

# Christian Lawyers

*A Duty to Seek and Ensure Justice  
According to Biblical Principles*

by Bobby D. Brown

Christian Lawyers, *A Duty to Seek and Ensure Justice According to Biblical Principles*

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***For whoever does the will of God  
the Father who is in heaven, he is  
Jesus' brother and sister.***

***Mathew 12:50***

*A Duty to Seek and Ensure Justice*

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## *Acknowledgements*

My wife, Carolyn, She has never stopped believing in me. She encouraged me to go to law school, she even believed in me when I quit my job and a steady paycheck to start my own law firm and has continued to be my biggest supporter through many new adventures together. Without her love and support, I would not be a success. *Thank you for encouraging me to follow God's will for our lives and for having faith in me.*

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## *Introduction*

### *The Journey Begins*

I know many Christians who can remember the day they accepted Jesus Christ as their Lord and savior and by his grace were saved. This was the turning point in their lives. I on the other hand cannot remember a time that I have not believed in Jesus Christ as my Savior.

At an early age I knew that Jesus Christ was my Savior. While I can remember being a Christian nearly all of my life, I have not always acted like a follower of Jesus Christ. There have been times in my life where I hung around the wrong crowd, drank alcohol to excess, toyed in the world to excess and committed other sins. But, through it all, the Lord kept his hand on my life. Deep down, I knew I had favor with God, not because of who I am or what I had done, but rather because of the blood of Jesus Christ. The Bible teaches that we are saved by grace through faith in Jesus Christ.<sup>1</sup>

There have been at least five specific times in my life that I should have died, but through God's grace am I still here:

- When I was a young child my appendix ruptured filling my small body with contamination. The doctors were not optimistic about my survival. However, my paternal grandmother and the godly ladies of her Methodist church in Cement, Oklahoma intervened and held a prayer vigil for my recovery. *(Thank you grandmother)*
- In 1981, as a high school sophomore I was involved in a violent crash in which I was hit head-on by a drunk driver. I was not wearing my seat belt. My head crashed into the car's windshield with such force that I left an indentation in the windshield the shape of my head. The steering wheel lacerated my chin clear through so that my tongue was sticking out through the hole in my chin. In spite of this, I was released from the hospital the same night and was able to go to the beach the next night with my friends.
- In 1983, I crashed my motorcycle on the street without wearing a helmet. I spent three (3) days in the hospital. By the grace of God, the doctors only had to sew my ear back together. A small tree limb struck the bone protecting my only good eye and ricocheted away from my vital organs. Any further to the right, and the tree limb would have gone through my eye leaving me blind or worse.
- In 1985, while driving on a country road in the hills outside Oklahoma City, I lost control of my truck on a very narrow bridge. I crashed into the guard rail knocking it into the ravine below. My truck came to a stop on

the precipice of the bridge. If I would have gone any further to the right, I would have plummeted into the ravine 50 feet below with the guard rail, into the rocks and the water. Or, if the wreck had occurred 10 seconds later, I would have hit an on-coming car full of people on the narrow bridge.

- In 1999, while I was driving to my dad's house in Corpus Christi, from a job interview in Victoria, Texas, I started to pull off the highway to help an elderly couple that looked to be in distress. However, I ended up being the one in distress. I was rear-ended by an eighteen wheeler. The truck I was driving spun out of control, rolled over several times, and crash through a barbed wire fence before resting on its side in a cow pasture. I was told by the paramedics who treated me that most people who are hit by an eighteen wheeler at a high rate of speed are usually dead. Life-flight had been called to the scene because the rescue crew expected the worst. By the grace of God I was released from the hospital the same night after having 14 staples placed in my head. The staples were eventually removed, and all I ended up with were a few hidden scars.

**✠ The Lord your God is going with you. He will fight for you against your enemies and he will give you the victory.<sup>2</sup>**

If Christians are not willing to be lawyers, then there will be no Christian lawyers.

While I was defying death and mayhem, God had another plan for my life. With the encouragement of my wife I attended law school while holding down a full time job as an investigator for a federal agency.

Even though I did not start law school until I was in my late twenties, I have envisioned myself as a lawyer since childhood standing in a courtroom defending my client with vigor. I was fascinated by Gregory Peck as Atticus Finch in the movie *To Kill a Mockingbird*.

My distain for injustice kept the fire burning inside me to be a trial lawyer. To this day it angers my spirit to see the strong and powerful misuse their positions to take advantage of weaker people.

Since my meeting with the eighteen wheeler in 1999, I have gained a greater sense of what it means to have the grace of God and the responsibility of being a Christian. As a Christian lawyer, I have struggled with the conflicts I feel at times between my faith and my profession. I have written this book, as both a search for my own path and hopefully as a starting point for others to find their path as we seek to ensure justice.

I believe that God has kept me alive on many occasions, not because of any good works I may have done and clearly in spite of all my faults, because he has something planned for my life. He wants to use me just as he wants to use you if you are willing.

The questions I am seeking to answer in my life and profession are: What does God have planned for the remainder of my life? How does he want to use me?

This book is not intended to be the answer to your own search. It is not the end; rather, it is my earnest prayer that God uses this book to help you as you search for God's calling for your life.

**† The harvest is plentiful, but the workers are few. Therefore beseech the Lord of the harvest to send out workers into His harvest.<sup>3</sup>**



## *Chapter 1*

### *Who Is Willing*

*“I said to the Lord, ‘You are my Master.’”<sup>4</sup>*

Are you living for today or are you living for *eternity*? God calls each of us to serve him. God has given each of us a talent to use for his kingdom.<sup>5</sup> Some people are called to be plumbers while others are called to be builders, architects, doctors, accountants and yes, even lawyers. The key is to follow God’s calling on your life.

For through the grace given to me I say to everyone among you not to think more highly of himself than he ought to think; but to think so as to have sound judgment, as God has allotted to each a measure of faith. For just as we have many members in one body and all the members do not have the same function, so we, who are many, are one body in Christ, and individually members one of another. Since we have gifts that differ according to the grace given to us, *each of us is to exercise them accordingly*: if prophecy, according to the proportion of

his faith; if service, in his serving; or he who teaches, in his teaching; or he who exhorts, in his exhortation; he who gives, with liberality; he who leads, with diligence; he who shows mercy, with cheerfulness.<sup>6</sup>

If God calls you to be a plumber –be the best plumber anywhere. If God calls you to be an architect - design the best buildings and houses anywhere. If God calls you to be a lawyer - provide the best legal representation anywhere.<sup>a</sup>

**† Let your light shine before men in such a way that they may see your good works, and glorify your Father who is in heaven.<sup>7</sup>**

We do not have to be in the five fold ministry to reach people for God. If God calls you to be an accountant then he may have you helping ministries set-up their 504(c)(3) corporations or getting their finances in order. If you are called to be an architect, God may have you design his house on earth. If God calls you to be a lawyer, God may have you defending the poor or the unjustly persecuted; he may have you representing ministries; he may send Christians to you who need a good lawyer; or he may send the unsaved to you in order that you can share the word with them. God will use your talents if you are willing.

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<sup>a</sup> For a unique perspective on living for eternity, read *Driven by Eternity*, by John Bevere, ISBN #13-978-0-446-57866-0; <http://www.messengerintl.org/>

If you are reading this book you may be a Christian attorney, an attorney who is hearing God pulling at your heart strings or a Christian who is thinking about becoming an attorney. Regardless of where you are in life, it is my desire that this book help you see the importance of their being Christian lawyers in our society and our courtrooms.

Whether you are a transactional lawyer, a government lawyer, a prosecutor or criminal defense attorney, or you represent plaintiffs or defendants in civil matters, Christian lawyers play a vital part in the American legal system.

Our gifts as lawyers come in many forms. Some Christian lawyers are commanded to defend the poor and rescue children.<sup>8</sup>

**† He will rescue the poor when they cry to him; He will help the oppressed, who have no one to defend them. He feels pity for the weak and the needy, and he will rescue them. He will save them from oppression and from violence, for their lives are precious to him.**<sup>9</sup>

If Christians are not willing to be lawyers, then there will be no Christian lawyers. That might be ok with Shakespeare who said “*The first thing we do, let's kill all the lawyers.*”<sup>10</sup> But, that is not God's plan; He gave each of us gifts, and God expects each of us to use these gifts to do his work.

For by grace you have been saved through faith; and that not of yourselves, *it is* the gift of God; not as a result of works, so

that no one may boast. For we are His workmanship, created in Christ Jesus for good works, which God prepared beforehand so that we would walk in them.<sup>11</sup>

As Christian lawyers we are able to give of ourselves, our time and our expertise. The Lord has given us wonderful skills, now it is up to each of us to use those skills for God's design.

✠ **Give as you are able, according as the Lord has blessed you.**<sup>12</sup>

Can you imagine a country where Christians did not stand up and fight within the legal system for fairness, truth and justice? It was called the Soviet Union. Even in modern day China, Christians are being jailed for their faith in Jesus Christ as the son of God. America still stands today because it was built on a belief of Jesus Christ as the son of God.

God builds up and tears down nations and sets their boundaries for his purpose.<sup>13</sup>

On May 2, 1778, when the Continental Army was beginning to emerge from its famous winter at Valley Forge, Commander-in-Chief George Washington commended his troops for their courage and patriotism and reminded them that:

While we are zealously performing the duties of good citizens and soldiers, we certainly ought not be

inattentive to the higher duties of religion. To the distinguished character of Patriot, it should be our highest glory to add the more distinguished character of Christian.<sup>14</sup>

In Psalm 37:33 David declared God's blessing on believers and God's willingness to defend them when they are on trial.<sup>15</sup> It is a great blessing to be called by the Lord to defend the poor and the oppressed, to defend those that have been treated unfairly or unjustly. Even those accused of murder deserve a fair trial.<sup>16</sup> Be fair, no matter who is on trial—don't favor either the poor or the rich.<sup>17</sup>

Being a lawyer is a noble and admirable calling, one which can bring great notoriety, respect, adventure, prosperity and gratification. However, it is not without obstacles and tribulations that will test your willingness to stay steadfast in the Lord's calling. In Mark 13:11 and Luke 12:11, Jesus tells us that we will be tested and that through faith in him we will be victorious.

When we are called to account for the lives we have lived on earth we will be judge's by God's standards not by mans; God is going to judge our works<sup>18</sup> and our motives will be revealed.<sup>19</sup>

No matter what we do or how good it appears, if it is fueled by the motive of envy or selfish ambition, we are building with fleshly, unscriptural, and demonic motives that will certainly not be rewarded.<sup>20</sup>

What will God find when you face judgment? Will He find that you have labored in His will for the kingdom or have you labored for earthly desires and goals?

When my time comes to be judged by the Lord my God, my prayer is that I will be judged worthy by the Lord and see him in heaven.

**† For the LORD is righteous, and He loves justice. Those who do what is right will see His face.** <sup>21</sup>

Christian lawyers should not stand by and allow others to be harmed or denied their rights. The Lord commands us to help. <sup>22</sup> Are you willing to put on the breastplate of God's approval, the helmet of salvation, the belt of truth, take up the shield of faith and the sword of the Holy Spirit and go forward to do God's will? <sup>23</sup>

## *Chapter 2*

# *Justice Is Required*

*“The Lord is known for his justice.”<sup>24</sup>*

The underlying theme that ran through early America was that no matter your circumstances, no matter your upbringing, no matter where you came from, you could succeed, be prosperous, successful and happy in America. This early idea became part of the American psyche. The under-penning of the American way of life is founded in the idea that justice and truth will always prevail.

Likewise, at the heart of the American judicial system is the noble concept of justice. One of the fuels that fed the American Revolution was the colonists’ belief that they were being treated unjustly by England.

Our country has had a long and turbulent relationship with lady justice which began before the birth of our nation and continues today.

Justice is not free, it must be bought and paid for with sweat, tears and at times lives. Over 4,000 Americans were

killed in the American Revolution. Between 1861 and 1865, over 620,000 Americans were killed in the Civil war.<sup>25</sup> Over 50,000 Americans were killed at the Battle of Gettysburg alone.<sup>26</sup> As a result of this great sacrifice, slavery was ended in America. In the 1960s, several civil rights activists were jailed and some murdered because they believed in justice. This included Medgar Evers, Dr. Martin Luther King, Jr., Michael Schwerner, Andrew Goodman and James Chaney. On May 4, 1970, at Kent State, four people were killed and nine injured.<sup>27</sup> These students were fired upon by the National Guard while exercising their Constitutional right of free assembly and free speech.

Continuing a tradition dating back over 200 years, lawyers have been fighting an unpopular battle for justice. Because of the unyielding efforts of lawyers, in *Hamdan v. Rumsfeld*, 126 S. Ct. 2749 (U.S. 2006), the United States Supreme Court ruled that the military commission convened to try the defendant who was being held in an American prison at Guantanamo Bay Cuba lacked power to proceed because its structure and procedures violated the Uniform Code of Military Justice and the Geneva Conventions. One of the greatest traits of lawyers is their willingness to represent even the most despised and reprehensible clients.

I know some may say, wait a minute; terrorists are attacking us and our way of life and threatening our families. Why should we treat them with any compassion or fairness? The answer is straight forward -- because the Lord demands that we *never* twist justice and show partiality.<sup>28</sup>

Only if we treat foreigners as we ourselves want to be treated will we have true and never ending justice.<sup>29</sup>

We must never forget that a core value of the American justice system, which dates back past the Romans to Moses, is that we do not convict the accused without a trial. Even the Romans allowed the accused an opportunity to defend themselves face to face with their accusers.<sup>30</sup>

I am not suggesting or in any way implying that terrorist who plot, kill, or injure others or who help others do these things should not be punished to the full extent of the law. To the contrary, the Bible teaches that murderers must be tried and if found guilty punished.<sup>31</sup> But, we cannot act as vigilantes; we must not rush to judgment.

**† The cities shall be to you as a refuge from the avenger, so that the manslayer will not die until he stands before the congregation for trial.<sup>32</sup>**

Lawyers must not allow justice to be perverted in the courts.<sup>33</sup> God has called upon Christian lawyers to learn to do good and seek justice. We are to help the oppressed, defend orphans and fight for the rights of widows.<sup>34</sup> Lawyers must defend truth, humanity and justice.<sup>35</sup> Likewise, jurors must decide cases with care because the Lord does not tolerate partiality<sup>36</sup> and judges must judge people fairly.<sup>37</sup>

**† For in the way you judge, you will be judged; and by your standard of measure, it will be measured to you.<sup>38</sup>**

We should seek God's will in all things.<sup>39</sup> Only by seeking the Lord's guidance can we know which battles the Lord wants us to fight. If we fail to listen or do not even bother to seek guidance from the Lord we end up fighting battles of our own choosing. Without God's divine favor we will be left to our own devices.<sup>40</sup> But, when we do battle for the Lord he will fight for us against our enemies.<sup>41</sup>

As Lawyers, seeking to do God's will we should start each day with a prayer similar to Psalm 25:4-5 *NLT*:

*Show me the path where I should walk, O Lord; point out the right road for me to follow. Lead me by your truth and teach me, for you are the God who saves me. All day long I put my hope in you.*

As first year law students, most of us were told by at least one law professor that the law is not about justice but about getting the judge or jury to see the facts in your client's favor. I disagree, if our legal system is not about justice then, those with the least power will become disenfranchised signaling the beginning of the end of the American legal system. This is self evident from Bible scripture. The Lord beseeches each of his followers to let true justice prevail.<sup>42</sup>

Be assured, I am not suggesting that just because you seek God's will and follow god's path that you will win every motion, hearing, or trial. Even if you are somehow able to limit your practice to representing only Christians, you are not going to win every time. Quite the contrary, there are

times you will lose and you will not know why. God does not promise us a life without sorrow or defeat. Rather, he promises that when we are at our lowest and everybody else has turned against us, he will still be there fighting our battles.<sup>43</sup>

**Justice is not an end, and it is not winning and losing, rather it is a process. It is a process of representing our clients with passion, energy, and love. It is a process of continually seeking God's path, staying on that path and being a willing instrument of the Lord.**

God shows each of us the proper path with unfailing love and faithfulness if we will keep our covenant with him.<sup>44</sup>

When we are in the mists of a difficult decision, trust in the Lord.

[S]eek first His kingdom and His righteousness, and all these things will be added to you. So do not worry about tomorrow; for tomorrow will care for itself. Each day has enough trouble of its own.<sup>45</sup>

Before we accept a case and/or client we should seek God's guidance.<sup>46</sup> Once we have accepted a case and/or client we must not be so focused on what we believe justice is that we forget to represent our client with our very best efforts.

Perhaps you may believe that a client should forgive the transgressions of a fellow Christian, but your client is

unwilling. While you should counsel the client on options including forgiveness, you cannot simply relinquish your client's legal rights or stop using your best efforts on your client's behalf. Part of being a Christian lawyer is to never forget that we cannot substitute our own will or our beliefs for that of our clients.

We must represent our clients with our best efforts and not forget that we owe our clients both a legal and ethical duty of loyalty.<sup>47</sup> As the Model rules make clear, “[a] lawyer's representation of a client, including representation by appointment, does not constitute an endorsement of the client's political, economic, social or moral views or activities.” Rule 1.2(b).

If we as a nation want to enjoy a prosperous life, one of the steps we must take is to ensure that everyone is treated with justice in this land God has given us.<sup>48</sup> We must ensure that justice prevails.<sup>b</sup>

✠ **Fortunate are those who observe justice--treating others fairly.**<sup>49</sup>

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<sup>b</sup> America, as a nation has gone over the precipice of immorality. On a national scale the country and our political leaders have turned their backs on God and are more concerned with worldly pursuits. If we expect a renewal of God in America we, as Christians, must repent for our individual and national sins, we must come together in expectant prayer, and read the Word with a renewed thirst for God.

## *Chapter 3*

# *Integrity and Honesty*

*“Declare me innocent, O Lord, for I have acted with integrity; I have trusted in the Lord without wavering.”<sup>50</sup>*

It is impossible to be a person of integrity in your personal life and not your professional life. True integrity runs through a person’s core, it defines who we are and how we are known. It is better to have integrity than all the wealth in the world.<sup>51</sup> David, in Psalm 101, made it clear that he would not allow anyone who practices deceit to dwell in his house.

Integrity is deeper than keeping your word. In the Old Testament, Joseph was a man of integrity. He worked diligently for Potiphar and then for the Pharaoh night and day protecting all that was entrusted to him, even when his masters were not watching.<sup>52</sup>

The true measure of your integrity is what you do when you think nobody is watching. What do you do when nobody is watching? Do you back date a letter when it suits

your needs or forget to send opposing counsel a piece of evidence that you know is important to their case?

‡ **To do righteousness and justice is more acceptable to the Lord than sacrifice.**<sup>53</sup>

### **Dealing with Opposing Counsel and the Court**

Lawyers in smaller legal communities generally know each other and quickly gain a reputation as somebody who can or cannot be taken at their word (trusted). A lawyer that can be trusted to go to a hearing, and even though opposing counsel cannot be there, advises the court that your opponent is opposed to a motion and that opposing counsel requests a continuance is a person of integrity.

I had an opportunity to test my integrity. I represented a client in a lawsuit in Federal court. Opposing counsel, who is a very experienced and very capable attorney, made an offer of judgment to my client. Because attorney fees were authorized separate and apart from costs under the applicable statute it made a significant difference how the offer of judgment was worded.

An offer was made which included costs and expenses but failed to mention attorney fees. This left the door open for my client to accept the offer of judgment and then seek attorney fees in addition to the judgment. At the time the offer of judgment was made, the attorney fees were in excess of the offer of judgment.

I thoroughly researched the legal issues, including the exact language used in the offer of judgment. Based on my research, I was reasonably certain that my client could accept the offer of judgment and assert a claim for an award of attorney fees in addition to the offered judgment. However, I knew from my conversations with opposing counsel that he had intended the offer to include attorney fees. There were two options, accept the offer of judgment and seek the attorney fees or call opposing counsel and verify that he had intended to exclude any mention of attorney fees. After consulting with the client, the client and I chose for me to call opposing counsel. Opposing counsel confirmed my understanding of our prior conversations; he had intended his offer to include attorney fees.

If I would have attempted to enforce the original offer of judgment, I would have lost all credibility with opposing counsel and the court. I knew what opposing counsel meant when he served the original offer of judgment, he simply got it wrong. Additionally, I would have violated Rule 3.3 of the Model Rules which requires candor to the court.<sup>54</sup> In reality, I would have been attempting to enforce a contract in which I knew for a certainty there was not a meeting of the minds. Quit simply, I knew from the outset that the opposing lawyer had unintentionally used the wrong verbiage.<sup>55</sup>

### Coaching Witness

‡ **Do not pass along false reports. Do not cooperate with an evil man by affirming on the witness stand something you know is false.**<sup>56</sup>

The Model Rules 3.3(a)(3) prohibits a lawyer from “offer[ing] evidence that the lawyer knows to be false.” This includes a prohibition from knowingly putting on false testimony at trial or in discovery including depositions. Rule 3.4(b) states that “an attorney shall not falsify evidence, counsel or assist a witness to testify falsely, or offer an inducement to a witness that is prohibited by law.”

However, we are allowed to prepare our clients and witnesses to testify at deposition and trial. The question becomes when does preparing the client or witnesses cross the line into prohibited conduct?

It is unethical and lacks of integrity to coach a witness to fane lack of memory, to deny facts which the witness knows is true, or to attempt to impede the deposition by continually asking to have questions repeated and pretending like the witness does not understand the questions being asked.<sup>57</sup>

On the other hand, there is nothing dishonest or unethical in advising a client/witnesses to listen to every question and only answer the question asked, to answer yes or no to yes and no questions, to not guess, not speculate, not answer compound questions, and if the witnesses does not understand a question to ask that it be rephrased.<sup>58</sup>

Trial Lawyers are aware of the ten rules of being deposed:

- ✓ Don't guess;
- ✓ Don't volunteer information;
- ✓ Keep your answer's short;
- ✓ Don't answer compound questions;
- ✓ Don't answer questions you don't understand;
- ✓ Listen carefully to the question;
- ✓ Do not argue with the lawyer asking you questions;
- ✓ Don't lie;
- ✓ Don't speculate; and
- ✓ Wait for the full question to be asked before beginning to answer.

In preparing my clients and witnesses, I stress that they tell the truth, listen to the questions and not guess.

We have a duty to our clients to ensure that they and their witnesses are truthful.<sup>59</sup>

- If you do not listen to the questions, then how do you know what you are answering?
- If you guess and you are wrong, it looks like a lie.

- As to truthfulness; as a lawyer, we can deal with the facts as they are (even bad facts can be dealt with). But once a witness is caught in a lie, their credibility is shot and with it possibly your whole case.

✚ **If you tell lies in court, you are done for; only a reliable witness can do the job.**<sup>60</sup>

In accordance with Model Rule 3.3(a)(3), if an attorney becomes aware that his client has testified untruthfully the lawyer shall take reasonable remedial measures. If the witness has already testified two options for the attorney are correction of the record by the witness or if necessary, disclosure to the tribunal. If the witness has not yet testified, a lawyer may refuse to offer evidence, other than the testimony of a defendant in a criminal matter, that the lawyer reasonably believes is false. *Id.*

The Bible, like most canons of ethics prohibits attorneys from making false representations to another party, opposing counsel or the court.<sup>61</sup> The American Bar Association Rule 4.1(a), prohibits an attorney from making “a false statement of material fact or law to a third person.”<sup>62, 63</sup>

Rule 4.1(b) goes on to state that “in the course of representing a client a lawyer shall not knowingly fail to disclose a material fact to a third person when disclosure is necessary to avoid assisting a criminal or fraudulent act by a client, unless disclosure is prohibited by Rule 1.6.” Most jurisdictions have adopted this rule or a similar rule including Alabama, Arizona, Colorado, D.C., Florida, Georgia,

Massachusetts, Minnesota, New Mexico, North Carolina, Oklahoma, South Carolina, Texas, Virginia, Washington, and West Virginia just to name a few.<sup>64</sup>

### Hiding the Crucial Witness

As lawyers we are at times faced with the dilemma of having a key piece of evidence which would hurt our client and help the other side, or we may know where a crucial witness is that everybody thinks is missing. Do you tell the other side; do you produce the evidence?

The California Rules of Professional Conduct, Rule 5-220 prohibits the suppression of evidence by any attorney which his client is required to produce to the opposing party.<sup>65</sup>

Perhaps it is even simpler, do you have a witness who works for your client. Is it ok to tell the witnesses to not speak with the attorney for the person suing your client? Rule 5-310 of the California Rules of Professional Conduct and Rule 7-109(A) and (B) of the New York Disciplinary Rules prohibit hiding witnesses.<sup>66</sup> The Bible commends the witnesses to tell what he knows, and to not be afraid to speak up.<sup>67</sup>

✠ **If you refuse to testify in court about something you saw or know has happened, you have sinned and can be punished.**<sup>68</sup>

Instructing witnesses to not talk with the opposing counsel is not only a sin, it is unethical. Model Rule 3.4(a) prohibits our hiding witnesses. American Bar Association (ABA) Model Rule 3.4, states “[a] lawyer shall not unlawfully obstruct another party's access to evidence . . . .”

Importantly, there is a difference from hiding a witnesses or instructing witnesses not to talk with the opposing counsel and diligently representing your client. While state and Federal rules differ at times on the subject of which organizational employees/agents can be brought into the fold of being considered to be represented by the organization's counsel, both state and Federal rules prohibit attorneys from speaking with those they know are represented by counsel. ABA Rules of Professional Conduct, Rule 4.2-6; Rule 4.02 of the Texas Disciplinary Rules of Professional Conduct; Rule 4.4.2 of the Florida Disciplinary Rules of Professional Conduct; Rule 4.2 of the Michigan Disciplinary Rules of Professional Conduct.

In representing a client, a lawyer shall not communicate about the subject of the representation with a person the lawyer knows to be represented by another lawyer in the matter, unless the lawyer has the consent of the other lawyer or is authorized to do so by law or a court order.<sup>69</sup>

In most cases, while not hiding organizational witnesses, the client has a right for their attorney to be present and render legal guidance to witness who are principals or whose acts

or omissions may be imputed to the organization. In so doing, you have the right to control opposing counsel's access to such witness.

In the case of a represented organization, this Rule prohibits communications with a constituent of the organization who supervises, directs or regularly consults with the organization's lawyer concerning the matter or has authority to obligate the organization with respect to the matter or whose act or omission in connection with the matter may be imputed to the organization for purposes of civil or criminal liability.<sup>70</sup>

However, keep in mind that in many jurisdictions consent of the organization's lawyer is not required for communication with a former constituent.<sup>71</sup>

### **Duty to Counsel Client**

Attorneys are not just litigators, we are counselors and advisors to our clients. In this role, it is our responsibility to give our clients sound advice. This may even mean recommending that an hourly client (with the means to pay for retracted litigation) with a valid claim that they should not file a lawsuit.

Additionally, as officers of the Court we are prohibited from bring or defending a proceeding, or asserting or

controverting an issue therein, unless there is a basis in law and fact for doing so that is not frivolous.<sup>72</sup>

Should you advise a client to spend \$20,000.00 to collect a \$5,000.00 debt? Would this be ethical or Christian? Is it a decision for the attorney or client? As Proverbs 29:9 states: If a wise person takes a fool to court, there will be ranting and ridicule but no satisfaction.<sup>73</sup>

While it may appear unchristian and unethical to advise a client to spend \$20,000.00 to collect a \$5,000.00 debt the key question is whether you have explained the costs v. benefits of a potential lawsuit? If the client decides to go forward, after being fully informed of possible outcomes including spending four times what can possibly be gained in a judgment, then your obligation, if you take the case, is to represent your client with your best efforts.

There are times, when the case is about larger issues than just monetary losses or gains. The key is to fairly and fully explain the pros and cons to the client before litigation commences and/or as the circumstances arise.

In the end, generally the decision to proceed or stop litigation remains the clients \*unless an exception applies).<sup>74</sup> Likewise, it remains client's decision whether to settle a matter.

Importantly, as setout in the Model rules<sup>75</sup> and followed by nearly, if not all, state Bar Association, as officers of the Court we are prohibited from counseling a client to engage

in, or assisting a client, in conduct that we know is criminal or fraudulent.<sup>76</sup>

### **Duty to Non-Party**

Honesty and integrity in dealing with nonparties is not only demanded by God but is required by most canons of legal ethics. Rule 4.04(a) of the Texas Disciplinary Rules of Professional Conduct prohibits an attorney from using “methods of obtaining evidence that violate the legal rights of” third-persons. *See e.g.*, ABA Rules of Professional Conduct, Rule 4.4(a).<sup>77</sup>



***Chapter 4***  
***All Out Destruction***  
***ACCEPTABLE ALTERNATIVE TO***  
***PEACE AND COMPROMISE?***

*First offer a peace truce, if the truce is not  
accepted then destroy your enemy.*<sup>78</sup>

Is all out destruction of your opponent ever an acceptable alternative to peace and compromise? To know the answer to this question would be to have the wisdom of Solomon.

In Deuteronomy 20:16-18 God told the Israelites to destroy every living thing and not leave one man, woman, child, or animal standing. This command is repeated throughout the Old Testament.<sup>79</sup> Yet, in Luke 6, Jesus says to turn the other cheek. In Mathew 6:9-15 we are admonished to forgive those who trespass against us.

In Proverbs 19:11 we are told that a wise man has patience and it is to his good that he forgives or ignores an offense against him.

In Mathew 18:23-35 Jesus tells the parable about the debtor who cannot pay his bill, begs for forgiveness from the King

and is released from his debt. But then after the debtor was released by the King the debtor went to a man who owed him money, demanded payment and in spite of the man's pleas for mercy the debtor had the man thrown in jail until the debt was paid. Upon the King learning of the original debtor's unwillingness to give mercy, the King ordered that the original debtor be tortured until his debt was paid.

An important point can be found in this parable: **We cannot receive mercy without giving mercy.**

Likewise, Jesus teaches in Mathew 6:14-15 that if you forgive others for their transgressions, your heavenly Father will also forgive you. But if you do not forgive others, then your Father will not forgive your transgressions.<sup>80</sup>

Additionally, in Mathew 5:25 and Luke 12:58 we are told to hurry up and resolve our disputes before we are dragged to court. And, in 1 Corinthians 6:1, we are asked why when we "have something against another Christian, why do you file a lawsuit and ask a secular court to decide the matter, instead of taking it to other Christians to decide who is right?"<sup>81</sup>

**Blessed are the Peacemakers for They  
Shall be called Sons of God**<sup>82</sup>

As Christian lawyers if we are involved in litigation between two Christians, we should work with our clients to attempt to quickly resolve the issue. This may even include

bringing in a faith based mediator to help resolve the dispute.

† Suppose a case arises in a local court that is too hard for you to decide—for instance, whether someone is guilty of murder or only of manslaughter, or a difficult lawsuit, or a case involving different kinds of assault. Take such cases to the place the Lord your God will choose.<sup>83</sup>

We must always behave so that we speak well of God through our actions. At times, the preparation for all out destruction of your opponent can lead to peace and compromise.

There is only one way to prepare for litigation and that is with bulldogged determination. Being a “bulldog” does not mean that you are unethical, dishonest, hateful or act without integrity. The key to being ready for trial is preparation. Being tenacious, tracking down crucial witnesses, examining every document, and following every legitimate lead are key to representing your client.

There is a difference between being a bulldog and engaging in scorched earth litigation. A take no prisoner or scorched earth approach to the litigation process does nothing more than give all lawyers a bad name, dramatically increases litigation costs and grinds the wheels of justice to a halt.

The question becomes: “How can I zealously represent my client without engaging in scorched earth litigation?” Being a “Christian Lawyer” does not mean being a push over or a

dishrag; rather it includes standing your ground and taking the fight for your opponent with integrity.

There is a difference between zealously representing your client and winning at the cost of your soul and the very legal system we are bound as officers of the court to protect.

When you know the truth, when you know what the witnesses will say and where the bodies are buried, you are better prepared to represent your client including giving them a realistic assessment of their case.

The Bible teaches that it is better to settle your dispute with your adversary than allow the court to resolve the matter. “If you are on the way to court and you meet your accuser, try to settle the matter before it reaches the judge, or you may be sentenced and handed over to an officer and thrown in jail.”<sup>84</sup>

A key to being a Christian Lawyer is:

- (1) Seeking the Lord’s guidance;
- (2) Willingness to seek peace and compromise;
- (3) Not seeking an unconditional surrender (give the other side an opportunity to save face);
- (4) Being a “bulldog” about your trial preparation; and
- (5) Conducting oneself with integrity.

If people feel pushed into a corner, they will generally come out fighting and will not be open to a peaceful resolution. However, when you allow people room to save face, they are more willing to compromise and agree to a peaceful solution.

Being a bulldog litigator is not about how low an attorney can stoop, but rather it is about not letting go of leads and not quitting when faced with adversity.



## *Chapter 5*

### *Judges*

*Help him judge your people in the right way.*<sup>85</sup>

Judges are at the heart of our legal system. Fair and faithful judges are a blessing to the judicial system and to our country, while corrupt judges corrupt the system and must be removed from the bench.<sup>86</sup>

It is our responsibility to seek out and promote Christian men and women who will rule with justice and fairness.<sup>87</sup> If we ourselves expect God to be gracious to us, then we must establish justice in our courts.<sup>88</sup>

Judges must fear the Lord and judge with care, for “the Lord our God does not tolerate perverted justice, partiality, or the taking of bribes.”<sup>89</sup> Judges must treat everyone in their courtroom with the same dignity and respect.<sup>90</sup>

It is important to have God fearing people on the bench. Christian Judges are command not to fear; it doesn't matter if one person before him is helpless and the other is powerful. No matter who shows up in their court, “God will help [them] make a fair decision.”<sup>91</sup>

Judges must be completely fair when they make legal decisions, even if someone important is involved. Moses commanded that everyone be treated with justice.<sup>92</sup>

The Bible commands our judges to be *fair, unbiased* and *uncorrupted* believers who follow the law. Our founding fathers knew this well and held it dear to their hearts.

John Jay (1745-1829), the first Chief Justice of the United States Supreme Court and a co-author of the Federalist Papers declared that:

Providence had given to our people the choice of their rules, and it is the duty, as well as the privilege and interest of our Christian nation, to select and prefer Christians for their rulers.<sup>93</sup>

Noah Webster (1758-1843), patriot, attorney, and advocate for the ratification of the Constitution, warned that:

When a citizen gives his suffrage [his vote] to a man of known immorality he abuses his trust [civic responsibility]; he sacrifices not only his own interest, but that of his neighbor; he betrays the interest of his country.<sup>94</sup>

John Witherspoon (1723-1794), a member of the Continental Congress and signer of the Declaration of Independence, warned that:

[T]he people in general ought to have regard too the moral character of those whom they invest with authority either in the legislative, executive, or judicial branches.<sup>95</sup>

Judges must adhere to a principal of both inward and outward unbiased conduct.<sup>96</sup> Federal law mandates that a judge “shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.” 8 U.S.C. § 455(a) The United States Supreme Court has held that, “[t]he very purpose of 455(a) is to promote confidence in the judiciary by avoiding even the appearance of impropriety.” *Liljeberg v. Health Services Acquisition Corp.* (1980).

✠ The Lord commands us to: **Hate evil and love what is good; remodel your courts into true halls of justice.**<sup>97</sup>

Judges have an obligation to behave in a manner that is above reproach. Judges must avoid the appearance of bias, anything less must be unacceptable to America as a whole. In the final end game, God will judge the judges.<sup>98</sup> In so doing, He will judge them by the same measure they judge others.<sup>99</sup>

When judges fail to act with integrity, fairness and impartiality in appearance and conduct, then we as officers of the court, Christians and citizens have an obligation to select new judges.<sup>100</sup>



*Chapter 6*  
*You Have the Ability To*  
*Be God's Warrior*

It is God's Strength and Resources that Count

Perhaps you are a solo practitioner or do not have an abundance of resources in your firm— God can use you.

It is not your strength or my strength that counts. It is God's strength that counts. For you or me it may be impossible, but with God all things are possible.<sup>101</sup>

[T]he Creator of the farthest parts of the earth, never grows faint or weary? No one can fathom the depths of his understanding. He gives power to the tired and worn out, and strength to the weak.<sup>102</sup>

It is not your ability or my ability that counts. It is God's ability and God's resources that count.

Behold, all they who are enraged and inflamed against you shall be put to shame and confounded; they who strive against you shall be as nothing and shall perish.

You shall seek those who contend with you but shall not find them; they who war against you shall be as nothing, as nothing at all.

For I the Lord your God hold your right hand; I am the Lord, Who says to you, Fear not; I will help you!

Fear not . . . . I will help you, says the Lord; your Redeemer is the Holy One of Israel.

Behold, I will make you to be a new, sharp, threshing instrument which has teeth; you shall thresh the mountains and beat them small, and shall make the hills like chaff.

You shall winnow them, and the wind shall carry them away, and the tempest or whirlwind shall scatter them. And you shall rejoice in the Lord, you shall glory in the Holy One of Israel.<sup>103</sup>

When God brought his people out of Egypt he did not use a leader from among the Israelites. Rather he used a man who had fled because he had killed an Egyptian. God used Moses, a murderer, a man of reportedly limited speaking ability, a reluctant leader.<sup>104</sup> Moses was a man of limited personal resources, but God used the resources Moses had, his brother Aaron, and a rod to help Moses lead the people out of Egypt.<sup>105</sup>

Then the LORD asked Moses, “Who makes a person’s mouth? Who decides whether people speak or do not speak, hear or do not hear, see or do not see? Is it not I, the LORD? 12 Now go! I will be with you as you speak, and I will instruct you in what to say.”<sup>106</sup>

When the Midian’s were oppressing the Israelites and stealing their crops, God did not call-up a leader who was the strongest in his family or from the biggest clan. Rather, he called upon a man of faith, he called upon Gideon.<sup>107</sup> And, together they struck down the Midians and rescued the Israelites.<sup>108</sup>

When the Philistines stood against the Israelites at the Valley of Elah Mocking God and challenging Saul and the Israelites to send out their champion to face Goliath,<sup>109</sup> who did God call? A seasoned veteran? An officer in Saul’s army? No, God used the youngest son of Jesse, an Ephrathite from Bethlehem (David).<sup>110</sup>

We all can learn a lesson from David. His attitude was right with God:

And David said to Saul, Your servant kept his father's sheep. And when there came a lion or again a bear and took a lamb out of the flock,

I went out after it and smote it and delivered the lamb out of its mouth; and when it arose against me, I caught it by its beard and smote it and killed it.

Your servant killed both the lion and the bear; and this uncircumcised Philistine shall be like one of them, for he has defied the armies of the living God!

David said, The Lord Who delivered me out of the paw of the lion and out of the paw of the bear, He will deliver me out of the hand of this Philistine. And Saul said to David, Go, and the Lord be with you!<sup>111</sup>

A critical point to *always* keep in your heart is that you are not doing God's work under your own power. If God sends you out to fight for him, he will be with you. Seek ye the Lord God with all your heart and soul and you will find him.<sup>112</sup>

When doubt or stress and pressure are closing in on you, remember to be still and know that He is God.<sup>113</sup>

### You are Not Alone

In addition to God supplying your strength and rejuvenation,<sup>114</sup> as with Moses, God places people in your path who can help you along your journey as you strive to do God's will.

There are many organization and groups that are dedicated to preserving the Christian way of life. Eight of these organizations are Alliance Defense Fund, Christian Law Association, Christian Legal Society, Liberty Legal Insti-

tute, Home School Legal Defense Association, Community Defense Council, Advocates International and Wallbuilders.<sup>c</sup>

The **Alliance Defense Fund** is a legal alliance defending the right to hear and speak the Truth of God, through strategy, training, funding, and litigation. ADF was founded for a unique purpose: to aggressively defend religious liberty by empowering its allies. ADF recognizes that Christians can accomplish far more together than alone.

The **Christian Law Association** is a "ministry of legal helps." Its purpose is to provide free legal assistance to Bible-believing churches and Christians who are experiencing legal difficulty in practicing their religious faith because of governmental regulation, intrusion, or prohibition of one form or another.

The mission of the **Christian Legal Society** is to be the national grassroots network of lawyers and law students, associated with others, committed to proclaiming, loving and serving Jesus Christ through the practice of law including advocating biblical conflict reconciliation, legal assistance for the poor and the needy, religious freedom and the sanctity of human life.

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<sup>c</sup> While I am associated with or have been associated with one or more of the groups listed here, I am not endorsing any group or organization listed. Rather, it is a starting place for your own search to find God's resources for you.

**Liberty Legal Institute (LLI)** was founded in 1997 to protect religious freedoms and First Amendment rights for individuals, groups and churches. LLI offers its assistance pro bono to ensure all individuals and groups can thrive without the fear of governments restricting their freedoms.

The **Home School Legal Defense Association (HSLDA)** is an advocacy organization established to defend and advance the constitutional right of parents to direct the education of their children and to protect family freedoms. HSLDA advocates on the legal front by fully representing member families at every stage of proceedings.

The **Community Defense Counsel (CDC)** exists to provide direct legal assistance and educational resources to those concerned about health and crime issues affecting children and their neighborhoods, particularly the sexual violence empirically proven to accompany sexually oriented businesses and illegal pornography, including child pornography.

Launched in 1991, **Advocates International** envisions a global network of advocates committed to religious liberty, conflict resolution and professional ethics.

**WallBuilders** is an organization dedicated to presenting America's forgotten history and heroes, with an emphasis on the moral, religious, and constitutional foundation on which America was built—a foundation which, in recent years, has been seriously attacked and undermined. In accord with what was so accurately stated by George

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Washington, Wallbuilders believe that “the propitious [favorable] smiles of heaven can never be expected on a nation which disregards the eternal rules of order and right which heaven itself has ordained.”



## *Chapter 7*

### *Conclusion - Are You Willing?*

**The choice is ours; will you be controlled by God or this world?**

Those who are dominated by the sinful nature think about sinful things, but those who are controlled by the Holy Spirit think about things that please the Spirit.

If your sinful nature controls your mind, there is death. But, if the Holy Spirit controls your mind, there is life and peace.<sup>115</sup>

It is important to recognize that faith without works is useless. Faith without works is no faith at all.<sup>116</sup> It is our responsibility to ensure that the law does not become paralyzed and useless, and that there is justice given in the courts. We must ensure that the wicked never outnumber the righteous in our courthouses, and that justice is never perverted with bribes or trickery.<sup>117</sup>

Because you are a Christian, Satan will seek you out to place barriers in your path. But just like a runner must clear the hurdles on the track, you must leap over Satan's barriers

with steadfast determination and the love of the Lord and the protection of the Holy Spirit.

I am not going to suggest to you that there will not be problems along the way; that you will not stumble; that you will not face temptation; I am a sinner. Because I am a sinner I never go to bed without asking God to forgive me of my sins and to forgive those who have sinned against me and to guide my path.

The Lord is not limited to heaven, God is wherever you seek him.<sup>118</sup> All questions can be answered through prayer and study of the scripture.<sup>119</sup> The race will not be over until Jesus Christ returns and gathers his flock.

This book is not the end; it is not the answer; it is part of the journey. My journey has brought me to writing this book and seeking God's will and path for my life through the research and study necessary to accomplish this mission. Where will your journey take you?

**In Psalm 26:2 David cries out to the Lord, to put him on trial, and cross-examine him. He asks God to test his motives.**

**When God cross-examines you,  
what will he find!!**

## *Salvation*

Everyone who confesses Jesus Christ as their Lord and Savior before men, He will also confess them before His Father who is in heaven. But whoever denies Jesus Christ before men, He will also deny them before His Father who is in heaven. Mathew 10:32-33.

Therefore, if you confess with your mouth Jesus Christ *as* Lord, and believe in your heart that God raised Him from the dead, you will be saved; for with the heart a person believes, resulting in righteousness, and with the mouth he confesses, resulting in salvation. For the Scripture says, 'WHOEVER BELIEVES IN HIM WILL NOT BE DISAPPOINTED.' For there is no distinction between Jew and [Gentile]; for the same *Lord* is Lord of all, abounding in riches for all who call on Him; for 'WHOEVER WILL CALL ON THE NAME OF THE LORD WILL BE SAVED. Romans 10:9-13 (NASB).

If you profess Jesus Christ as your Lord and Savior asking Him to come into your heart you are saved by His grace as a gift from God through faith.<sup>d</sup>

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<sup>d</sup> For by grace we have been saved through faith; and not of ourselves, *it is* the gift of God; not as a result of works, so that no one may boast. For we are His workmanship, created in Christ Jesus for good works, which God prepared beforehand so that we would walk in them. Ephesians 2:8-10 (NASB).

## *Websites*

[www.familywatchdog.us](http://www.familywatchdog.us): Lists sex offenders in your neighborhood.

[www.biblegateway.com](http://www.biblegateway.com): Bible Gateway is an extraordinary on-line Bible passage tool that can be used free of charge to search multiple biblical translations.

[www.alliancedefensefund.org](http://www.alliancedefensefund.org): The Alliance Defense Fund – Defending God’s truth.

[www.christianlaw.org](http://www.christianlaw.org): Christian Legal Services - Legal counsel to churches and Christians facing legal difficulties for practicing the Biblical faith.

[www.clsnet.org](http://www.clsnet.org): Christian Legal Society - Network of lawyers and law students committed to serving Jesus Christ through the practice of law.

[www.libertylegal.org](http://www.libertylegal.org): Liberty Legal Institute - Pro bono legal assistance to ensure all individuals and groups can thrive without the fear of governments restricting their freedoms.

[www.hslda.org](http://www.hslda.org): Home School Legal Defense Association  
– Includes legal advocates representing member families at every stage of proceedings.

[www.Lockman.org](http://www.Lockman.org): Publishers of the Amplified® Bible and the New American Standard Bible®.

[www.communitydefense.org](http://www.communitydefense.org): Community Defense Council provides legal assistance and educational resources for health and crime issues affecting children.

[www.advocatesinternational.org](http://www.advocatesinternational.org): Advocates International is dedicated to a global network of advocates committed to religious liberty, conflict resolution and professional ethics.

[www.wallbuilders.com](http://www.wallbuilders.com): WallBuilders' goals are educating Americans concerning our heritage and influencing public policy.

[www.regent.edu](http://www.regent.edu): Regent Law School seeks to admit students who are serious about the critical roles they will assume as future counselors, conciliators, defenders of the faith, effective client advocates and followers of Christ.

[www.tiu.edu](http://www.tiu.edu): Trinity Law School's core values include Christ centeredness, Comprehensive education, Community, Church connectedness, Cultural engagement.

[www.cci.org](http://www.cci.org): Campus Crusade for Christ International, a worldwide, interdenominational Christian ministry

committed to showing people how they can know and experience God's plan for their lives.

cc.christiancourses.com: Continuing Education Online Certificate Programs in Biblical studies.

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<sup>1</sup> Ephesians 2:8-9. For by grace you have been saved through faith; and that not of yourselves, *it is* the gift of God; not as a result of works, so that no one may boast. NAS.

<sup>2</sup> Deuteronomy 20:4 TLB.

<sup>3</sup> Mathew 9: 37-38, NAS.

<sup>4</sup> Psalm 16:2, NLT.

<sup>5</sup> Ephesians 2:10; Jeremiah 1:5; and Romans 11:29.

<sup>6</sup> Romans 12:3-8, NAS.

<sup>7</sup> Mathew 5:16, NAS.

<sup>8</sup> Psalm 72:4, NLT.

<sup>9</sup> Psalm 73:12-14 NLT

<sup>10</sup> Shakespeare's King Henry VI, Act 4, Scene 2.

<sup>11</sup> Ephesians 2:8-10, NAS.

<sup>12</sup> Deuteronomy 16:17 TLB

<sup>13</sup> Acts 17:26, "From one man he made all the nations, that they should inhabit the whole earth; and he marked out their appointed times in history and the boundaries of their lands." NIV.

<sup>14</sup> *Original Intent, The Court's, the Constitution, & Religion*, 4<sup>th</sup> Edition, David Barton, WallBuilder Press, Aledo, TX (used by permission) citing and quoting Washington, *Writings* (1932), Vol. XI, pp. 342-343, General Orders of May 2, 1778.

<sup>15</sup> CEV.

<sup>16</sup> Numbers 35:12, CEV

<sup>17</sup> Leviticus 19:15, CEV.

<sup>18</sup> Proverbs 24:12; Mathew 3:10.

<sup>19</sup> 1 Corinthians 4:5.

<sup>20</sup> *Driven by Eternity*, 1<sup>st</sup> Edition, John Bevere, John Bevere Ministries, Inc., Faith Works, New York (used by permission), p. 226.

<sup>21</sup> Psalm 11:7, NLT

<sup>22</sup> Deuteronomy 22:14

<sup>23</sup> Ephesians 6:13-17, TLB.

<sup>24</sup> Psalm 10:16, NLT.

<sup>25</sup> "The Civil War, Strange and Fascinating Facts," by Burke Davis

<sup>26</sup> "The Civil War, Strange and Fascinating Facts," by Burke Davis

<sup>27</sup> New York Times

<sup>28</sup> Deuteronomy 16:19, NLT.

<sup>29</sup> Deuteronomy 24:17.

<sup>30</sup> Acts 25:16

<sup>31</sup> Mathew 5:21, CEV.

<sup>32</sup> Numbers 35:12, NAS

<sup>33</sup> Lamentations 3:36, NLT.

<sup>34</sup> Isaiah 1:17, NLT.

<sup>35</sup> Psalm 45:4, NLT.

<sup>36</sup> 2 Chronicles 19:7, NLT.

<sup>37</sup> Deuteronomy 16:18, NLT.

<sup>38</sup> Mathew 7:2, NAS.

<sup>39</sup> Ephesians 6:19.

<sup>40</sup> 2 Peter 3:17-18.

<sup>41</sup> Deuteronomy 20:4.

<sup>42</sup> Deuteronomy 16:20, TLB.

<sup>43</sup> Psalm 25.

<sup>44</sup> Psalm 25:8-10.

<sup>45</sup> Mathew 6:34-33, NAS.

<sup>46</sup> For attorneys that work for a corporation or the government picking and choosing clients and cases is not the same as attorneys in private law firms. Instead of multiple clients we usually have one client. But, we still should seek God's guidance as to whether we should work for the company or the government agency.

<sup>47</sup> ABA Model rule 1.7.

<sup>48</sup> Deuteronomy 16:20

<sup>49</sup> Psalm 106:3.

<sup>50</sup> Psalm 26:1, NLT.

<sup>51</sup> Psalm 25:21, TBL.

<sup>52</sup> Genesis 39.

<sup>53</sup> Proverbs 21:3, Amp.

<sup>54</sup> "A lawyer shall not knowingly make a false statement of fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer." Model Rule 3.3(a)(1).

<sup>55</sup> All decisions were made in consultation with my client.

<sup>56</sup> Exodus 23:1, TLB.

<sup>57</sup> Model Rule 3.4.

<sup>58</sup> Proverbs 13:3; 18:13; and 21:23.

<sup>59</sup> “A worthless witness scoffs at justice, and the mouth of the wicked swallows iniquity.” Proverbs 19:2, Amp.

<sup>60</sup> Proverbs 21:28, CEV.

<sup>61</sup> Exodus 23:2, CEV.

<sup>62</sup> “A lawyer is required to be truthful when dealing with others on a client’s behalf, but generally has no affirmative duty to inform an opposing party of relevant facts. A misrepresentation can occur if the lawyer incorporates or affirms a statement of another person that the lawyer knows is false. Misrepresentations can also occur by partially true but misleading statements or omissions that are the equivalent of affirmative false statements.” Comment No. 1 to the American Bar Association’s Model Rules of Professional Conduct, Rule 4.1.

<sup>63</sup> It is generally accepted by most jurisdictions that have adopted some form of ABA Model Rule 4.1 that the rule refers to statements of fact. The circumstances dictate whether a particular statement should be regarded as one of fact. Under widely accepted notions of negotiation, certain types of statements ordinarily are not taken as statements of material fact. This includes estimates of price or value of the subject matter of the negotiations, a party’s intentions as to an acceptable settlement of a claim. However, we must be mindful of our obligations under applicable law to avoid criminal and tortious misrepresentations even in negotiations. *See e.g.*, Comment No. 2 to the American Bar Association’s Model Rules of Professional Conduct, Rule 4.1.

<sup>64</sup> Alabama Rules of Professional Conduct, Rule 4.1; Arizona Rules of Professional Conduct, Rule 4.1; Colorado Rules of Professional Conduct, Rule 4.1; D.C. Rules of Professional Conduct, Rule 4.1; Florida Rules of Professional Conduct, Rule 4-4.1; Georgia Rules of Professional Conduct, Rule 4.1; Massachusetts Rules of Professional Conduct, Rule 4.1; Minnesota Rules of Professional Conduct, Rule 4.1; New Mexico Rules of Professional Conduct, Rule 16-401; North Carolina Rules of Professional Conduct, Rule 4.1; Oklahoma Rules of Professional Conduct, Rule 4.1; South Carolina Rules of Professional Conduct, Rule 4.1; Texas Disciplinary Rules of Professional Conduct, Rule 4.1; Virginia Rules of Professional Conduct, Rule 4.1; Washington Rules of Professional Conduct, Rule 4.1; and West Virginia Rules of Professional Conduct, Rule 4.1.

<sup>65</sup> *See e.g.*, ABA’s Model Rules of Professional Conduct, Rule 3.4;

Arizona Rules of Professional Conduct, Rule 3.4; Colorado Rules of Professional Conduct, Rule 3.4; D.C. Rules of Professional Conduct, Rule 3.4; Florida Rules of Professional Conduct, Rule 4-3.4; Georgia Rules of Professional Conduct, Rule 3.4; Maryland Rules of Professional Conduct, Rule 3.4; Montana Rules of Professional Conduct, Rule 3.4; New Mexico Rules of Professional Conduct, Rule 16-304; Oklahoma Rules of Professional Conduct, Rule 3.4; and Texas Disciplinary Rules of Professional Conduct, Rule 3.4.

<sup>66</sup> *Id.*

<sup>67</sup> “[N]ever hesitate to speak up in court, especially if your testimony can save someone’s life.” Leviticus 19:16, CEV.

<sup>68</sup> Leviticus 5:1-3, CEV.

<sup>69</sup> ABA Model Rules 4.2-6.

<sup>70</sup> ABA Model Rules 4.2-6, Note 7.

<sup>71</sup> ABA Model Rules 4.2-6, Note 7.

<sup>72</sup> ABA Model Rule 3.1. This rule does not prohibit making a good faith argument for an extension, modification or reversal of existing law. Additionally, a lawyer for the defendant in a criminal proceeding, or the respondent in a proceeding that could result in incarceration, may defend the proceeding as to require that every element of the case be established.

<sup>73</sup> Proverbs 29:9, NLT.

<sup>74</sup> ABA Model Rule 1.2(a).

<sup>75</sup> ABA Model Rule 1.2(d).

<sup>76</sup> Numerous jurisdictions that have adopted some form of ABA Model Rule 1.2(d); Alabama Rules of Professional Conduct, Rule 1.2(d); Arizona Rules of Professional Conduct, Rule 1.2(d); Arkansas Rules of Professional Conduct, Rule 1.2(d); California Rules of Professional Conduct, Rule 3-210; Colorado Rules of Professional Conduct, Rule 1.2(d); Connecticut Rules of Professional Conduct, Rule 1.2(d); D.C. Rules of Professional Conduct, Rule 1.2(e); Florida Rules of Professional Conduct, Rule 1.02(d); Georgia Rules of Professional Conduct, Rule 1.2(d); Louisiana Rules of Professional Conduct, Rule 1.2(d); Maryland Rules of Professional Conduct, Rule 1.2(d); New Mexico Rules of Professional Conduct, Rule 16-102(D); Nevada Rules of Professional Conduct, Rule 152[4]; New York Rules of Professional Conduct, Rule 1-102; Oklahoma Rules of Professional Conduct, Rule 1.2(d); Ohio Rules of Professional Conduct, Rule 1.2(d); Oregon Rules of Professional Conduct, Rule 1.2(c); Pennsylvania Rules of Professional Conduct, Rule 1.2(d); South Carolina Rules of Professional

Conduct, Rule 1.2(d); and Texas Disciplinary Rules of Professional Conduct, Rule 1.02.

<sup>77</sup> See e.g., Arizona Rules of Professional Conduct, Rule 4.4; Colorado Rules of Professional Conduct, Rule 4.4; D.C. Rules of Professional Conduct, Rule 4.4; Florida Rules of Professional Conduct, Rule 4-4.4; Georgia Rules of Professional Conduct, Rule 4.4; Montana Rules of Professional Conduct, Rule 4.4; New Mexico Rules of Professional Conduct, Rule 16-404; Oklahoma Rules of Professional Conduct, Rule 4.4; and South Carolina Rules of Professional Conduct, Rule 4.4.

<sup>78</sup> Deuteronomy 20:10-14, TLB

<sup>79</sup> Jeremiah 50: 35-40, Jeremiah 51:1-5, Deuteronomy 25:17-19, Numbers 33:50-56, Joshua 10:28-43, and Joshua 11:10-15

<sup>80</sup> Mathew 6:14-15 (NASB).

<sup>81</sup> NL.

<sup>82</sup> Mathew 5:9, NAS.

<sup>83</sup> *Deuteronomy 17:8, NLT.*

<sup>84</sup> Luke 12:58, and Mathew 5:25, NLT.

<sup>85</sup> Psalm 72:2, NLT.

<sup>86</sup> Proverbs 25:5

<sup>87</sup> Psalm 9:8.

<sup>88</sup> Amos 5:15, Amp.

<sup>89</sup> 2 Chronicles 19:7, NLT.

<sup>90</sup> Proverbs 22:22, NLT.

<sup>91</sup> Deuteronomy 1:17, Amp.

<sup>92</sup> Deuteronomy 16:18, CEV.

<sup>93</sup> *Original Intent, The Court's, the Constitution, & Religion*, 4<sup>th</sup> Edition, David Barton, WallBuilder Press, Aledo, TX, p. 544 (used by permission) citing *Ruggles* at 546.

<sup>94</sup> *Original Intent*, p. 545 (used by permission) citing and quoting *Letters of John Quincy Adams to His Son on the Bible and Its Teachings*, Auburn, James M. Alden, 1850, p. 62.

<sup>95</sup> *Original Intent*, p. 544 (used by permission) citing and quoting *Updegraph v. Commonwealth*, 11 Serg. & Rawle 394, 398-399, 405 (Penn. 1824).

<sup>96</sup> Bribes blind Judges and twists justice. Exodus 23:8.

<sup>97</sup> Amos 5:15, NLT

<sup>98</sup> Psalm 82:1, NLT.

<sup>99</sup> Mathew 7:2.

- <sup>100</sup> Remove the wicked from the king's court, and his reign will be made secure by justice. Proverbs 25:5, NLT.
- <sup>101</sup> Mathew 19:26.
- <sup>102</sup> Isaiah 41:28-29, TLB
- <sup>103</sup> Isaiah 41:11-16, Amp.
- <sup>104</sup> Exodus 2:12, Exodus 3:11-14, and Exodus 4:1-17.
- <sup>105</sup> Exodus 4:1-17
- <sup>106</sup> Exodus 4:11-12, NLT.
- <sup>107</sup> Judges 6:11-18
- <sup>108</sup> Judges 6:11-18
- <sup>109</sup> 1 Samuel 17
- <sup>110</sup> 1 Samuel 17:12-14
- <sup>111</sup> 1 Samuel 17:34-37
- <sup>112</sup> Dueteronomy 4:29-31
- <sup>113</sup> Psalms 46:10.
- <sup>114</sup> Mathew 11:27-28.
- <sup>115</sup> Romans 6:5-6, NLT.
- <sup>116</sup> James 2:14-26.
- <sup>117</sup> Habakkuk 1:4, NLT.
- <sup>118</sup> Deuteronomy 4:29, Chronicles 289, and Mathew 7:7.
- <sup>119</sup> Deuteronomy 17:19.