversy over the federally funded textbooks known as MACOS, man, a course of study, ~~which~~ indirectly taught grade school children relativism as they decided which members of their family should be left to die for the survival of the remaining ones. I don't recal the government ever granting seven million ^{scholars} ~~scholars~~ for the writing of textbooks reflecting a religious view of man and his destiny.

The Federal Communications Commission has shown greater interest in limiting the independence of religious broadcasting than it ever did in limiting the drug propaganda poorly concealed in the lyrics of some recorded songs. The Department of Labor and the National Labor Relations Board have tried to exert regulatory control over church employees to have federal agencies decide which church workers are engaged in secular activity and which have religious jobs. Fully backed by the White House, the Internal Revenue Service was preparing to proclaim without approval of the Congress that tax exemption constitutes federal funding. The purpose was to force all tax exempt schools, including church schools, to abide by affirmative action orders drawn up by, who else, the Internal Revenue Service bureaucrats.

On that particular note, I would like to read you a line from a certain political platform written in Detroit about a month ago. It goes like this, "We will halt the unconstitutional regulatory vendetta launched by Mr. Carter's IRS Commissioner against independent schools." To that I want to add, if I'm successful the next administration will base its policies and again I quote my party's platform, "On the primacy of parental rights and responsibility."

The office of the presidency must insure that the awesome power of government respects the rights of parents and the integrity of the family. If a president can propose taxes regulations, controls and embargoes, he can propose as well ways to keep big government out of the school and the neighborhood and above all, the home. I don't ask you to trust me to do all that I ask you to go back to an older American

vision of where trust should be placed. You see it written on a dollar bill. In fact, about the only thing about a dollar that's worth more today than it was four years ago were the words, "In God We Trust."

Earlier this week, I had the occasion to speak on two important themes directly linked to our friendship with other nations. Those themes were peace and strength. Clearly the pursuit of peace must remain the fundamental objective of our foreign policy. The peace we seek must be one based on principles which we hold in common with our friends abroad. And the underlying guarantee for the pursuit of peace must be a reservoir of American strength which will serve as a deterrent to war and a shield for our friends.

And as we do these necessary things in foreign policy, we must remember that our first and most urgent task begins at home against the despair and pessimism that tells us we must accept a condition of national malays. We must offer a positive and optimistic vision. In our own country we can get our house back in order. The drugs that ravage the young, the street crimes that terrorize the elderly, these are not necessary parts of life. Despite some intolerable court decisions, we do not have to forever tolerate the pornography that defaces our neighborhoods or the permissiveness that permeates our schools. We can break the yolk of poverty by unleashing America's economic power for growth and expansion.

Not by making anyone the perpetual ward of the state, we can cherish our aged, helping families to care for one another rather than driving their members into impersonal dependence upon government programs and government institutions.

May I close on a personal note. I was asked once in a press interview what book I would choose if I were shipwrecked on an island and could have only one book for the rest of my life. I replied that I knew of only one book that could be read and reread and continue to be a challenge, the Bible, the old and new testaments. I can only add to that, my friends, that I continue to look to the scriptures today for fulfillment and for guidance. Indeed, it is an incontrovertible fact that all the complex and horrendous questions confronting us at home and world-wide have their answer in that single book.

Could I just take one more moment of your time and maybe here I'm telling a little story that you perhaps have already seen. I don't know how it is being circulated, I only know that it came into my hands by way of a friend. It was a card, a single paragraph on that card, author unknown. But the author was telling the story of a dream the author had had. A dream of walking on the beach beside the Lord while all the scenes of his lifetime flashed in the heavens above, leaving the two pairs of footprints in the sand. And then as the final scene of his life was on the sky, he turned around and looked back at the path on the beach and he saw that every once and a while there was only one set of footprints,

and he said that every time the one set of footprints came at the time when the scene in the sky was of a terribly troublesome and despairing time in his life. And he said, "Lord, you said that if I would follow you you would walk beside me, that I would always have your help, why is it that in the times when I needed you most you left me and I see only one set of footprints?" And the Lord said, "My precious child, I would never leave you in your time of trouble. When you see only one set of footprints it was then that I carried you."

Thank you very much. Thank you.

THE RECONCILER

A PUBLICATION OF THE CHRISTIAN CONCILIATION

SERVICE OF THE CHRISTIAN LEGAL SOCIETY

NUMBER 2

Conciliation Service National Coordinator Appointed

Laury Eck, an Albuquerque, New Mexico attorney, has been appointed by the Christian Legal Society to serve as National Coordinator for the developing Christian Conciliation Service. Laury, and his wife Pam who will be sharing with him in this ministry, bring strong commitments and gifts to conciliation ministries. Laury's professional background includes extensive experience in medical malpractice litigation in Montana and postgraduate education at Harvard University. His commitment to Christian ministries of "legal peacemaking" comes out of his own experience as a litigator. "I've seen the costs — not just dollars but the spiritual and emotional costs of unresolved conflict and unreconciled people. The spiritual cost in bitterness and broken communities is far too high. The real 'inflation' today is the human 'costs' of a litigious spirit. And behind far too much of it is a spiritual problem."

Laury's interest in conciliation ministries was peaked by his learning of the developing efforts of CLS to develop a conciliation ministry. It was through contacts with CLS Director Lynn Buzzard and Conciliation Service founder C. Fred Cassity of Los Angeles that Laury was challenged to put his rich legal gifts and his personal concern together in a mediation ministry in Albuquerque. In the fall of 1979, he coordinated a major conference which brought together the leadership of the Christian community in New Mexico and out of that effort the CCS of New Mexico was formed. The New Mexico program has been the major source of funding for Laury and Pam's ministry. Other funding has come from

Denver and from CLS members across the country committed to the application of I Corinthians 6 and Matthew 18.

"If there was ever a person whose life style, whose demeanor and experience embodied a mediatorial style, a peacemaker — then Laury's it," said CLS Director Buzzard. When God has a mission, he usually gives it to some of his people, and it has been through people like Fred Cassity and Laury Eck that this ministry has been born and is being nurtured. And now others are catching that vision.

Laury is increasingly called upon to represent the CCS ministry in cities throughout the U.S., including extensive interviews on both secular and Christian radio programs.



Cooperation — Saint Nicholas, patron Saint of Switzerland, had been a judge and men asked him for advice. Several people came to him about to enter serious conflict. He took off his rope belt and handed it to the parties saying "Will you untie this knot?" They did so easily. "Thus," said Saint Nicholas, "must your dispute be unfastened. When one protested it wasn't so easy he said to him, "You could not untie this knot either if we all pulled at the ends of the cord, and that is what men are always wanting to do."

Paul in I Corinthians 6 says:

"How dare you sue each other!"

I've examined the meaning of the text, and it means:

"How dare you sue each other!"

I've checked the Greek text, and the original language means:

"How dare you sue each other!"

I think what Jesus is trying to teach us is:

"How dare you sue each other!"

Samuel E. Ericsson

An Editorial Comment

Peace is a Four Letter Word

I find it initially interesting, but then finally irritating, how protective I am advised to be about using the word "peace" in describing the ministry of CCS. I am told we evangelicals have a bad image of the word "peace" — that "peaceniks" and bearded hippies colored the word. I am warned that it smells of appeasement.

Now, I was never a fan of the "peace movement" as such and I had some difficulty with what I perceived as their too simple view of the universe, but I hardly argued against peace.

In fact, I refuse to give up the word. Even if it has been colored adversely (I am not sure it has been), I am going to claim it and proclaim it. It is thoroughly biblical and profoundly evangelical. Our Lord declared his coming in words of peace, and his departure with invitations to peace. The eschatological vision of the kingdom in which Christ reigns is one of peace and we are called to be peacemakers.

I shall therefore, without apology, insist that the ministry of CCS is a peace ministry — legal peacemaking. It is a ministry which seeks to step into the hostility of relationships and communities and speak God's powerful word of reconciliation. It is a peace of justice and community, of forgiveness and confrontation. It is the "shalom" which comes from right relationships with God and man, from wholeness and integrity. One need not agree with the specific political agenda or lifestyle of all who claim "peace", but we give up the word and the work of peace only at the risk of rejecting our Lord's command and missing the blessing our Lord promises to those who are peacemakers.

Perhaps the concept of peace is offensive for reasons, however, that have nothing to do with political ideology, but for reasons we consciously don't even sense — reasons that have to do with our own hostilities, bitterness and divisions. Maybe deep within ourselves we know that God's peace will break up our comfortable antagonisms and favorite prejudices. It will disturb our neuroses. (I've always suspected that the man who had lain beside the pool of Bethesda for 38 years had become quite comfortable with his sores. Thus the question of Jesus — "Do you want to be healed?" — are you ready to become whole?)

"Peace" is not always a "peaceful" concept as with most Christian doctrines. It is both *life* and *judgment* at the same time. Peace is that way — it is a gift, but also a word of judgment on our materialism, privatism, narcissism, anger and egos.

What a tragic need there is today to witness to Jesus Christ as the real peacemaker, the healer, the unifier, the reconciler, the wall-breaker, the one who makes two into one. In a world with Ireland, Iran, Israel, Syria, South Africa, Bangladesh, prisons, families, neighborhoods — what a time for a word of peace.

So I am for peace — and if it's a four letter word, its partners are love and hope.

Lynn R. Buzzard

THE RECONCILER

Editors

Lynn R. Buzzard
Laury Eck

Design/Layout
Heidi Entrekinn

The Reconciler is a publication of the Christian Conciliation Service of the Christian Legal Society (CLS). CLS is a national fellowship of lawyers, judges and law students committed to integrating their legal practice with a commitment to the Lordship of Christ. As part of that mission, the Society has sought ways of ministering with and to the Christian community.

The Christian Conciliation Service is one form of that ministry. It provides a way of utilizing the gifts and skills of Christians in law in accordance with a Biblical challenge to resolve disputes within the body of Christ where reconciliation, forgiveness, peace and hope may be lifted up. Many cities have specific Christian Conciliation Service organizations offering mediation and arbitration in addition to other educational efforts within churches and Christian organizations.

For further information regarding CLS and its ministries, write:

Christian Legal Society
Post Office Box 2069
Oak Park, Illinois 60303



Should Christians Assert Their Legal Rights?

Carl Esbeck

This outline was the basis for a discussion at the "Weightier Matters of the Law" conference sponsored by CCS and other community groups. A full set of 12 tapes is available for \$75.00 from the conference.

I. General Principles

A. Motive

Why you do something should be considered on an equal plane with what you do. Often your participation in the legal process will turn upon an objective and sincere assessment of your purpose, e.g., revenge, class concerns, pride, brother's keeper, retribution, loving discipline, retaliation, forgiveness, self-vindication.

1. Matthew 5:38-48 (especially verse 40 as to lawsuits): Cross-reference: Luke 6:27-38

a. Key — Personal relationships grounded in love, not fairness, redress or retaliation. (Verse 39a) The passage is not suggesting one shouldn't oppose evil *per se*; we are directed to not oppose the evil person who personally wrongs us. Cf. harm to others; condone or encourage more like behavior; suggest to the evil one or others that the behavior is not really wrong, or, indeed, the evil person is not really evil at all. Focus of the passage is not on the welfare of society.

b. Four examples (Verses 39b-42)

- strike you on cheek; insulting blow
- lawsuit over private property; unjust suit
- acting against your will; indeed, against your "rights"
- charity to all who ask (Luke 6:30)

c. Love your enemies; hate their behavior (Verses 43-48)

See also Romans 5:10 and Proverbs 24:17

2. Romans 12:17-21

- Do not repay anyone evil for evil (Verse 17)
- Overcome evil with good (Verse 21)
- Vengeance is God's; He will repay (Verse 19)

3. Ephesians 4:31-32

- Bitterness, anger and malice
- Forgive one another

4. 2 Corinthians 13:11

- Live in peace

5. Philippians 2:3-4

- Do nothing out of ambition or conceit
- Look to the interests of others

6. 1 Peter 3:8-17; 1 Peter 4:12-19

- Suffer unjustly

7. Matthew 5:25

- Settlement of disputes

8. The one who is closest to God and secure in Him is the one who will give up the most "rights"

B. Office (Authority and Responsibility)

As men living in the world we may be entrusted with duties by the church, state or our employer which cause us to assert rights on behalf of those we are accountable to.

1. Judge

- Deuteronomy 19:17-21

2. Apostle

- Galatians 2:11-14; Paul confronts Peter

3. The State (including police)

- Romans 13:1-7
- 1 Peter 2:13-17
- Acts 22:22 to Acts 26:32

4. Overseers and Deacons

- 1 Timothy 3:1-12

5. Elders

- 1 Timothy 5:17-20 (especially verse 20)

C. Source of the Law

Does the asserted "right" have its underpinnings in Scripture or is it the product of a secular culture or legislature? A careful comparative analysis is in order prior to filing suit.

1. God's Character

- Truth and justice; Psalms 111:7-8
- Precepts of the Lord are right; by them thy servant is warned; Psalms 19:7-14
- Psalms 119; meditations relating to the law

2. Man's Laws

Malum in se — A wrong in itself; an act or case involving illegality from the very nature of the transaction, upon principles of natural, moral and public law.

Malum prohibitum — A wrong prohibited; a thing which is wrong because prohibited; an act which is not inherently immoral, but becomes so because its commission is expressly forbidden by positive law.

D. Responsibility to Family; Stewardship

There are instances when one is the defendant (i.e., is being sued) that you should consider your obligations as provider to your family and steward over property God has given you.

1. Providing for family. Mark 7:9-13; Matthew 15:4-6; 1 Timothy 5:8
2. Cf. the widow's mite. Luke 21:1-4. Or Luke 14:33

Carl Esbeck is Professor of Law, University of Missouri-Columbia.

continued next page

Case Log

"I must say that, as a litigant, I should dread a lawsuit beyond almost anything else short of sickness and death."

Judge Learned Hand

Assert Legal Rights (continued)

II. Special Relationships

A. Christian v. Christian

1. 1 Corinthians 6:1-8; Titus 3:9
2. Resolving disputes in the church.
Matthew 18:15-17; Titus 3:10-11

B. Christian v. State

1. Criminal

- a. Using the system. Acts 22:22 to Acts. 26:32
God knew it was corrupt when He ordained it. But, we are still responsible when the system is unjust. Just because there is "a system" does not mean we are unaccountable. We, not the system, will have to answer.

b. If guilty, confess it. 1 John 1:9

2. Civil (civil disobedience)
— Romans 13:1-7; 1 Peter 2:13-17.
God knew that government was corrupt when He ordained it. Still he did it.

But see Daniel 6 (Daniel refusing to obey the injunction of King Darius) and Acts 4:18-20 (the apostles before the Sanhedrin).

C. Employer — Employee

- Ephesians 6:5-9
- 1 Peter 2:18-25
- Philemon
- Titus 2:9-10

D. Poor, Widows and Orphans

- Luke 11:46
- Proverbs 29:7
- Exodus 22:22-25
- James 1:27

E. Husband — Wife

- Ephesians 5:21-33
- Titus 2:4

F. Parent — Child

- Ephesians 6:1-4

Cases reconciled through the Christian Conciliation Service have included a wide variety of civil and criminal disputes. Some of the conflicts, resolved have involved disputes within and between churches; others have been "community" type conflicts; still others have concerned various types of church ministries.

Many of the disputes resolved have involved businessmen in dispute with one another. For example, a dispute between two businessmen over an alleged contract of sale and lease, there being allegations of breach of contract and misrepresentation, was resolved and reconciled after meetings (several private, one joint) between the parties in the presence of a mediator.

Education

- In a dispute between a Christian school and a party to whom the school allegedly owed money, the dispute was resolved by showing the parties the first Biblical step in conflict resolution, i.e. a private meeting between the parties in the absence of the mediators. In many cases submitted to CCS for conciliation it is discovered the parties have told many people about the seriousness of their allegations — except the other party.

Business Finance

- In a conflict between two business partners over the management of the business and alleged financial irresponsibility, dishonesty and deceit by one of the partners, the matter was resolved through a series of mediator meetings rather than court. In this case, like many others, the deep hurts and resentments created in conflict have to be worked with by the conciliators and the members of the party's churches over a period of time.

Real Estate

- Many cases have involved real estate and construction contracts. In one case over a half a million dollars in commissions were at stake and the parties signed an agreement to mediate,

followed by binding arbitration. The parties met, discussed their Christian commitment and not only resolved the issues but were reconciled to each other. One of the parties commented it was one of the greatest Christian experiences he had ever had.

Consumer Complaint

- In another case, a woman took her car to a repairman and it would not operate; four elders and their wives, two from each of the respective churches, heard the allegation. Each of the parties was receiving pressure to take the case to court and there was thought to be little chance of reconciliation because of the strong feelings involved. Despite these facts, the issues were resolved, the parties were reconciled, with the church itself assuming a part of the financial responsibility for getting the car correctly repaired. The parties were deeply appreciative for the love and concern shown to them in the conciliation process.

Construction

- A complaint against a large Christian-owned construction company for property damage was resolved through a series of talks with company officials and eventually a meeting with the president. There are some unique problems celebrating "reconciliation" when dealing with a large, somewhat impersonal corporation. Additional difficulties are posed by the existence of "insurance" if the company will not submit to the CCS procedure.

Employment

- Another dispute involved an employment termination conflict between a church and two employees, with many long standing and interrelated issues typical of such cases. The conciliators included two attorneys and a university professor. God was gracious and the reconciliation process was substantial and genuine.

"Discourage litigation. Persuade your neighbors to compromise wherever you can. Point out to them how the nominal winner is often a real loser — in fees, expenses and waste of time. As a peacemaker, the lawyer has superior opportunity of being a good man."

Abraham Lincoln
Notes for a Law Lecture, July 1, 1850

Commissions

- Another case involved a dispute between a Christian publication and a number of employees and advertisers of the paper. It was alleged that the employees had not been paid their agreed upon sales commissions and that the advertising published had numerous mistakes which made it ineffective. After a joint meeting by all of the parties, most of the issues were resolved and the parties left with a greater degree of understanding and commitment to each other as brothers and sisters in the Lord. Some of the particular hard feelings and bitterness needed to be dealt with on a more individual basis.

Wages/Contract

- A Christian musician has a claim for past due wages and an alleged breach of contract against a business establishment. A lawyer had been contacted and was prepared to file legal action. After separate talks with both parties, a joint meeting was held which, in a very short time, resolved all the issues between the parties.

Commercial Venture

- Several of the claims submitted to CCS have involved contract and partnership claims of close to one million dollars. Other typical cases submitted to CCS involve claims against a building contractor for defective buildings; claims against a Christian attorney for malpractice or excessive fees; claims against a repairman for improper work; damages for personal injuries occurring on business property or on a church grounds; employer-employee complaints over wages or alleged improper discharge; accounts or monies owed between Christian businessmen (or others); disputes between landlord and tenant over rent, security deposits, damage, allegedly deceptive and improper practices by Christian business establishments, bad checks written by businessmen, claims for malpractice against various Christian professional people.

Domestic

- Many family and domestic cases have been processed by CCS. One case involved a woman and her estranged husband who was on parole for various criminal charges. Although a divorce action had been filed, the case was referred to CCS. The parties engaged in a series of joint meetings and eventually were reconciled. Resources from the Christian community helped with drug and alcohol problems, job counseling and other difficulties.

- A case where only one of the parties had any desire for reconciliation was a divorce in process which involved typical issues of property division and alimony with the husband simply wanting "out". Most of the initial conciliation was with the wife with prayer support for the husband. Eventually the husband was led to meet with a conciliator who he trusted and over a period of several weeks a team of mediators laid the ground work for a reconciliation.

Custody

- Many disputes over custody of children have been submitted to CCS with an agreement that the decision will be final and binding in court. The objective is to maintain as close a relationship as possible through the dispute — instead of the bitterness and vindictiveness often resulting from an adversary court proceeding. In many cases, these problems over custody and care of children are worked out in mediation sessions without the necessity of formal arbitration. Such was the case in a dispute between the natural parents of a child who had many years ago relinquished custody of the child to other relatives and who now wanted visitation rights.

- In many cases, CCS mediators work with couples who are separated or divorced but who want to be reconciled with each other. The mediators often utilize "covenants" or agreements between the parties to deal with problems that have arisen because of different expectations of the parties in difficult areas of the relationship. Part



of the training deals with utilizing Biblically based "covenant" therapy as a part of the reconciliation process. In domestic cases, CCS often brings in relatives, friends, employers and others who are a substantial part of the particular problem.

Church Disputes

- A local church through several bond issues raised funds for local church improvements and the development of other church projects and ministries on adjacent property. About half a million worth of bonds were sold and construction of the projects was undertaken. The delays resulted in a cash shortage and an inability to pay the contractor. A separate agreement with the contractor called for certain payments by specified dates or forfeiture of property and buildings. Payments were not made and the assets were forfeited. There were no assets outside the church property and buildings and no source of revenue with which to retire the bonds. CCS mediators were called in to deal with questions such as: How to respond to the bondholders? What are the liabilities of the parties legally and morally? How can legal action be forestalled? How can the reputation of the church be maintained?

- Many disputes have involved neighbors who have various types of problems with each other. In many cases, like others, the parties do not initially consider CCS because they do not think the other party is Christian. In one case, the parties had filed multiple criminal complaints on each other over a period of several years but had never engaged in any direct communication regarding their complaints or mutual problems. When the parties finally did meet for a conciliation session in a local church, lines of communication were established and efforts to get along were agreed upon.

CCS Around the Country

Seattle-Puget Sound area: Paul Meyer and Landon Estep have been sharing the bulk of the planning and development efforts. The initial meeting of the Executive Committee of the Board of Directors has met to get the CCS program underway. The Board members include Skeeter Ellis, CLS attorney; Jerome M. Johnson, Superior Court Judge; Daniel O. Kellogg, CLS attorney; Bruce Larson, pastor; Paul R. Meyer, Arbitrator and Coordinator for Prison Fellowship in Washington and Oregon; Dean Pontius, CLS attorney in Bremerton; Richard S. Roddis, former Dean of the University of Washington School of Law; Jack M. Thiesson, Director of Education and Counseling at Christa Ministries; Father William Tracy, pastor of Our Lady of the Lake Catholic Church in Seattle. The Seattle program has been working with Christian counselors resolving legal issues in divorce actions and also with a Christian retirement community having substantial disputes with residents. An information and training seminar is being planned, with representatives from the CCS national office, in June, 1981.

Denver, Colorado — The Denver Christian Conciliation Service program is underway with Paul Frederiksen, Phyllis Hirschfield and Dave Kapple sharing the major administrative responsibility. There are about 15 mediators involved in the program, 10 of which are lawyers, the rest counselors, professional mediators and lay people. CCS is cooperating with the Colorado Council of Mediation Organizations. The CCS group has been meeting regularly to develop a program of education to get the conflict resolution message out to the individual churches. They are also planning other types of public relations efforts. The program is conciliating and arbitrating about three disputes a month. In recent cases, they have resolved a dispute involving an allegedly defective auto repair job and the relationship between the parties was better than it had been

previously. In another case, an entire dissolution agreement was mediated, i.e., child custody, visitation, property division and support and it resulted in a shared parenting arrangement.

Minneapolis, Minnesota — In Minneapolis, Tom Strahan and Brian Peterson are heading up a CCS program. An increasing number of calls have been received at the Conciliation office. Tom attributes this to the increasing number of Christian ministries who deal with people in conflict and that serve as referral agencies, i.e., police chaplains, Christian counselors, crisis centers, pregnancy centers, halfway houses and others. CCS has been promoted through advertisements in the Christian Business Directory and by presentations to various ministerial groups such as the Greater Minneapolis Association of Evangelicals, and to various Christian businessmen's groups. About 10 lawyers are working as mediators. Recent cases have involved various domestic and family disputes and a case between a homeowner and a building contractor. Brian Peterson is planning a mediation conference and training seminar in the near future.

Spokane, Washington — In Spokane Ray Eberle and Richard Carpenter, Jr., have been interested in developing a mediation program. Both of these men attended the Christian Legal Society training conference for conciliators held at Glen Eyrie, Colorado in October of 1980. Richard put on an eight session course within his church entitled "Dispute Resolution for Christians" with about 18 students. They would like to sponsor a city-wide conference to stimulate more widespread interest in Christian conciliation.

San Francisco, California — In Marin County, California, Eric Swenson and Marco Van Nellen have been developing a Christian Conciliation Service. Eric is an attorney with the U.S. Department of Justice and Marco is an international

business consultant. Representatives from the CCS national staff have visited with the group and presentations of the Biblical concept of dispute resolution have been presented to groups of lawyers, pastors and businessmen. An extensive grant proposal has been drafted for submission to a foundation possibly interested in funding the initial expenses in launching a CCS program. Efforts are being made to broaden the base of support in the Bay area.

Santa Ana, California — David Llewellyn, CLS attorney, Dennis McNutt, a political science professor at Southern California College, and Jack Brewer, a CLS attorney, are forming, with the sanction of the national Christian Conciliation Service, a non-profit corporation named Christian Conciliation Service of Orange County. The group met with Lynn Buzzard and Laury Eck regarding their progress and future plans. The conciliators have been working on procedural matters and rules prior to extensive promotion of the local program. They have already handled some cases with an excellent degree of success.

Lansing, Michigan — Jonathan E. Maire has met with Lynn Buzzard, and other attorneys and judges regarding the local implementation of the CCS. The group has concluded that there is sufficient interest to begin that kind of a service. There are approximately 20 lawyers in the formative stages of putting together a peacemaking ministry.

Richmond, Virginia — A group of attorneys in Richmond led by Mark Mariner met last spring to explore the conciliation ministry with Lynn Buzzard and Sam Ericsson. Additional meetings are scheduled this fall.

Los Angeles, California — Richard Hauser and Jack Rameson met with Laury Eck and Lynn Buzzard about starting a conciliation ministry there. Fred Cassity from the Los Angeles

program recently made an appearance on the 700 Club (Christian Broadcasting Network) which has generated a substantial increase in interest. The Los Angeles program has handled a number of different cases over the last year or so.

Nebraska — Attorney J. Marvin Weems of Ord Nebraska has had approved by the state bar association a resolution placing special emphasis on the role of the lawyer as a conciliator, mediator, arbitrator and peacemaker. This was designed to counteract the "hired gun" image too often portrayed. Subsequently, a special emphasis has been placed on the lawyer's role as a peacemaker in the bar's institutional advertising program. Mr. Weems has also proposed a trial court mediation service to alleviate the appeal bottleneck which exists in that state.

Bakersfield, California — Thomas A. Tutton and a number of other lawyers are working steadily toward implementing a conciliation service. The program has recently been launched. Conciliation panelists have gone through some mock-up training. About twelve conciliators are prepared to serve as panelists. The conciliation group consists of about 25 persons in all and they are planning further training and city-wide promotional programs in the near future.

Below are names of major contacts in various cities regarding the Christian Conciliation Service. Programs in these locales vary greatly with many still in the exploratory stages. These persons may, however, be able to provide assistance to you in utilizing the services of CCS.

Mark A. Bryan
Post Office Box 460
Bozeman, Montana 59715
406/586-8565

Dick Carpenter
15123 Little Spokane Drive
Spokane, Washington 99208
509/466-3425

Stanley D. Crow
3776 La Fontana Way
Post Office Box 972
Boise, Idaho 83701
308/345-7561

Charles W. Edwards
64 East Market Street
Post Office Box 102
Spencer, Indiana 47460
812/829-2209

E. Jack Elias
943 Cannock Road, Southwest
Calgary, Alberta
Canada T2W 1M6

Landon R. Estep
2110 Exchange Building
Second Avenue & Marion Street
Seattle, Washington 98104
206/682-0565

Robert Finn
1st National Financial Center
4400 East Broadway, #801
Tucson, Arizona 85711
602/881-1720

Patrick A. Fort
1806 Jane Lane
Las Cruces, New Mexico 88001

Paul A. Frederiksen
821 17th Street
Suite 600
Denver, Colorado 80202
303/629-6700

Richard B. Hauser
611 West Sixth Street
Suite 3000, Crocker Bank Plaza
Los Angeles, California 90017
213/277-6093

Dale Head
3500 North Central Avenue
Suite 224
Phoenix, Arizona 85012
602/265-7344

C. Fred Jenkins
1380 Ontario Street
Cleveland, Ohio 44113
216/241-1776

Leo Kistner
27007 Hoover
Warren, Michigan 48093

Dave Llewellyn, Jr.
1010 North Main Street
Suite 725
Santa Ana, California 92701

Jonathan E. Maire
423 West Ionia Street
Lansing, Michigan 48933
517/487-3736

Mark Mariner
701 East Franklin
Richmond, Virginia 23219
804/644-8721

Wayne Ohl
One East Main Street
Rochester, New York 14614
716/454-6760

Earnest Penner
A. K. Penner & Sons, Ltd.
Blumenort, Manitoba
Canada R0A 0C0
204/326-1341

Hans Scherner
50 West Broad Street
Suite 1006
Columbus, Ohio 43215
614/221-5207

Craig Seminoff
1711 Cheshire Way
Escondido, California 92020
714/489-9195

Thomas W. Strahan
1000 Midland Bank Building
Minneapolis, Minnesota 55401
612/335-8858

Eric Swenson
31 Lincoln Avenue
San Anselmo, California 94960
415/556-4233

John Tucker
2200 Century Park Way
Suite 202
Atlanta, Georgia 30345
404/321-1765

Thomas A. Tutton
1122 Truxtun Avenue
Suite 101
Post Office Box 2537
Bakersfield, California 93303
805/325-5717

J. Marvin Weems
218 South 16th Street
Ord, Nebraska 68862
308/728-3285

John J. Westra
400 West Liberty
Wheaton, Illinois 60187
312/665-9600

Albuquerque — The "Pilot" Matures

Albuquerque has become the primary model for the development of local conciliation programs affiliated with the Christian Conciliation Service. Laury Eck, in addition to his role as National Coordinator of the CCS, has served as Executive Director of the local Albuquerque program.

Perhaps nothing illustrates the development of this "pilot" more than the fact that they are now handling some 40 cases each month with a team of mediators/arbitrators.

What has made the project there so effective? Perhaps a review of the developments there can give other groups a sense of at least what one group did to implement an effective nationally recognized program.

1. *Vision:* The conciliation ministry there began with a couple of people with a vision, and primarily Laury Eck.

2. *Relationship:* Laury spent almost a year building relationships with Christian ministries, churches and Christians in law, counseling and other professional groups. These relationships included not only a promotion of the concept of conciliation but a personal relationship as well.

3. *Education:* In the fall of 1979 these groups combined under Laury's direction to sponsor a state wide 2-day conference on Christian conciliation. The conference included participation by the state's major Christian ministries, many pastors, the Chief Justice of the State Supreme Court, the president of the State Bar Association and many lay persons. It was a major attempt to explain the concepts and build a spiritual base for the ministry.

4. *Leadership:* An active Board of Directors has developed which includes a healthy cross section of the Christian community of Albuquerque. The Board has taken an active role in setting policies, promoting the program, fund raising and giving a wholistic dimension to the ministry. The Board includes Christian leadership in law, business, counseling and other professional groups. It has committed itself to

operate within the principles and policies of the CCS national program.

5. *Promotion:* A continual effort has been made to enlarge the scope of those who identify, provide leadership for, and utilize the ministry. This has been the primary reason so many cases come to the ministry.

6. *Training:* Laury has recently completed training courses for local mediators with over 100 participating. These persons are now regularly assigned cases, often in teams, that come to the service. Assignments take into account the specific gifts and skills of mediators and the nature of the disputes. The training program will be revised based on the Albuquerque experience and a national training effort is anticipated next year.

It is clear that the program in Albuquerque has been effective because of two elements: first, the commitment of a few people who have given substantial *time and not a little money* to develop the program, and second, the careful, systematic plan to develop the networks and systems that can sustain the program and make it a genuine ministry of the Christian community in Albuquerque.



Tell it to the Church: (Matthew 18)

Implementing Ministries of Legal Peacemaking and Reconciliation

**May 20-23, 1982
Graham Center, Wheaton College**

- A national conference focusing on obedience to the biblical mandates of Matthew 18 and I Corinthians 6 which call the church to use its gifts to provide healing and reconciliation in disputes.

- Training sessions on mediation and arbitration

- Legal, Pastoral, Psychological and Biblical dimensions

- How to establish local programs on Christian conciliation

Sponsored by
Christian Conciliation Service
of the
Christian Legal Society

(Conference details and brochure will be available in December.)



A Wonderful Promise **And God's Delivery in Albuquerque** Ed Kaufman

For I am convinced that neither death nor life, neither angels nor demons, neither the present nor the future, nor any powers, neither height nor depth, nor anything in all creation, will be able to separate us from the love of God that is in Christ Jesus, our Lord.

Romans 8:38-39 (NIV)

Yes indeed, Paul has given us a strengthening spiritual rock to cling to by confirming what God's Love in Christ holds for us. But, can we comfortably rest with complacency and wait for His Love to manifest itself? Absolutely not! We must be about our Father's business to bring His Power into manifestation. The opportunities are numerous and are about us daily, waiting to be recognized and handled. Certainly Satan is actively engaged in the evil efforts to disturb and disharmonize the lives of Christians; to test their faith and Christian perseverance.

Easier said than done — you say! **Right!** But what is behind Paul's promise? Let us numerate what God and Christ's love can have power over; Death — Life — Angels — Demons — Present — Future — Any Powers — Height — Depth — Anything in Creation. Therefore, we are equipped to meet the challenge in the manner inspired by The Lord.

In one important aspect, we in Albuquerque are striving to meet that challenge through the work of the Christian Conciliation Service of New Mexico, Inc., and are currently actively engaged in working with 40 cases. The cases fall into the categories of marital, financial and business disputes where unbiased Christian peacemakers, mediators and/or counselors have opportunities of applying principles of Christ's love to reconcile disputing Christians.

I personally know the joy and inspiration of the counseling process where the foundation of each session is based on mediation and guidance from Scripture and sincere, earnest prayer. Working on three cases at present, it is spiritually strengthening to see Christ's

influence manifested in changing attitudes of anger, bitterness and resentment to one of hope for future peace and reconciliation. (John 14:27)

CCS of New Mexico began last fall when 9 interested persons met to begin formation of the Service. We now have a 12-member Board, a New Mexico charter has been filed and we are awaiting approval from IRS as a 501(3)(c) non-profit agency.

Board members include Ed Kaufman, John Wheeler, Chet Blue Sky, Mary Vermillion, Donald Bruckner, Carl Esbeck, Carolyn Heggen, Martin W. Krenzke, Dennis Otero, Joe Weiss and W. F. Whitfield. Various committees have been formed, including Education, Fund Raising, Case Reviews, Publicity, Public Relations and Budget and Finance. Until recently, the Board has been meeting twice each month to speed up organizational structure. In creating our Board, special efforts were instituted to invite members representing a very broad expression of community religious sentiments.

An operating Budget has been created and plans are being formulated to develop a fund raising program. Currently, we are supported by contributions from individuals, corporations, businessmen and churches. Contacts have been established with most churches, ministerial associations and agencies, seeking their cooperation in referring cases and financially supporting CCS. Numerous public appearances have been made to church groups, civic organizations, senior citizen centers and others, broadcasting the story and spiritually reconciling potential of CCS.

We have met with judges from all courts (Federal, State and Metropolitan) requesting that cases be referred to CCS for handling, and have had cooperative response in that area.

It is gratifying to observe that 70 Christian lawyers are participating in the program without fees. In addition to handling mediation sessions, they are legally preparing covenant agreements to assist lay persons in completing the reconciliation process.

In addition to legal assistance, we have approximately 70 pastors and a like number of lay people (professional and otherwise) that are participating in our program.

Covenant agreements are used when it is considered advisable to legally define the complete area of settlement, and place details in writing. The advantage of written covenants is also emphasized when biblical references are applied to and inserted in settlement agreement; to encourage participants to be aware of the deep spiritual significance of the decisions made and that the central theme of the settlement is Christ's love and power of forgiveness and reconciliation.

CCS has worked closely with other groups and received excellent cooperation in the development of our program. These include Full Gospel Businessmen International, Prison Fellowship, Covenant Players, Police Chaplains, Marriage Encounter, Christian Yellow Pages, Navigators, Christian Counseling Ministries and New Mexico Peace Conversion Project.

Earlier this year, four Saturday morning sessions were conducted as a training course to develop talents as conciliators. Classes were conducted by our Executive Director, Laury Eck, and Board member, Donald Bruckner, Ph.D. Thirty-five (35) persons attended, including lawyers, ministers, counselors and lay persons. Many subjects were covered that directly related to Scriptural principles, practices and procedures in conflict management. After completing training, they are ready for conciliation sessions. Generally, they are joined in teams of 3 to participate in arbitration or mediation sessions.

The team concept (usually a lawyer, pastor and lay person) provides excellent balance in the mediation process, as well as assuring the attendance of at least 2 in any one session. In circumstances where expertise is advisable, to assist in technical areas, qualified experts are invited to participate.

continued page 10

Testimony

— Laury Eck

"As a nominal church member, I was inoculated with just enough Christianity to immunize me from the real thing. I thought of myself as a Christian, but I never made it the central part of my professional practice.

"I was taught the law was a valueless system. As a trial lawyer, I would often encourage my clients to rely on legal technicalities. Insisting on my client's rights often meant ignoring relationships and what Jesus referred to as the weightier matters of the law — justice, mercy, repentance, forgiveness and reconciliation.

"Jesus accused the lawyers of his day of being like white-washed tombs. They appeared clean and respectable on the outside. On the inside they were full of greed, wickedness, hypocrisy and self-indulgent diversions. I fit that pattern.

"Outwardly, I was a well-known and respected trial lawyer, law professor, community leader and professional journal editor. Inside, my life was one of rebelliousness, confused priorities, corruption and spiritual emptiness. Without the Lord Jesus, my life was unfulfilled, unhappy and unpeaceful. My family suffered. My God was ignored.

"Professional success didn't bring happiness so I turned to various diversions. I was willing to try anything to fill the emptiness in my life: community activities, sports, charitable work and travel. Nothing worked.

"This inward emptiness and corruption eventually led to alcoholism, drug addiction, mental hospitalization and jail. I learned what it means to be a defendant in a lawsuit. I lost my health, my job, my family and my freedom.

"As an attorney, I have been taught to respect power. I finally gave God complete and absolute control over my life. I then saw the miraculous power of God transform those seemingly impossible problems in my life. Jesus healed me physically, mentally and spiritually. He reconciled me to my family. I now want to see that same power harnessed to heal the brokenness caused by legal disputes.

"When lawyers were a part of the

priesthood, they treated a legal dispute as merely a symptom of deeper spiritual needs. The underlying problem was often unforgiveness, anger, greed or vindictiveness. The lawyer of history was expert at identifying these spiritual needs. He used the crisis and brokenness associated with the dispute as an opportunity for teaching, ministry and healing.

"Jesus was concerned with the 'causes' of conflict, not just the symptoms. He knew that simply patching things up, smoothing things over or agreeing to a compromise settlement was not the solution.

"I found our present legal system is often counter-productive to the healing of close personal relationships which are often fractured in the course of the law suit. The adversary process in our courts often heightens animosities, and increases alienation. It never achieves the healing and reconciliation and wholeness that only Jesus Christ can bring.

A Promise (continued)

We are grateful to the Christian Legal Society that we are privileged to share with them the talents of a very dedicated person, our Executive Director, Laury Eck. The Lord has called him and he has responded. Also, we are thankful that we have an opportunity to use the resources of the Christian Legal Society in developing our program in Albuquerque. We are looking forward to a long and productive association with CLS. Our complete approach is founded on desire for handling conflicts between Christians in a truly interdenominational manner. We use all resources available to us, regardless of source, if there is a remote possibility that a conflict can be successfully resolved.

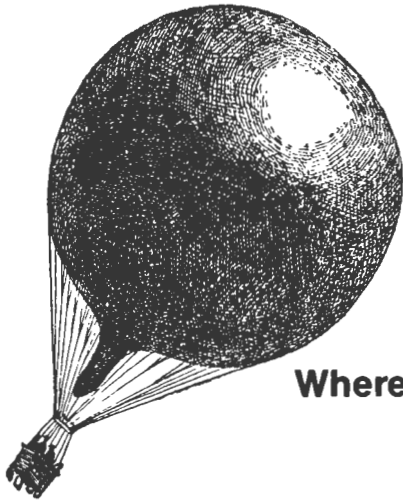
CCS also has a missionary purpose of spreading the program wherever interest is indicated. Members of CCS

Board have met and sponsored introductory programs with lawyers and pastors in New Mexico cities of Farmington, Las Cruces, Clovis, Gallup and Santa Fe. In September, as part of a combination vacation and missionary effort, I will be conferring with interested groups in Midland and Houston, Texas; St. Louis and Kansas City, Missouri; and Denver, Colorado.

Christian businessmen and women are being encouraged to make advance commitments to mediate and arbitrate any disputes involving other church members. Lawyers and business men and women are also encouraged to routinely insert mediation/arbitration clauses in their business contracts, that will hopefully reduce disputes between Christians. Couples who have had marital difficulties are being encouraged to sign binding covenants to resolve any future difficulties within the church structure instead of using the courts.

Jesus says in Matthew 5:48 — "Be perfect, therefore, as your Heavenly Father is perfect." (NIV) He would not put that challenge to us if it were not possible to be perfect. The words of E. Stanley Jones from "Christ of the Mount" succinctly and graphically expresses that as follows: "I am the embryo of the man who is to be perfect as the Father is perfect. I cannot tarry by the wayside. O littleness, lay no cramping hand on me, for I am made for the great. O flesh, do not ensnare me, for I am out for high destiny. O world, teach me, but do not entangle me, for the perfect calls me, in Christ, and I must go."

We in the Christian Conciliation Service of New Mexico, are taking small steps forward in helping ourselves and others to reach for, and someday, achieve the perfection that Jesus Christ has planned for us; knowing full well that "with God, nothing is impossible" — Matthew 19:26. Striving to fulfill **A Wonderful Promise.**



Where is CCS Heading?

IN THE BEGINNING there was only a vision by people like Fred Cassity in Los Angeles, and then the formation of groups in Los Angeles and Albuquerque which sought to experiment with the application of the principles of 1 Corinthians 6 and Matthew 18 to a broad range of disputes involving Christians. But **WILL IT WORK? or IS IT ALL JUST GOOD THEORY?**

TODAY we know a few things:

1. It does work — we've seen spiritual healing, we've seen legal conflicts resolved in personal family, business and organizational contexts.

2. It is work — ministries of legal peacemaking require high levels of energy to overcome the spiritual inertia of narcissism, materialism, pride and sin as well as the more natural and appropriate suspicion about a new and unfamiliar approach.

3. It requires the involvement of the whole Christian community. It is not just a ministry for lawyers — though they have a special contribution to make and are in some areas especially gifted to introduce peace into legal war.

4. The development of such ministries requires endurance, patience, long suffering, hope and an assurance that God will break through the divisions and hostilities and illustrate in this ministry His capacity to break down the dividing wall of hostility.

5. The concept is sound — biblically, psychologically and legally, and it is desperately needed in a culture which, like sin itself, is marked with the sort of spirit which builds walls.

6. The biblical principles of 1 Corinthians and Matthew 18 are largely unknown or ignored by individual Christians or Christian ministries.

7. Pastors and others are eager to apply biblical principles to conflicts but need equipping and need systems to assert them.

8. Many lawyers are looking for members of ministry as mediators as alternatives to litigation.

WHAT NOW?

A few things are becoming clear as the major priorities for CCS in the next couple of years.

1. **Networking:** At both the local and national levels, the CCS ministry needs to involve a cross section of the Christian ministry — vital relations must be built with churches, Christian ministries, counseling programs and other structures which can lend spiritual strength to a ministry of the whole church.

2. **Systems and Structures:** Developing specific structures for developing local programs including suggested corporate structures, promotional programs, local policies, forms, communications systems.

3. **Resources:** Explore and develop resources which may be used in mediation/arbitration efforts including educational materials, Bible studies for churches and for persons involved in conflict situations.

4. **Remedies:** Identify ways in which the remedies/solutions/awards which mediators and arbitrators implement may reflect uniquely Christian commitments to spiritual health, reconciliation, etc.

5. **Preventive Structures:** Assist Christian organizations — churches, non-profit Christian ministries — and individual Christians in businesses and professions to utilize arbitration agreements in contracts (considerable interest has been created in this area and model clauses are available but far too few such Christian groups utilize any such structures).

6. **Equipping:** Develop formal systems of training and certifying (without becoming authoritarian and overly structured) persons with the appropriate gifts for mediation and arbitration.

7. **Funding:** All of these require leadership and require ministry worthy of financial support. It is indeed a faith ministry. Broadened bases of support for the CCS ministry must be developed if the vision is to become a reality.

Prayer Requests

Please put the Christian Conciliation Service on your prayer list and prayer chains. We would ask that you pray for Laury and Pam in their work with CCS and the development of the Albuquerque program so that it might become a light and a model to other conciliation services around the country. We would ask that you pray for those persons and programs listed in the article entitled *CCS Around the Country*. Other specific prayer needs are as follows:

1. That the CCS program will in all respects give glory to God and that the Lord will raise up in many cities around the country dedicated leadership and support groups to administer the ministry.

2. That the Lord will give the vision of a peacemaking ministry to thousands of lawyers, pastors and other people from the church so that there might truly be a national network of conciliators and arbitrators.

3. That the Lord will use CCS as a vehicle for bringing together hundreds of peacemakers from across the country for the first national conference on legal peacemaking to be sponsored by CLS in 1982.

4. That CCS might truly be used as an instrument for healing divisions in the Christian community and for building a sense of unity among believers from many denominations.

5. That God's will be done in all aspects of the CCS ministry, particularly in developing programs for small towns, local churches and work with existing ministries.

6. That God direct CCS's training programs for our leadership, our mediators and our volunteers, helping us to develop specialized conciliation training and Christ-centered materials.

7. That God direct our efforts to be good stewards of the time and space that is made available to us in the media and guide us in the use of media as a potential dispute resolution tool.

8. That God guide and direct each of our peacemakers in the individual cases they are working on so that they might discern the underlying spiritual causes of the dispute and truly be instruments of reconciliation.

9. That God create in the hearts of church members across the country a strong desire to follow Biblical principles and procedures in the resolution of all disputes.

10. That God bring knowledge of the CCS ministry throughout the land to churches, Christian ministries, para-church groups and all believers, particularly those in the midst of conflict and create within them a desire for reconciliation.

11. That God provide for the financial needs of all of the conciliation ministries starting around the country and guide local programs in his will for setting fees and charges, if any, for the service.

CCS in the News



Christian Life Magazine

"Undoubtedly, a major reason why so many Christians drag their fellow believers to the secular courts to resolve their legal disputes is that the church has failed to provide an effective alternative means of resolving conflict."

"The overriding goal in litigation is to win. In stark contrast, the Word of God repeatedly stresses that the objective should be reconciliation and not 'winning'."

"As in the famous case presented to Solomon concerning the identity of the mother of an infant, it was obvious in our case that there could be only one 'winner'. I was afraid that whoever 'lost' might blame the panel and even me for my selection of the panel members."

"It was a unique experience for all of us as we saw the hearing unfold and the Lord's leading. Absent was the self-serving, often hostile and bitter arguing and accusations. Instead, everyone strove to put the other's interests above his or her own."

"We are excited to see God's Word in action as the church provides society with an alternative means of resolving disputes that truly results in reconciliation. Isn't that what it means to be a peacemaker?"

Los Angeles Times

"This issue today is not 'winning' but determining God's will in this specific case.... It is primarily this quality that sets these proceedings apart from anything the world can offer."

"The Christian Legal Society is challenging that assumption by asking, 'When you sue, what do you reap?'"

"...mediation in which the mediator makes recommendations that are not binding, mediation followed by arbitration that is not legally binding, and arbitration following mediation which the parties have agreed beforehand will be legally enforceable."



"It was the most satisfying and exciting legal issue I've ever been involved in," said Sam Ericsson, the lawyer who arranged the settlement. "At the end of the hearing, before they even knew the decision, the natural mother and the adoptive mother got up and embraced."

"According to Eck, the lawyer in Albuquerque, lawsuits are 'symptoms of underlying spiritual problems.... It's the way we show bitterness, try to get revenge or teach somebody a lesson. What we really should be doing is asking ourselves, 'Are my rights more important than a continuing personal relationship?'"

PEOPLE Magazine



"The work of CCS reflects a new concept attracting growing attention among lawyers who find that the conventional legal system tends to aggravate rather than heal wounds."

"What the injured party really wants, [Eck] believes, is an apology."

"CCS keeps its procedures highly flexible. Clients may choose either mediation or arbitration, which can be legally binding or not. They may elect to be represented by counsel or speak for themselves. Even the \$50 basic fee may be waived."



Reprinted by permission.

Christian Legal Society
Post Office Box 2069
Oak Park, IL 60303
(312) 848-7735

Non-Profit Org.
U.S. Postage
PAID
Permit No. 343
Oak Park, Ill

✓ file

CHRISTIAN LEGAL SOCIETY

Center for Law & Religious Freedom
8001 Braddock Road, Suite 103
Post Office Box 1492
Springfield, Virginia 22151
(703) 321-8004

December 20, 1982

Dear Friends:

THE YEAR IN REVIEW: WILL THERE FINALLY BE
AN "AMEN" TO THE SCHOOL PRAYER CONTROVERSY?

Choosing the Issue:

At the beginning of 1982, our staff set down the priorities for the year. Although there were so many key issues in the religious freedom area, we knew that the only way to be effective was to focus on a few. Our decision was to put our main emphasis on the one issue that has been most volatile and divisive in the church-state arena during the past 20 years: school prayer.

The REAL Issue In School Prayer:

What did the Supreme Court really say in their landmark prayer and Bible reading decisions in 1962 and 1963? Did the Court say that children could not voluntarily pray in public schools? In one word: No! Briefly, the Court said the following: First, the state had no business writing official prayers. Second, public school teachers should not be placed in the role of a priest or minister in the classroom. The Court said teachers should not lead public school classes in official religious rituals or state-approved devotional exercises. The Supreme Court never said that students could not voluntarily, on their own initiative, meet as a group for prayer and Bible study in available classrooms. The key is that the religious meeting be student-initiated and student-run rather than teacher-led and therefore state-initiated.

The Pot Boils:

Since those decisions 20 years ago, a number of lower courts and school districts--often pushed by groups and individuals openly hostile to any form of religion--went far beyond what the Supreme Court expressed in its decisions. As a result, many Christian students who want to voluntarily meet for a prayer time or Bible study on the campus have been told that this was forbidden by the Supreme Court. This is a tragic misapplication of those decisions. A few school administrators seemingly tried to keep student-initiated religious activities off campus with the same vigor that they tried to keep drugs off campus.

Lynn R. Buzzard, Executive Director

National Headquarters
Post Office Box 2069
Oak Park, Illinois 60303
(312) 848-7735

Thomas S. Brandon, Jr., Associate Executive Director and
General Counsel

Laury Eck, National Coordinator of the Conciliation Service
Samuel E. Ericsson, National Coordinator of Religious
Freedom

The Window Opens:

On December 8, 1981, in the Widmar case, the Supreme Court ruled that public universities cannot discriminate against college students who want to meet for religious purposes on campus if the university allows other student groups to meet. This was the open window for which we had been hoping and praying.

Doing Our Homework:

We believe that the Widmar case can be the key to reopening the doors that had been mistakenly closed to Christians in the public schools by misled school administrators and some lower courts. Solomon wrote in Proverbs 25:8 that you should not "go out hastily to argue your case." Our first order of business, therefore, was to do our homework and analyze how we could use the Widmar case to the best advantage. By March we had completed a 200-page analysis and we were ready to move. But we needed a case.

The Lubbock Decision:

On March 11, 1982, a federal court of appeals (one level below the U.S. Supreme Court) told the Lubbock School District in Texas that its policy allowing public school students to meet voluntarily before or after school for religious, as well as moral, ethical, and other educational purposes was unconstitutional. In effect, this court concluded that public schools must discriminate against all religious activities by students on public school campuses. We think that decision is terribly wrong. We believe that the Lubbock School District policy is very right.

Four Judges Who Agree With Us:

After seeing the decision, the Lubbock School District asked the court of appeals for a rehearing. Although their request was denied, four of the eleven judges expressed great concern about the impact of the decision, saying:

"We should not forget...that the young student may... be given the impression that our government and the courts and the schools are hostile to all religious belief and practice. We would consider that a very great wrong to the children, to the Constitution, and to the nation."

Moving on Three Fronts:

The stage was now set for us to move. We decided to attack on three fronts at the same time. First, we began work with the attorneys for the Lubbock School District in preparing the appeal to the U.S. Supreme Court. Second, we worked closely with various U.S. Senators, in particular Senator Mark Hatfield of Oregon, in preparing legislation that would protect religious speech for students in the public schools. Third, we assisted in filing a case in Pennsylvania which would serve as a back-up in the event the Lubbock appeal was denied by the Supreme

Court. The Pennsylvania case involved 40 Christian high school students who were refused permission to meet weekly for a Bible study, even though their high school had never denied any other student club the right to meet.

Getting the Best Help:

The school district's attorney, Tom Johnson, is an excellent lawyer and a law professor at Texas Tech Law School. However, we all felt it wise to get assistance from lawyers with broad experience before the U.S. Supreme Court. The stakes in this case are just too great. Therefore, in September, 1982, we met with Mr. Leon Jaworski in Houston, Texas, asking him to help us. Mr. Jaworski, a former president of the American Bar Association, was the Watergate prosecutor and one of the most respected lawyers in our nation. He agreed to come out of retirement to help on this critical case. He felt it was of the highest importance and offered his services free of charge. In addition, one of Mr. Jaworski's most able partners, Mr. Keith Jones, a former Harvard Law School professor, agreed to assist us in preparing the petition to the Supreme Court.

Knocking on the Door:

On November 12, 1982, we filed our petition with the Supreme Court. In thirteen years of practicing law, I have never been more pleased with any legal document that I have had a part in than the one that was filed with the Court on that day. One sad note: A few weeks after the petition was filed, Mr. Jaworski died of a heart attack. His testimony is recorded in his book, Crossroads.

Twenty-four Senators Get Involved:

It is very rare for a Congressman or Senator to file a brief with the Supreme Court. It has only happened a few times in our history. Yet, because of the great importance of this case and the possibility that it can clear the air on the school prayer controversy, Senator Hatfield took the lead in getting 24 Senators to file a "friend of the court" brief urging the Supreme Court to hear this case. There are almost 5,000 cases knocking on the Supreme Court's doors this year asking to be heard. Yet, the Court can take less than four percent of these cases. The request by the Senators is therefore very important. Howrey & Simon, one of the finest firms in Washington, D.C., offered to write the brief for the Senators, free of charge. Our CLS D.C. office was actively involved in helping explain the importance of this case to many Senate staffers.

Others Get Involved:

Many other groups were made aware of this case and as a result decided to file their own "friend of the court" brief urging the Supreme Court to hear this case. These groups ranged from the National Association of Evangelicals and Christian Educators Association to the Catholic League for Religious and Civil Rights and the National Council of Churches. Our D.C. staff helped write the brief for many of these groups.

Will The Door open January 7, 1983?:

A few days ago I was told that the Supreme Court plans to consider the petition at their weekly conference on January 7, 1983. If the Court grants the petition and says, "Come on in", we will have 45 days to prepare and file a comprehensive brief setting forth all key aspects of our case. If the Court says "no", then we will have to wait a few years until our other case is ready to ask the Supreme Court the same question.

Christian Legal Society has never spent more energy and resources on any issue or case in its 21-year history. We believe the Lubbock case can go a long way to protect the religious freedom of millions of Christian students in the public schools.

Your Role--Please Pray:

The Lubbock case is now out of our hands. We have given it our very best. Now all of us should pray that God would give the justices the wisdom needed in handling this case and for us to be willing to accept whatever decision is rendered. Please put this high on your prayer list. It is very important!

OUR FINANCIAL NEEDS

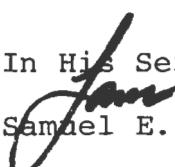
This letter gives you some idea where a great portion of our energies were spent in 1982. Needless to say, the Lubbock case has been a substantial drain on our financial resources as well. At this point, we are about \$8,000 short for 1982. We appreciate those who have given faithfully to help us and would ask all of you to reconsider your financial responsibility in these issues. We are encouraged that a number of churches have begun including us as part of their missions commitment. Perhaps your church can consider CLS worthy of its support.

FAMILY NOTES

Monica will be nine years old on Christmas Eve. At a recent church harvest dinner, she was sitting beside a gentleman who was trying to get a conversation going with her. Typically, she had her nose stuck in a book. He said, "So you like to read." Debbie Stevenson, sitting on her other side, informed the gentleman, "She reads everything in print." Monica, smiling broadly and proudly, looked up and said, "I can read cursive too!" Recently, Ryan, now 6½, told us at dinner that he got two stars at school for saying his Bible verses, but Kathryn, a classmate, got four stars. I asked Ryan "How come you got two stars and she got four? What was the difference?" Ryan replied, "She got two more than I did."

In addition to Bobby's painting class of ten students, she has developed fame as an exceptional bread baker. She mills her own flour from 50 pound sacks of whole wheat grain and has even developed a clientele of paying customers. Due to a delay in zoning approval, our D.C. office has been operating out of our home for three months. We are going to miss the aroma of fresh baked bread permeating our office when we move January 1, 1983.

In His Service,


Samuel E. Ericsson

Christian Legal Society

March 16, 1983

TO: Friends & Supporters of CLS

FROM: Samuel E. Ericsson, Director of Washington, D.C. Office

RE: January-February Report

There is much to report to you since our last newsletter. Some of the news is good. Some of the news is not so good. Here are some of the highlights for you.

Our last newsletter dealt almost exclusively with the Lubbock case which sought to protect the rights of public school students to meet voluntarily, before or after school, in available facilities, for Bible studies, prayer or other religious discussions on the same basis as students are permitted to meet for other purposes. On January 17, 1983, the Supreme Court announced that it was not going to review the Lubbock case. Needless to say, this was disappointing to all of us. As is often the case, the Court did not give any comment or indication as to why it refused to take the case.

The good news in all of this is that the Supreme Court did not say that it agreed with the lower court decision which barred schools in Texas from giving equal access to students who want to meet for religious purposes. If the Supreme Court had agreed with the lower court decision that we were appealing, it could simply have said "affirmed" and thereby effectively made the decision "the law of the land." Instead, the Court simply said nothing. Technically, the decision is only legally binding on school districts in Texas, Louisiana, and Mississippi. If the Court had "affirmed" the decision, it would have been binding on all 50 states.

The bad news, of course, is that many school boards and their counsel will simply assume that the Lubbock decision prohibiting students from meeting voluntarily for religious purposes is the law. We are already discovering that many school districts would rather play safe by simply saying "Sorry, you can't have the Bible study," than to risk possible costly litigation from those individuals and groups that want to keep the public school campus antiseptic of any religious influence.

In order to help reduce the confusion caused by the Supreme Court's silence, CLS prepared a memorandum reviewing the impact of the decision. This memo is available to anyone upon request. It explains in laymen's terms what the Lubbock case means and what it does not mean.

FIFTEEN SENATORS INTRODUCE THE RELIGIOUS SPEECH PROTECTION ACT OF 1983

Yesterday, March 15, 1983, Senator Mark Hatfield and 14 other Senators introduced legislation that seeks to undo the damage caused by the Lubbock decision. The Religious Speech Protection Act of 1983 would allow students in public secondary schools to meet for religious purposes during non-instructional periods (before and after school and lunch hours) just as they can meet to discuss other topics. Senator Hatfield noted the need for the bill in order to protect the First Amendment rights of students and to "root out the ridiculous barriers that forbid voluntary meetings of students who seek to meet or pray. Why is it acceptable to discuss music, to discuss politics, to discuss virtually everything under the sun, except religion? This is an intolerable perversion of the Constitution."

In his remarks, Hatfield outlined a number of court decisions including the Lubbock and Williamsport cases, where student-initiated religious activities had been banned. He criticized the congressional debate over school prayer for failing to address these issues. "The entire debate is missing the point," said Hatfield. "By chilling sincere efforts by students to pray or meet, we do far more damage to our democratic and moral fiber than through any Supreme Court decision that invalidates a routine, formalistic, and spiritual bankrupt prayer that the New York regents drafted in the 1960's."

The D.C. office of CLS has worked closely with Senate staff in drafting the legislation.

In addition to Senator Hatfield's legislation, Senator Denton of Alabama has also introduced a bill to protect the religious speech rights of not only students in the secondary schools, but also primary school students, public school teachers, and non-students who wish to come on public school campuses. The Denton bill is considerably broader than the issue in the Lubbock case since it includes teachers and non-students. Currently, the plans are for both bills to be addressed at hearings in late April, 1983. Please be in prayer for these bills. A letter of support to Senators Hatfield and Denton, as well as to your own Senator would go a long way to attract the attention of busy legislators in Congress to this critical issue. Incidentally, the 14 other Senators supporting Senator Hatfield's bill included seven Republicans and seven Democrats, with an even mix of conservatives, moderates, and liberals.

DEVELOPING A PUBLIC SCHOOL POLICY MANUAL

The non-resolution of the Lubbock religious speech issue has added to the confusion among school administrators and public school teachers in the 90,000 local public school districts in the United States. One of the greatest needs, in our opinion, is to develop a practical handbook for public school policymakers, including administrators, teachers, and parents, to clarify the law on topics such as school prayers and invocations, holiday observances, including Christmas and Easter displays, use of facilities by student

religious groups, distribution of tracts by students and outsiders and the rights of teachers to share their faith on campus. The handbook would have a series of 1-2 page memoranda summarizing the law, the cases, and model guidelines that can be adopted by school boards.

Through the help of Christian law students at Harvard and Wake Forest Law Schools, we have been able to gather the information necessary to begin this important project. The goal is to have the published volume available for distribution by this Fall.

RELIGIOUS RELEASED TIME EDUCATION WORKS!

One of the neglected open doors for Christians in the public schools is religious released time education whereby students are released during the school day for religious instruction in non-school facilities. Recently, I received a letter from a dedicated Christian woman in the Midwest whose released time program reaches 450 of a possible 550 students at the public elementary school. A conference is scheduled during the week of August 15 in New York City for those interested in developing this type of program. For more information contact Ms. Terry Keeney, Council of Christian Communions, 1836 Fairmount Avenue, Cincinnati, Ohio 45214. Also, for an effective released time program involving high school students, contact Mr. Bob Watson, Christian Laymen's Association, 4815 E. Main, Suite 25, Mesa, Arizona 85205.

SOME NOTES ON THE CHRISTIAN SCHOOL MOVEMENT

There is a quiet revolution taking place in education in America. It involves about one million children in Christian schools. The episode in Nebraska leading to the unfortunate jailing of a pastor has focused a great deal of media attention on this issue. Recently, a federal court in Michigan issued a very favorable ruling on behalf of a challenge to the attempt by the State of Michigan to regulate Christian schools. A central issue in litigation involving Christian schools is certification of teachers. The state contends that certification is necessary in order to assure quality in education. The federal judge in the Michigan case, a former public school teacher, did not see it that way, and in effect, took the State of Michigan totally out of that role. Mr. William Ball, the attorney who won the Michigan case, has similar cases scheduled for trial soon in both Nebraska and Maine. Be in prayer for him. We have been assisting a D.C. law firm representing Christian schools challenging the state accreditation requirements of Massachusetts.

SOME SURPRISING FACTS ABOUT RELIGIOUS FREEDOM IN THE U.S.

I constantly meet people, including Christians, who refer to the "good ol' days" when America really had religious freedom. I am not always as nostalgic. In fact, many of the things that we take for granted as being "the American way" in the area of church and state are very recent developments. For example, did you know that:

Christmas was illegal in Massachusetts for many decades in the 17th Century.

Nine states funded specific denominations when the Bill of Rights was adopted in December, 1791.

Massachusetts had an official state church until 1833.

Congress first permitted the phrase "In God We Trust" to be used on certain coins in 1865 and this was not extended to all currency until 1955.

Christmas was not a legal holiday for school children in Massachusetts until 1870.

Only one state had mandatory Bible reading in public schools in 1910.

The words "Under God" became part of the pledge of allegiance to the flag in 1954.

"In God We Trust" was adopted as the official U.S. motto in 1956.

A clergyman could not run for political office in the State of Tennessee until 1978.

ON THE HOME FRONT

Breadmaking and painting are occupying a great part of Bobby's time. She accepted an offer to teach art for the fourth graders at Immanuel Christian School. In a word, it's a "challenge". In addition, she is teaching art to a group of third graders, which is an even greater challenge. Fortunately, she has some 15 adult students who respond remarkably to her painting techniques.

At last count, our third grader, Monica, had finished her 130th extra reading book for this school year. Recently, she took up cross-stitching and won two ribbons for a cross stitch of a sailboat and lighthouse with the following saying: "A father is neither an anchor to hold us back, nor a sail to take us there, but always a guiding light whose love shows us the way." She is very proud of her work. We are very proud of our girl. Also, out of Monica's definition file, her definition of a hypocrite: "A person who says you shouldn't spit and spits when they say it."

As we all know, kids have a way of setting adults up for embarrassing moments. Recently, Ryan asked why one of his best friends' dad was so rich. We explained that he was a hard worker and spent his money wisely. Nothing more was said. Three days later, out of the blue, Ryan asked me whether I was a hard worker. Bobby explained to Ryan that I was. He then asked, "Well then, why aren't we rich?"

With the exception of the "Blizzard of '83" on February 10-11, we have had a relatively mild winter. Bobby and I joined a number of couples from church for a few days of skiing in Virginia and Debbie Stevenson went with a local group for a winter recreation trip at the Word of Life facilities in Upstate New York.

Christian Legal Society

August 17, 1981

Dear Mr. Blackwell:

It was at a dinner meeting in 1961 that Christian Legal Society was formed with the conviction that our vocation is part of our calling from God and therefore intimately related to our life of faith. The role of the Christian, both lawyer and non-lawyer, has grown even more urgent as many critical issues facing our nation have direct relationships to questions of faith, law, and justice.

In celebration of our 20th Anniversary of ministry, you and your guest are invited to attend a dinner on Thursday evening, September 24, 1981, at 7 PM in the Gold Room, B-338, of the Rayburn House Office Building on Capitol Hill. A reception will begin at 6:30 PM.

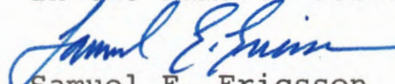
The theme of the dinner, "Lawyers As Ministers", will focus on practical ways Christians can serve the cause of justice, mercy, and peacemaking within the Christian community, as well as the community at large. During the past year, a growing number of attorneys, pastors, and other Christians in the Greater D.C. area have expressed interest in engaging the Christian community in conciliation and mediation of disputes, especially those which arise among Christians.

Many have also expressed concern about our role in the broader issue of justice, both as it relates to religious freedom and legal services for the less fortunate in our society. Lynn Buzzard, the Executive Director of CLS, Laury Eck, the National Director of our Christian Conciliation Service, and others will address these issues at the dinner.

Although the purpose of the dinner will not be "promotional", a brief comment will be made to CLS members as to the opportunities available to assist in meeting the needs of CLS.

If you are aware of other attorneys or pastors whom you believe would be interested in hearing about the ministries of CLS, please let us know so that we can invite them. We believe that the "good news" of conciliation needs to be addressed and look forward to seeing you on September 24. Please R.S.V.P. by September 11, 1981, by returning your check with the enclosed form to our Washington, D.C. office.

In the Name of Jesus, Our Reconciler


Samuel E. Ericsson
Special Counsel

Post Office Box 2069 • Oak Park, Illinois 60303 • (312) 848-7735

The Center for Law & Religious Freedom • 1776 Massachusetts Avenue, NW
Suite #700 • Washington, D.C. 20036 • (202) 775-0069

R.S.V.P - - -

I will be attending the "Lawyers As Ministers" dinner on September 24, 1981.

Name _____ Guest _____

Address, City & Zip _____

Amt. enclosed (at \$15.00 per person) \$ _____

Others to be invited: _____

Return by Sept. 11 to: Christian Legal Society
1776 Massachusetts Ave. N.W., Ste. 700
Washington, D.C. 20036

Tele. 202-775-0069

SAMUEL E. ERICSSON
1776 Massachusetts Avenue N.W.
Suite 700
Washington, D.C. 20036
(202) 775-0069

August 26, 1981

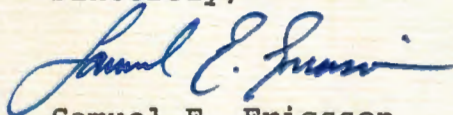
Morton Blackwell
Special Assistant to the
President for Public Liaison
The White House
136 EOB
Washington, D.C. 20500

Dear Mr. Blackwell:

Herb Ellingwood suggested to us that you may be interested in attending the September 24, 1981 dinner explained in the enclosed letter.

We hope to see you there.

Sincerely,



Samuel E. Ericsson
Special Counsel

*regrets for dinner
on the 24th
per Kathy
9/10*

Christian Legal Society

file

September 9, 1981

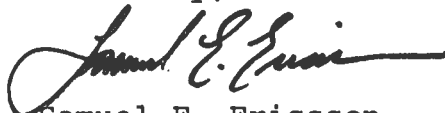
Dear CLS Friend:

Recently we sent to you an invitation to attend our 20th Anniversary Dinner on September 24, 1981 on Capitol Hill. Although we have not yet received your R.S.V.P., we hope that you plan to be there and need to hear from you no later than September 18, 1981.

We are also planning informal meetings with our CLS staff at various times, including breakfasts and lunches, on Tuesday and Wednesday, September 22 and 23, 1981. These meetings will allow for greater dialogue and questions from you as to the current CLS ministries. If you are interested in attending one of these meetings, please call my secretary, Debbie Stevenson, at 202-775-0069.

In any event, we look forward to seeing you on September 24, 1981 and seek to hear from you.

Sincerely,



Samuel E. Ericsson
Special Counsel

Do you want to go?
day as
PTI.
I decline for you but do you want to go to any of these
Nope
SAB

Post Office Box 2069 • Oak Park, Illinois 60303 • (312) 848-7735

The Center for Law & Religious Freedom • 1776 Massachusetts Avenue, NW
Suite #700 • Washington, D.C. 20036 • (202) 775-0069