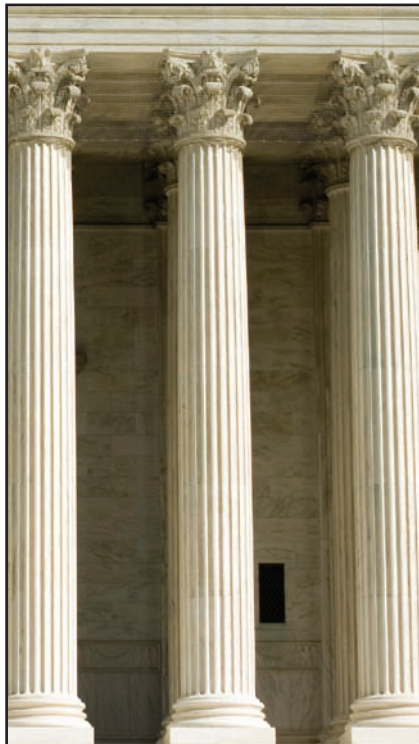


Lawyers find way to mesh church, practice



By **DIANA SMITH**, Staff Writer

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Given that the U.S. is a country founded on both religious freedom and separation of church from state, it's expected that some in the legal and lay communities would raise their eyebrows skeptically at the notion of a Christian law firm.

But North Carolina attorneys Tony Hartsoe, Joseph Schmitz and Matt Stockdale are proud faith-based practitioners. Hartsoe and Schmitz operate their Christian firm in Winston-Salem, and Stockdale runs a similar solo practice in nearby Greensboro.

"The words 'Christian lawyer' so intrigues people," Hartsoe chuckled. "They're like, 'Really? I thought that was an oxymoron.'"

And Stockdale, a criminal defense lawyer, is well aware that the public tends to mistrust attorneys like him, viewing them as protectors of the guilty.

"I've had a lot of people outside of the practice of law, such as in the family or church, ask how in the world I practice criminal law," he said. "I always give the example that the greatest criminal defense attorney ever was Jesus. [Quoting the Bible], 'We have all sinned and fallen short of the glory of God,' and He took the punishment for us."

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“Now, I’m certainly not going to prison for my clients, but that’s the argument I make back to people.”

Within the legal community, none of the lawyers said they have personally experienced any prejudices from members of the Bar.

“I’ve been approached by attorneys who have seen our Web site or heard us on the radio,” Schmitz said. “I think there’s a continuing mutual respect.”

And even if detractors did complain about an openly Christian law practice, their grounds would probably be shaky, said Katy Parker, legal director for the American Civil Liberties Union of North Carolina.

“Off the top of my head, not only do I not have any concerns about it, but I think there might be some free exercise [or] freedom of association claims that a private law firm could make,” she said.

Hartsoe, Schmitz and Stockdale have never come to that crossroads. That’s because attention is always paid to maintaining appropriate boundaries between prayer and practice.

Said Schmitz, “I don’t carry a Bible into the courtroom. Our approach is all in humility. I’m sure there are comments made behind our backs, but the lawyers I’ve run into have said that it’s a great approach, or an interesting approach.”

‘Justice versus mercy’

Central to that approach is the way Christian lawyers view the actual act of bringing a case to court.

Hartsoe said that, for him, a faith-based approach to litigation means examining all other options before filing suit.

“The Bible says Christians should not be in court. They should be resolving their matters amongst themselves and, if not, then shame on you,” he said.

“But that does not mean Christians should not litigate,” he emphasized. “It means you should first go to each other.”

In some practice areas, that works better than others.

Stockdale practices and lives by his Christian values, but his criminal defense practice means that he is quite often in court.

“When I look at it, you have to do a



Schmitz



Hartsoe

balance of justice versus mercy, especially in the criminal practice,” he said. “The court system is geared more towards justice, so it’s trying to demonstrate who my client is and argue to a judge or jury that sometimes we focus too much on justice.

“Good people make bad mistakes. It’s all through the Bible, people committing horrible crimes that, if they did today, we’d think were horrible people.”

Faith in strange places

Christian principles can also apply in practice areas where resolutions appear at first glance to require a straightforward, basic application of the law.

“Bankruptcy is interesting,” Schmitz said. “Sometimes, even non-Christ-followers may say, ‘I kind of feel wrong about shafting all my creditors.’”

Even business startups can have a Christian spin.

Hartsoe said that he focuses on helping nascent businesses develop operating agreements and contracts that follow ethical tenets set forth in scripture.

“A lot of people have [signs of the] fish on their cars or trucks who don’t ever act like they ought to,” he said. “The Bible is very much about wisdom, and that’s very much the counselor part of what we do. Are you using wisdom in your startup planning?”

Hartsoe frequently encourages clients seeking faith-based legal services to add a Christian conciliation clause to their contracts, which requires any dispute to be resolved through biblically based mediation or arbitration.

“If you’re going to have a fish on your car, then you ought to at least offer the option for the other person — your client or your customer — to hold your feet to the fire in your faith and bring

you into a Christian conciliation setting rather than into court.”

Sometimes, expressions of faith come out simply through the types of clients an attorney works with.

Intellectual property lawyer Anthony Biller practices with the secular firm of Coats and Bennett in Cary, but he calls various ministries and Christian organizations his clients.

They don’t comprise the majority of his practice, but when he does work with ministries, Biller said that he is very comfortable expressing his Christian faith with them.

“With secular clients, I’m obviously more reserved. But in terms of the way I practice, I think my faith plays a large role, even if I’m not professing it,” he said. “I really look for opportunities to resolve disputes up front. If there was a pre-existing relationship, I look for ways to salvage it or not to aggravate the divisions further.”

And yet in other times, the prudent path to resolution may mean going straight to court, Biller said. “What I’ve found sometimes is the quickest way to resolve a dispute is to file a complaint before people harden themselves and dig in.”

It’s just a matter of handling court with compassion, according to Stockdale.

“I don’t hear many of the non-Christian attorneys talking about mercy. That’s certainly not all of them. I hear more of them talking about making the best deal and trying to make the state prove their case.”

Hartsoe emphasized that he’s out to prove his case, too. He just wants to make sure that his personal actions are morally consistent with his professional ones.

“When we’re in the courtroom, we play hard because that’s what we’re compelled to do under the ethics rules. ... If you go into the courthouse in Forsyth County, I don’t think you could find a person who said we did anything questionable or behind somebody’s back.”

Editor’s note: *This is the second 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.*