

“Inasmuch as you have done it unto one of the least of these, you have done it to me.”

(Mt. 25:40)

PEPPERDINE UNIVERSITY

School of Law

INSTITUTE ON LAW, RELIGION, AND ETHICS

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PEPPERDINE

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# LAWYERS, FAITH, and SOCIAL JUSTICE

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# LAWYERS, FAITH, and SOCIAL JUSTICE

OUR RESPONSIBILITY TO  
“THE ORPHAN, THE WIDOW,  
THE ALIEN,” AND  
“THE LEAST OF THESE”

February 4-5, 2005  
Pepperdine University  
School of Law  
Malibu, California

Co-sponsors:  
Christian Legal Society  
Jewish Law Students Association

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Much of the Mosaic law, the Psalms, and the prophets plead the cause of “the orphan, the widow, and the alien.” (Deut. 10:18-19; Ps. 146:9; Jer. 7:6). Indeed, it seems that God judges a nation and its citizens by their care for the neediest among them.

In one of Jesus’ last discussions with his disciples, he stated that in the last days, people will be judged by how they care for those in greatest need. “Inasmuch as you have done it unto one of the least of these, you have done it to me.” (Mt. 25:40) Other religious traditions have similar admonitions.

Lawyers affect the lives of people at all levels of need. Law practice should lead to greater social justice, but there is a danger that it will lead to social injustice. This conference will explore three ways in which lawyers have a substantial impact on “the orphan, the widow, the alien,” and “the least of these.”

- ▶ Some lawyers pursue social justice directly, representing those in need in traditional legal aid offices, in criminal defense and prosecutors’ offices, and human rights clinics. In an era of shrinking governmental support for such programs, much of the creativity, support, and energy for such programs has come from religious communities. We will hear from lawyers involved, both as volunteers and full-time workers, in some of the most innovative social justice programs created in recent years.
- ▶ In addition, lawyers, as influential citizens, officeholders, governmental advisors, and political commentators, have a substantial impact on social policy at local, state, and national levels. They have an opportunity to work for laws that benefit, rather than harm, those in need. We will hear some of the most thoughtful critics of our current social policy discuss directions that might help to empower the weakest among us.
- ▶ Finally, lawyers who represent corporations and other businesses can serve the cause of social justice in their role as wise counselor to their clients, raising social concerns with clients and structuring business arrangements that consider those in need. Might it be that following the lawyer failures of Enron, the corporate bar might return to a day when, as one prominent 1950s Wall Street lawyer said, lawyers were “the conscience of Wall Street?”

For each of these roles, we will consider the life of an historical role model: Dorothy Day, the founder of The Catholic Worker; William Wilberforce, the evangelical member of Parliament who successfully led the fight against the slave trade; and Louis Brandeis, who, prior to his appointment to the Supreme Court, took on many public causes and took, in one client’s words, a “judicial attitude” toward his clients.

I hope that you can join us for what I am confident will prove to be a challenging and encouraging conference.

**Robert F. Cochran, Jr.**

*Louis D. Brandeis Professor of Law and  
Director, Institute on Law, Religion, and Ethics*

## Friday, February 4, 2005

### 8:00 A.M. REGISTRATION AND CONTINENTAL BREAKFAST

### 8:45 A.M. KEYNOTE SPEAKERS

**Walter E. Fauntroy**, pastor, New Bethel Baptist Church in Washington, D.C., served as D.C.'s delegate to the U.S. House of Representatives from 1971-90. His nonviolent political action stretches from civil rights protests with Dr. Martin Luther King through his recent arrest for chaining himself to the Sudanese Embassy.

**Elliott Dorff**, rector, Sol and Anne Dorff Distinguished Service Professor in Philosophy, University of Judaism, has written many books and articles, including *To Do the Right and the Good: A Jewish Approach to Modern Social Ethics* (Jewish Publication Society 2002).

**Mary Ellen Burns**, a Catholic sister with the Apostles of the Sacred Heart of Jesus, taught community lawyering at Fordham University School of Law from 1997-2003, and serves as staff attorney with the Northern Manhattan Improvement Corporation.

### 10:30 A.M. INNOVATIVE SOCIAL JUSTICE PROGRAMS

**G. Randy Lee**, professor, Widener School of Law, teaches legal ethics and has written about lessons from Dorothy Day for American lawyers.

**Douglas Ammar**, executive director, Georgia Justice Project (GJP), offers clients legal defense plus employment with GJP's landscaping company (gjp.org).

**Barbara E. Armacost**, professor, University of Virginia School of Law, speaks energetically about the role of lawyers in pursuing justice. Her advocacy took her and several of her students to India to fight wage slavery of young children with the International Justice Mission (ijm.org).

### 12:00 P.M. LUNCH

### 1:30 P.M. RELIGIOUS FAITH, LAWYERS, AND SOCIAL JUSTICE

**Paul L. Freese, Jr.** is director of litigation and advocacy for Public Counsel, the largest provider of pro bono legal services in the United States. Mr. Freese is Catholic.

**David A. Lash** recently left his position as executive director of Bet Tzedek (Hebrew: "House of Justice") legal clinic to become the managing counsel of O'Melveny & Myers' public interest and pro bono services. Mr. Lash is Jewish.

**Hakha M. Mortezaie**, executive director, Los Angeles Center for Law and Justice, is motivated in his service of the poor by his Muslim faith.

**Brittany Stringfellow Otey**, director, Pepperdine/Union Rescue Mission Legal Clinic, serves the legal needs of the homeless in downtown Los Angeles. Ms. Otey is an evangelical Christian.

### 3:15 P.M. PUBLIC POLICY AND SOCIAL JUSTICE

**Douglas Holladay**, a William Wilberforce scholar, holds an M.A. from Princeton Theological Seminary and an M.Lit. from Oxford. He held senior positions at the State Department and White House, and is a cofounder of Park Avenue Equity.

**Michael A. Scaperlanda** is the Gene and Elaine Edwards Family Professor at the University of Oklahoma School of Law, and has written extensively in the area of immigration policy.

**Amy L. Sherman** is senior fellow at the Sagamore Institute for Policy Research, and the author of the first major national study of the Charitable Choice provisions of the 1996 welfare reform law.

### 5:30 P.M. RECEPTION AND DINNER

### 7:00 P.M. JEWISH AND CHRISTIAN BREAKOUT GROUPS *(each group is open to all interested persons)*

**Torah Discussion**—**Samuel J. Levine**, rabbi and associate professor of law, Pepperdine University

**Evening Prayer**—**Glandion Carney**, chaplain, Christian Legal Society

## Saturday, February 5, 2005

### 8:30 A.M. CONTINENTAL BREAKFAST

### 9:15 A.M. PRIVATE PRACTICE AND SOCIAL JUSTICE

**Thomas L. Shaffer**, Robert and Marion Short Professor Emeritus, Notre Dame, has written over 300 books and articles on religion and legal ethics, and serves as a supervising attorney for the Notre Dame Legal Aid Clinic.

**John D. Robb**, of Rodey, Dickason, Sloan, Akin & Robb, Albuquerque, New Mexico, was one of the founders of National Legal Services in the mid-60s and Christian Legal Aid in the mid-90s. For half a century, he has devoted countless hours to public service while in the commercial practice of law.

**Kenneth W. Starr**, dean, Pepperdine University School of Law, while practicing law with the Washington, D.C. firm of Kirkland & Ellis, provided a substantial amount of pro bono service for a variety of individuals and nonprofit organizations.

### 11:00 A.M. CORPORATE LAWYERS AND SOCIAL RESPONSIBILITY

**Mark A. Sargent**, dean and professor, Villanova University School of Law, is a nationally recognized authority on corporate law. He is a strong advocate of the social responsibility of corporations and corporate lawyers.

**Stephen M. Bainbridge**, professor of law, UCLA, is a nationally recognized authority on corporate law. He argues that shareholder profit, not social responsibility, should be the primary concern of corporations and their lawyers.

### 12:30 P.M. LUNCH

### 2:00 P.M. RECREATION OR CHRISTIAN LEGAL AID TRAINING \*\*

### 6:30 P.M. OPTIONAL DINNER AT BEAU RIVAGE *(a five-star Malibu restaurant)*

## THE INSTITUTE ON LAW, RELIGION, AND ETHICS

Pepperdine School of Law's Institute on Law, Religion, and Ethics provides students, faculty, and lawyers the opportunity to explore the nexus between law, religion, and ethics. It draws from a broad range of religious and legal voices seeking dialogue and common ground. The Institute serves as an umbrella organization for many law and religion-related activities that have developed at Pepperdine Law School over the years. Current initiatives include a Juris Doctor/Master of Divinity joint degree, which began this fall.

An innovative curriculum includes courses on religious faith, ethical challenges, and the practice of law. Other endeavors include Pepperdine's Union Rescue Mission legal clinic, serving the legal needs of the homeless of Los Angeles, and international human rights studies and research. This new Institute complement's the work of the Straus Institute for Dispute Resolution, which has a special emphasis on religion and dispute resolution.

This conference was made possible by a grant from the Pepperdine Voyage, a Lilly Endowment-funded project on the theological exploration of vocation, administered by the Pepperdine University Center for Faith and Learning.



### MCLE CREDIT

This conference has been approved by the State Bar of California for Minimum Continuing Legal Education (MCLE) credit for 6.75 credit hours on Friday and 3.25 hours on Saturday, which count toward the ethics requirement. Pepperdine University School of Law certifies that this activity conforms to the standards for approved education activities prescribed by the rules and regulations of the State Bar of California governing minimum continuing legal education.

### LOCATION AND ACCOMMODATIONS

The conference will be held at Pepperdine University School of Law, Malibu, California. The weather in February is typically sunny and pleasant, in the mid-70s during the day and the 50s at night. The campus is forty-five minutes up the coast from Los Angeles International Airport (LAX). Hotels in the area range from \$60 to \$220 a night. Visit [law.pepperdine.edu/visitors](http://law.pepperdine.edu/visitors). Limited free student housing is available in private homes.

## Registration

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

**NONSTUDENT OPTIONS** Conference Fee *Includes: breakfasts, snacks, lunches, and Friday dinner* **\$125.00**

Optional Saturday Dinner at *Beau Rivage* \$65 x \_\_\_\_ (no. of additional guests) **\$ \_\_\_\_**

Name of Guest(s): \_\_\_\_\_

Total Amount: \_\_\_\_\_

**STUDENT OPTIONS** Conference Fee *Includes: breakfasts, snacks, lunches, and Friday dinner* **\$50.00**

Optional Saturday Dinner at *Beau Rivage* \$65 x \_\_\_\_ (no. of additional guests) **\$ \_\_\_\_**

Name of Guest(s): \_\_\_\_\_

Total Amount: \_\_\_\_\_

Please check all that apply—I plan to attend:  Sessions on Friday  Sessions on Saturday

Friday evening Christian prayer service  Friday evening Jewish Torah discussion

Please provide:  vegetarian meals *\*For kosher meals, please see "Note to our Jewish Colleagues" below.*

Payment by:  VISA  MasterCard  Enclosed check (*payable to Pepperdine University*)

Name (*as it appears on card*): \_\_\_\_\_

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Signature: \_\_\_\_\_

<b>RETURN THIS FORM</b>	
<b>NO LATER THAN JANUARY 21, 2005 TO:</b>	<b>FAX: 310.506.4266</b>
Kylie Larkin, Administrative Assistant	<b>Telephone: 310.506.4624</b>
Institute on Law, Religion, and Ethics	<b>E-mail: robert.cochran@pepperdine.edu</b>
Pepperdine University School of Law	<b>or</b>
Malibu, CA 90263	<b>kylie.larkin@pepperdine.edu</b>

*\*Note to our Jewish colleagues – In consultation with rabbi and law professor Samuel Levine, we have tried to address the special concerns of our Jewish colleagues. Pepperdine Law School is located one-and-a-half miles from hotel accommodations (Malibu Beach Inn and Casa Malibu), which are within a few blocks of an Orthodox worship center. Pepperdine is one-quarter mile from a Reconstructionist synagogue. Kosher meals will be available at all conference events. To request kosher meals, contact Rabbi Levine at 310.506.6892 or samuel.levine@pepperdine.edu.*

*\*\*Christian Legal Aid training – On Saturday, February 5, from 2:00-5:00 p.m., John Robb, the founder and director of the Christian Legal Society's Christian Legal Aid program, will conduct training on how to set up and operate a Christian Legal Aid program. For information, see [clsnet.org/laccPages/index.php](http://clsnet.org/laccPages/index.php). If you are interested, contact John Robb at JRobb@rodey.com.*

**For further conference information and updates visit [law.pepperdine.edu/ilre](http://law.pepperdine.edu/ilre)**