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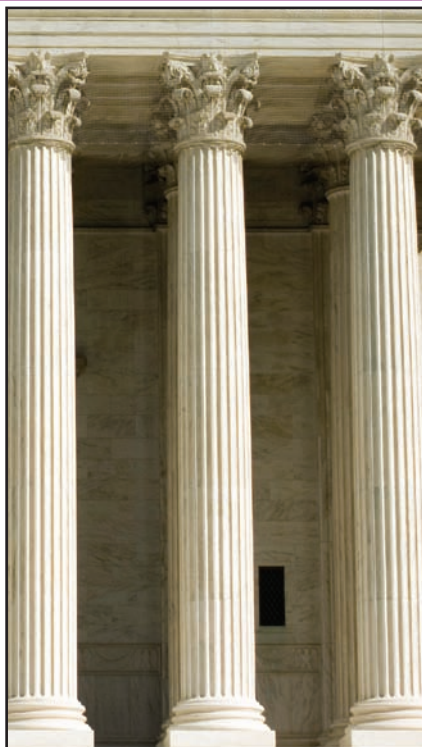
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PRACTICING WHAT THEY PREACH



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For Tony Hartsoe, the practice of law is a religious experience.

Literally.

Since 2001, the Winston-Salem attorney has committed himself to merging his faith with his firm, branding it openly as a Christian law practice.

But, according to Hartsoe, what exactly that means is attorney-specific, and it doesn't matter if a law office is spiritual or secular.

"There are lots of lawyers out there who are Christians," he said. "But lots of people differ on the level of integration of faith in professional practice."

In Hartsoe's two-lawyer firm, Hartsoe & Associates, Christianity has an overarching presence, but the degree of involvement in legal matters is based on what the client wants.

"Lawyers have an ethical right to advise on the moral consequences and implications of courses of action that a client may choose to take," said associate Joe Schmitz. "My Christian faith often will come into play when opportunities arise [for me] to rely on it to advise clients."

"But not always do the biblical truths line up. For instance, in a divorce, I can discuss with my clients the different per-

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**CHRISTIAN
COUNSELORS**
A 3-PART SERIES

'Lawyers have an ethical right to advise on the moral consequences and implications of courses of action that a client may choose to take. . . . What we don't do is thump our clients over the head with a big black Bible.'

Joe Schmitz, with Hartsoe & Associates



Schmitz



Hartsoe

■ **CHRISTIAN** continued

spectives that Christians can take on divorce."

But that's only when the client wants to talk about it, he said.

"What we don't do is thump our clients over the head with a big black Bible."

And that's exactly what faith-based attorneys should remain sensitive to, said Alice Neece Mine, ethics counsel for the N.C. State Bar.

Mine said she has never encountered ethics inquiries related to a religious law firm.

"But I guess the potential problem would be if someone came with a particular legal issue and, instead of dealing with that issue, the attorney gives them all sorts of other information extraneous to the representation," she said. "Even then, I don't know if that per se is unethical as long as the lawyer is being candid about their beliefs."

That's why Hartsoe and Schmitz offer opportunities for prayer only if the client seems receptive.

"People will come in for consults and let us know they're Christ-followers, and we'll say at the end that we will pray with them," Hartsoe told North Carolina Lawyers Weekly. "That ends up being something that usually surprises most people, to be in a lawyer's office praying over something."

But a good chunk of what the firm does is family law, which means that clients almost always come to the office at a time of great crisis and heartache.

"What's amazing is that in the situations a lot of people come to my office for — even if it's not something they were looking for — many are more than willing to let me pray for them," Hartsoe said.

Added Schmitz: "Sometimes I'll say,

"Would you like to know how I would approach this from a biblical point of view?" Most times, a client will say, "Sure."

Integration and accountability

Faith also plays a starring role when it comes to how attorneys like Hartsoe and Schmitz define their firm's philosophy.

"The integration word means that you can't separate your faith from what you do," Hartsoe said. "It's either there or it's not. And as lawyers, we feel the same way about how we practice."

Part of that belief system manifests itself in the firm's commitment to making sure that clients are not seeking counsel out of spite.

"One of the things we tell clients when they come in is, 'We're very comfortable in court and we'll aggressively make sure that what needs to happen does happen, but if you're here to inflict pain on somebody, you've come to the wrong place,'" he said.

"We're not your junkyard dog lawyers. There are lines that we will draw. It may be within the bounds of the law, but if we feel like it goes beyond the bounds of what's morally acceptable, based on biblical scripture, then we won't do it."

Yet Hartsoe acknowledges drawing that line isn't an exact science. Because each circumstance is slightly different, his decision about whether to take a case is based on what he feels is guidance from God.

"The question for the lawyer is going to be whether they can provide competent representation," said Mine, the Bar's ethics counsel. "If their personal religion or philosophy would not enable them to represent a client effectively or competently, then they shouldn't take the case."

"But my suspicion is they probably

wouldn't take on cases they didn't believe in anyway," she said.

When North Carolina Lawyers Weekly asked Hartsoe what he would do if a client came to him for help after a botched abortion — a topic of controversy among Christians and non-Christians alike — he said that he would indeed accept the case.

"The bottom line is that I don't believe abortion is right, but that doesn't mean that I don't have compassion for the person who made that choice," Hartsoe explained. "If she comes to me and says, 'I had an abortion, but the abortion went bad and the doctor's not taking responsibility for that,' I'm not looking at her any differently. I think the act of abortion is wrong, but that's already been done."

However, if a pregnant 15-year-old asked him to go to court for the right to abort her child, Hartsoe said he would not represent her.

The difference: In the case of the pregnant girl, the abortion had not happened yet. Hartsoe said it would be a case in which his "faith would collide with his client intake."

"Again, Christians have really struggled with this, and I think a lot of times, we just sound angry," he said. "In our shop, that's not what you're going to get. Love is love, and Jesus loves you the way you are."

Hartsoe estimated that he may have turned away two or three cases in his career. None have been stark examples like the hypothetical abortion scenario, he said.

Editor's note: *This is the first in a three-part series that explores the issues that arise when attorneys try to meld their Christian faith with their law practice. Questions or comments may be directed to the writer at diana.smith@nc.lawyersweekly.com.*