2016 Conference of Religiously Affiliated Law Schools

Challenges and Opportunities for Faith Based Legal Education

September 29-30 | Virginia Beach, VA
# Table of Contents

Conference Sponsors ........................................ 3

Welcome................................................................ 4

Conference Schedule ........................................... 5

Conference Speakers .......................................... 8

Documentary: REMAND .................................... 13

Conference Notes .............................................. 14
The mission of **Black Law Students Association (BLSA)** is to increase the number of culturally responsible black and minority attorneys who excel academically, succeed professionally, and positively impact the community.

**Christian Legal Society (CLS)** is a professional organization of over 4,500 attorneys, judges, law professors, law students, paralegals, and their families who desire to do justice with the love of God.

The **Federalist Society** is a group of conservatives and libertarians interested in the current state of the legal order.

**Journal of Global Justice and Public Policy (JGJPP)** is a Christian academic journal dedicated to scholarly publications on all issues affecting global justice both in domestic and international law.

**Phi Alpha Delta (PAD)** is an academic fraternity of Regent University School of Law. PAD provides students with opportunities including networking, service, and professional development.

The **Regent University Law Review** is purposed to provide a forum for a Christian perspective on law and the legal profession, especially through the application of biblical principles to law.

The **Center for Ethical Formation & Legal Education Reform (CEFLER)** coordinates the programs and resources Regent University School of Law has committed to developing professional identity in our students.

The **Center for Global Justice, Human Rights, and the Rule of Law (CGJ)** equips Christian advocates to seek justice for the oppressed, supporting those working in the field to advance the rule of law.
September 29-30, 2016

Dear RALS Conferee,

Welcome to the 2016 Religiously Affiliated Law Schools (RALS) Conference and to Regent University School of Law! We are honored to host the conference and are pleased that you have chosen to participate.

The RALS Conference is a biennial event that provides a scholarly symposium for law professors to discuss how current events relate to a law school’s religious affiliation or mission. We anticipate an interesting, timely, and encouraging conference. The opening banquet will include remarks by guest speaker Professor Robert Cochran. The panel discussions will focus on implementing ethical formation and professional identity in law school, potential accreditation and tax exempt status issues after Obergefell, topically related new scholarship, and the pursuit of global justice, including presentations by Professor Jim Gash of Pepperdine Law and Professor Ernie Walton of Regent Law highlighting the work their law schools have undertaken in Uganda. Our luncheon on Friday will include an address by Utah State Senator J. Stuart Adams.

For those of you not familiar with Regent University School of Law, we are a Christian law school celebrating our 30th anniversary this year. Regent Law has more than 3,000 alumni serving in 49 states and more than 20 nations as judges and judicial clerks, partners and associates in law firms, mayors and legislators, and employees in government agencies and public interest organizations. Regent Law has earned several notable national rankings, including: (1) Top 10 law faculty, three consecutive years, Princeton Review; (2) Top 25% nationally for judicial clerkship placements, Excess of Democracy (May 2, 2016); (3) 5th in the nation for Moot Court, University of Houston Law Center; and (4) Top 17% of law schools for graduates out-performing incoming LSAT scores on the bar exam, National Jurist.

Again, we hope you enjoy the 2016 Religiously Affiliated Law Schools Conference, and welcome to Regent Law!

Michael V. Hernandez
Dean and Professor
THURSDAY, SEPTEMBER 29, 2016

4:00 - 5:00pm
Campus Walking Tour
Robertson Hall: Lobby

5:00 - 6:00pm
Conference Check In
Founders Inn: Lobby

6:00 - 8:00pm
Welcome Dinner
Founders Inn: James Madison Room

Special Guest Speaker: Robert Cochran, Prof., Pepperdine Law

FRIDAY, SEPTEMBER 30, 2016

8:30 - 9:00am
Breakfast & Welcome
Robertson Hall: Lobby

9:00 - 10:20am
Session I: Implementing Ethical Formation &
Professional Identity in Law School
Robertson Hall: Moot Courtroom

Moderator: Natt Gantt, Prof. and Assoc. Dean, Co-Director Center for Ethical Formation and Legal Education Reform, Regent

Neil Hamilton, Prof. and Director, Holloran Center, St. Thomas: The Ethics of the Legal Profession

Benjamin Madison, Prof., Co-Director, Center for Ethical Formation and Legal Education Reform, Regent: Is There a Paradox between Ethics & Happiness? Moral Formation for Lawyers

David Grenardo, Prof., St. Mary’s San Antonio: Improving the Law School Classroom and Experience through Prayer: An Empirical Study
10:20am – 10:30am  Break

10:30am - 12:00pm
Session II: Potential Accreditation and Tax Exempt Status Issues for Religiously Affiliated Law Schools After Obergefell

Robertson Hall Moot Courtroom

Moderator: Michael Hernandez, Dean, Regent

Bill Piatt, former Dean, St. Mary’s: Constitutional Protections for Faith-Based CLE Accreditation

Rena Lindevaldsen, Professor, Liberty: What Religious Protections are Available under ABA Standard 205 Post Obergefell?

Johnny Rex Buckles, Prof., U. Houston: The Sexual Integrity of Religious Schools and Tax Exemption

Robin Fretwell Wilson, U. Illinois Law, with UT Senator Stuart Adams: Faith and Sexuality: The Unique Challenges Facing Religious Educators

12:30 - 1:45pm
Lunch

Founders Inn: Harrison Room

Special Guest Speaker: The Honorable J. Stuart Adams, Utah State Senator, Majority Whip

2:00 - 3:30pm
Session III: New Scholarship

Robertson Hall Moot Courtroom

Moderator: Lynne Marie Kohm, Prof. and Assoc. Dean, Regent

Bruce Ledewitz, Assoc. Dean and Prof., Duquesne: The Role of Religiously Affiliated Law Schools in the Renewal of American Democracy

James Duane, Prof., Regent: The Day the Supreme Court Almost Outlawed Religious Discrimination in Jury Selection

Judith Reisman, Prof., Liberty: Transgender Fluidity from Kinsey to Gloucester County


Thomas C. Folsom, Prof., Regent: What Might Make Religiously Affiliated Law Schools More Relevant to the Legal Education Conversation? Discussing a Unifying Set of Non-Theocratic Principles
3:30 – 3:45pm  Break

3:45 – 4:50pm  Session IV: Pursuing Global Justice
Robertson Hall Moot Courtroom

Moderator: Jeffrey A. Brauch, Executive Director, Center for Global Justice, Human Rights & the Rule of Law; Prof., Regent

Robert Vischer, Dean, St. Thomas: Institutional Engagement & Institutional Mission - Why Religiously Affiliated Law Schools Should be Deeply and Proactively Engaged with the #BlackLivesMatter Movement

Edna Udobong, Prof., Liberty: The Challenge of Global Justice: Advocating for Equal Rights in an Unequal World

Jim Gash, Prof., Pepperdine: Engaging Students in Global Justice on the Ground in Real Time

4:50 – 5:15pm  Light Refreshments
Robertson Hall Atrium

5:15 – 5:30pm  Center for Global Justice
Robertson Hall Moot Courtroom

S. Ernie Walton, Academic & Administrative Director of the Center for Global Justice, Human Rights & the Rule of Law; Lecturer, Regent

5:30 – 6:10pm  Showing of REMAND: Global Justice in Uganda
Robertson Hall: Moot Courtroom

Jim Gash, Prof., Pepperdine

6:15pm  Closing of Conference
The Honorable J. Stuart Adams serves as Majority Whip in the Utah State Senate. He also served 4-1/2 years in the Utah House of Representatives. He is Former Chairman of the Utah Transportation Commission and is currently Chairman of the Military Installation Development Authority (MIDA). Prior to his service in the legislature, he served 9 years on the Layton City Council. During the 2015 legislative session, he was a sponsor and lead negotiator of the three religious liberties bills that together formed the Utah Compromise.

Johnny Rex Buckles has been a faculty member of the University of Houston Law Center since August of 2000, where he is now a Law Foundation Professor. Professor Buckles’ primary research interests are in the law of tax and charity, and in law and theology. Professor Buckles holds a Juris Doctorate from the Harvard Law School, a Master of Arts in Biblical Studies from Dallas Theological Seminary, and a Bachelor of Science from Oklahoma State University.

Jeffrey A. Brauch, has served as a professor at Regent University School of Law since 1994. From 2000 to 2015 he served as the law school’s dean. Brauch has taught Christian Foundations of Law, International Human Rights, Torts, and other courses. He helped create the law school’s Center for Global Justice, Human Rights, and the Rule of Law, and serves as the Center’s executive director.
Robert F. Cochran, Jr., is the Brandeis Professor and Director of the Nootbaar Institute at Pepperdine. His books include Agape, Justice, and Law (Cambridge University Press, publication pending) (with Zachary Calo), Law and the Bible (IVP) (with David VanDrunen), Lawyers, Clients, and Moral Responsibility (West) (with Thomas Shaffer), and Christian Perspectives on Legal Thought (Yale) (with Michael McConnell and Angela Carmella).

James Duane is a Professor at Regent University School of Law, where he received the Faculty Excellence Award in the Fall of 2002. During the 2013-14 academic year, he served as a faculty associate at Harvard University's Berkman Center for Internet and Society. He received his A.B. magna cum laude from Harvard College in 1981, where he was also elected to Phi Beta Kappa, and his JD cum laude from Harvard Law School in 1984.

Thomas C. Folsom, Professor at Regent University School of Law, earned a B.S. (concentration in Far Eastern Studies) from the U.S. Air Force Academy, and a JD from Georgetown University Law Center, with post-graduate work at St. John's College. He has studied Chinese and Greek, and dabbled in Arabic. In the Air Force and with the National Security Agency, Folsom worked in cryptology and cryptanalysis. He was a partner at Chrisman, Bynum & Johnson (now part of Faegre Baker Daniels) in Boulder, Colorado, and practiced in corporate finance, M&A, and intellectual property law.

L. O. Natt Gantt, II, Professor and Associate Dean of Instructional & Curricular Affairs and co-director of the Center for Ethical Formation and Legal Education Reform. Dean Gantt received his A.B. in psychology and political science, summa cum laude, from Duke University; his Juris Doctor, cum laude, from Harvard Law School; and his Master of Divinity, summa cum laude, from Gordon-Conwell Theological Seminary.
After majoring in finance at Abilene Christian University, Professor James Allan Gash continued his education at Pepperdine University School of Law. As a law student, he finished first in his class and served as the editor-in-chief of the Pepperdine Law Review. From 2005 through 2012, Professor Gash served as Associate Dean for Student Life, and, since January of 2012, he has served as specialist advisor to the Ugandan High Court.

David A. Grenardo is an Associate Professor of Law at St. Mary’s University School of Law. He teaches Professional Responsibility, Contracts, Civil Procedure, and Business Associations. He has presented on professionalism and ethics locally and nationally, including at the American Bar Association’s 2015 Annual Meeting in Chicago. Professor Grenardo was selected as the Professor of the Year by the Student Bar Association at St. Mary’s Law School in 2014.

Neil W. Hamilton is Holloran Professor of Law and Founding Director of the Holloran Center for Ethical Leadership in the Professions at the University of St. Thomas School of Law. He served as Interim Dean in 2012 and Associate Dean for Academic Affairs twice at St. Thomas. He has taught Professional Responsibility and an ethics seminar to law students and professionals for over 30 years. He is the author of four books, over seventy law journal articles, and over 100 shorter articles.

Dean Michael V. Hernandez joined the Regent University School of Law faculty in 1992 and has taught, among other courses, Appellate Advocacy, Foundations of Law, International Human Rights, Property, and Race & the Law. While at Regent, he has served as the director of the LL.M. in American Legal Studies degree program, the director of the Honors Program, faculty advisor to the Moot Court Board and to the Hispanic Law Students Association, and as the head coach of Regent's award-winning Moot Court teams. He currently serves as Dean of the School of Law, a position to which he was appointed in June 2015.
**Lynne Marie Kohm** serves as the Associate Dean for Faculty Development and External Affairs, and is a Professor and the John Brown McCarty Professor of Family Law at Regent University School of Law. A prolific author, she was honored with the Chancellor’s Award for Faculty Excellence as the Regent University Professor of the Year in 2005 for her work in defending marriage, equality issues in estate planning, training lawyers in family restoration, and discipling female law students.

**Bruce Ledewitz** is a Professor of Law at Duquesne University School of Law. He teaches in the areas of state and federal constitutional law and jurisprudence, specializing in law and religion and law and the secular. He is co-director of the Duquesne University School of Law’s Pennsylvania Constitution website. In 1981, Ledewitz founded the Allegheny County Death Penalty Project, which he directed for 13 years.

**Rena M. Lindevaldsen**, Professor of Law at Liberty University School of Law, served as the Associate Dean for Academic Affairs from 2011-2016 and completed close to a year-long tenure as Interim Dean in 2015. Prior to joining the law faculty, she practiced at Liberty Counsel, where she defended traditional marriage laws throughout the nation and was part of the legal team that appeared before the United States Supreme Court the right of McCreary County to display the Ten Commandments in a county building. She has spoken and written extensively on the clash between religious liberties and nondiscrimination provisions protecting gender identity and sexual orientation.

**Professor Benjamin Madison** is the co-director of the Center for Ethical Formation & Legal Education Reform and a Professor at Regent University School of Law. His pretrial practice casebook, *Civil Procedure for All States: A Context and Practice Casebook* (2010), led to Professor Madison’s being invited to join Educating Tomorrow’s Lawyers (ETL), the organization founded by the lead author of Educating Lawyers, and he has since been elected a Fellow of ETL for innovation in law teaching.
Robert William "Bill" Piatt, Professor of Law at St. Mary’s University School of Law, specializes in Constitutional Law and Jurisprudence with a focus on Catholic Perspectives. Prior to moving to San Antonio, he served as an assistant attorney general in New Mexico and later assistant public defender. He has taught and practiced law in NM, OK, KS, IL, and TX and has taught and lectured internationally in countries, such as Spain, Mexico and Austria. He also served as a Dean of St. Mary’s University from 1998 to 2007.

Dr. Judith Reisman is a Research Professor at Liberty University School of Law, and a former consultant to four U.S. Department of Justice administrations, the U.S. Department of Education, as well as the U.S. Department of Health and Human Services. Her research has focused on the effects of the pornography industry, exposing the fraudulent science of Dr. Alfred Kinsey.

Stacy Scaldo is an Associate Professor of Law at Florida Coastal School of Law. She teaches Torts, Professional Responsibility, Remedies and Judicial Writing. Her scholarship focuses on the intersection of law, culture and religion with a primary focus on the misuse of dignity as it relates to life issues. In addition to her school-based professional duties, she is involved in educational outreach within the Diocese of St. Augustine and serving as the president of the Catholic Lawyers Guild.

Edna Udobong, an Associate Professor of Law at Liberty University School of Law, was a visiting Lecturer at the University of Georgia, and taught as Assistant Professor of Law at John Marshall Law School. She teaches International Human Rights, Immigration Law and Policy and Adoption Law and directs the Liberty Center for International Human Rights. A two-time Fulbright U.S. Scholar grantee, she directs the Fulbright program at Liberty University.
Robert K. Vischer serves as dean of the University of St. Thomas School of Law. His scholarship explores the intersection of law, religion, and public policy, with a particular focus on the religious and moral dimensions of professional identity. His recent book from Cambridge University Press, Martin Luther King Jr. and the Morality of Legal Practice: Lessons in Love and Justice pushes back against the individualist premises underlying our modern conception of the lawyer’s role by exploring Dr. King’s vision of “the beloved community.”

Robin Fretwell Wilson is the Roger and Stephany Joslin Professor of Law at the University of Illinois College of Law where she directs the College of Law’s Family Law and Policy Program. Professor Wilson also directs the Fairness of All Initiative at the College of Law, which is supported by a gift from the Templeton Religion Trust. She specializes in family law, law and religion, and health care law.

Documentary

This is a film about the power of an idea. A simple suggestion made by two Pepperdine law students led to deep and systemic changes in the Ugandan criminal justice system and benefited thousands of people, including several prisoners desperate for justice whose powerful stories are told in this film. Viewers will look deep into the faces of despair through the eyes of twelve law students as they meet these prisoners in their darkest hours. Watch as the story unfolds and leads to dramatic change in the criminal justice system of an entire country.
Regent University
School of Law

Top 10 Faculty Nationally

86% employed within 9 months of graduation (JD/Bar/Professional Jobs, 2015 Graduates)

$4 MILLION in scholarships and grants to 95% of students

90% Bar Pass Rate for First-Time Takers with LSAT above 155

10:1 Student-to-Faculty ratio

Alumni working in 49 states and more than 20 Nations

TOP 25% Judicial Clerkship Placement Nationally

#5 Moot Court Program in Nation Report of University of Houston Law, 2015

20% of the student body have military connections

95% of third-year law students evaluate their experience as “Good” or “Excellent” (National Average: 83%), LSGRE 2016

Religious denominations represented

Best Brief & 1st Place Team Price Media Law Moot Court Competition, Americas Region 2015 & 2016

Best Brief in the World Price Media Law Moot Court Programme International Rounds at Oxford University, 2015