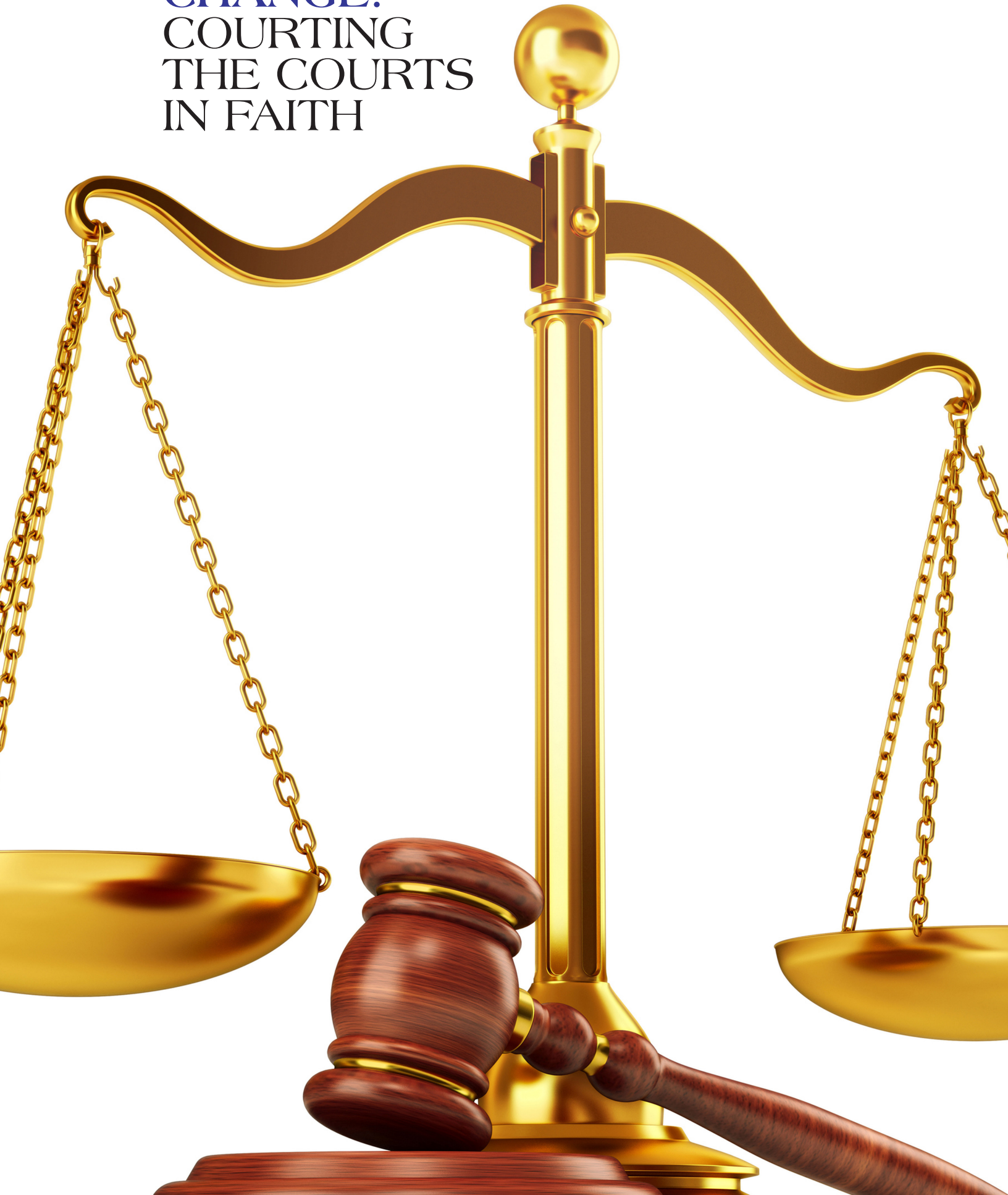
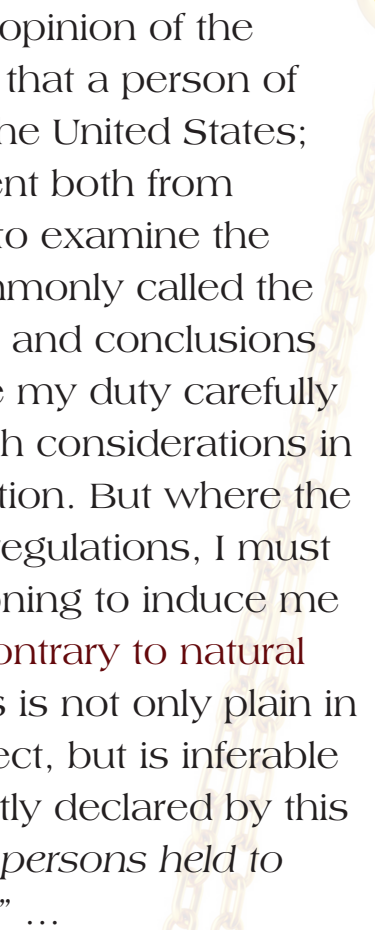
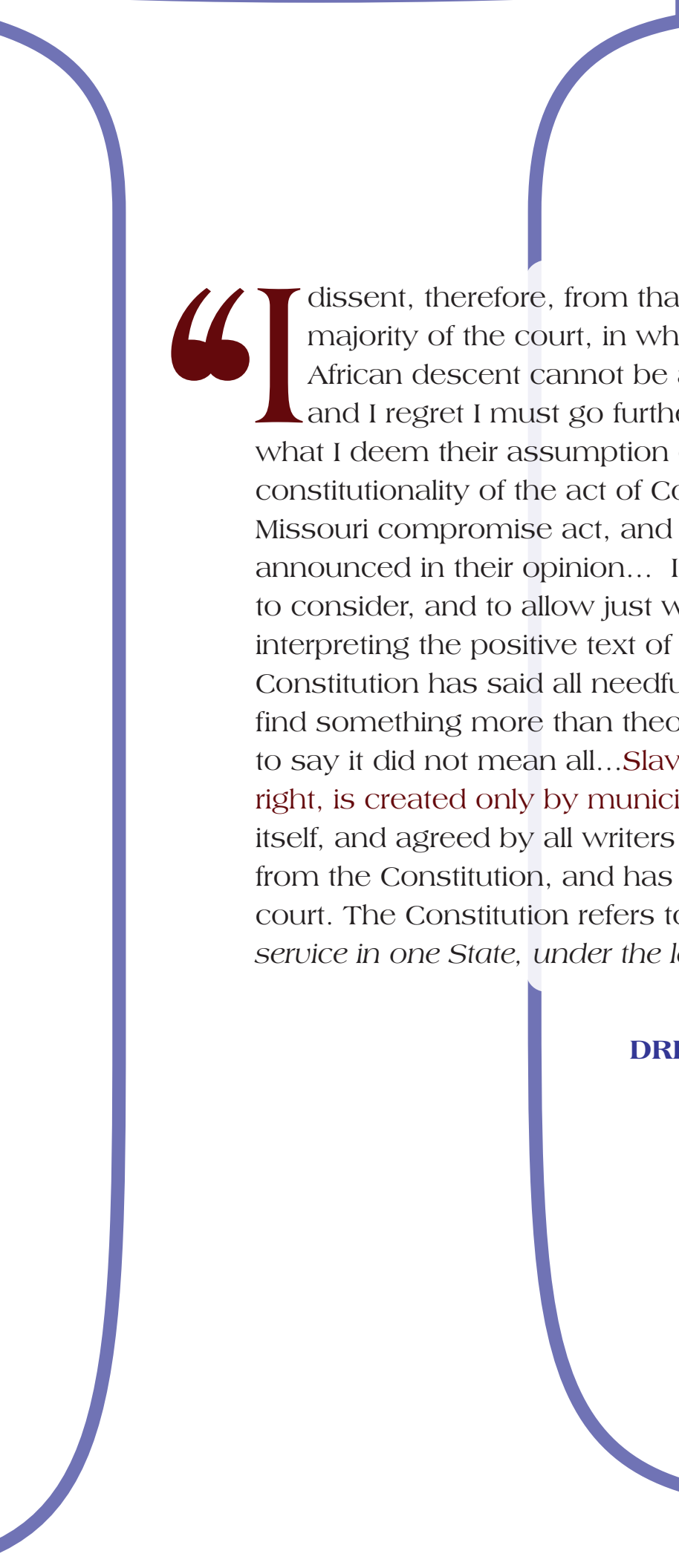


# LASTING CHANGE: COURTING THE COURTS IN FAITH

**20th** African American Religious Affairs  
Anniversary 1997-2017 Social Justice Through Civic Engagement





“I dissent, therefore, from that part of the opinion of the majority of the court, in which it is held that a person of African descent cannot be a citizen of the United States; and I regret I must go further, and dissent both from what I deem their assumption of authority to examine the constitutionality of the act of Congress commonly called the Missouri compromise act, and the grounds and conclusions announced in their opinion... I hold it to be my duty carefully to consider, and to allow just weight to such considerations in interpreting the positive text of the Constitution. But where the Constitution has said all needful rules and regulations, I must find something more than theoretical reasoning to induce me to say it did not mean all...**Slavery, being contrary to natural right, is created only by municipal law.** This is not only plain in itself, and agreed by all writers on the subject, but is inferable from the Constitution, and has been explicitly declared by this court. The Constitution refers to slaves as “*persons held to service in one State, under the laws thereof.*” ...

**DRED SCOTT V. SANFORD (1857)**

DISSENTING OPINION

JUSTICE BENJAMIN CURTIS

Source: Bill of Rights Institute



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*Mere access to the courthouse doors does not by itself assure a proper functioning of the adversary process.* Thurgood Marshall

## INTRODUCTION

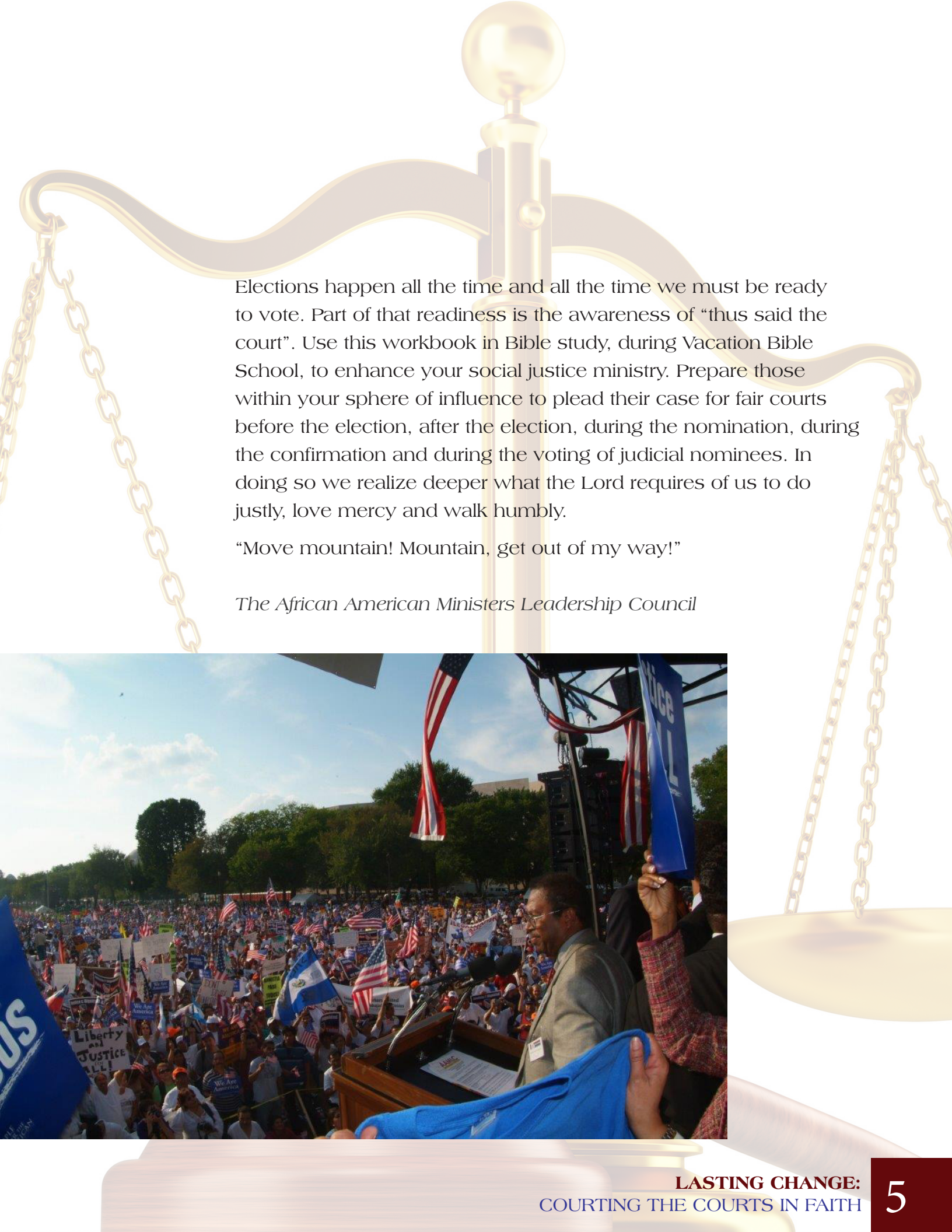
“Plead your case before the mountains“! That is what many feel when they face a judge whether they are in a traffic court or before the Supreme Court. From Perry Mason to Flip Wilson’s famous “here comes the judge”, “To Kill A Mockingbird” to the People’s Court and others of today’s images of the court. While the content and characters might be different, what isn’t are a bailiff, lawyers, defendant, a high table or bench, a gavel and a woman or man sitting high wearing a robe giving out “justice”. While providing entertainment they are also interpreting and applying laws. Even on television the reality and importance of the courts can be seen.

“Lasting Change: Courting The Courts By Faith” focuses on the federal courts as we remain mindful of the suppressive attacks taking place against our civil rights. It connects the dots of our democracy with those elected to represent your state in the U.S. Senate who can influence a nomination from your state by the president for a lifetime appointment and subsequently vote up or down for confirmation of someone who will render decisions that will impact generations to come. It facilitates your role from voter to advocate for fair courts.

The African American Ministers Leadership Council (AAMLC) believes education and incorporation of the courts will complement the civic engagement work you do each year from January to December. Focused on the federal courts this workbook is introduced with a sense of urgency reminding us of the profound role the courts have had in the lives of African Americans since the middle passage.

Our demand for citizenship went before the Courts. Our demand for economic justice went before the Courts. Our demand for nondiscrimination in the public school systems went before the Courts. Our demand for the right to vote without restrictions continues to go to the Courts. Courts matter!





Elections happen all the time and all the time we must be ready to vote. Part of that readiness is the awareness of “thus said the court”. Use this workbook in Bible study, during Vacation Bible School, to enhance your social justice ministry. Prepare those within your sphere of influence to plead their case for fair courts before the election, after the election, during the nomination, during the confirmation and during the voting of judicial nominees. In doing so we realize deeper what the Lord requires of us to do justly, love mercy and walk humbly.

“Move mountain! Mountain, get out of my way!”

*The African American Ministers Leadership Council*



## Courts Matter ...

Supreme Court decisions that had life time impact on African American social, political, and economic life.

**1857** - Dred Scott v. Sanford (citizenship)

**1896** - Plessy v. Ferguson (separate but equal)

**1932** - Powell v. Alabama (reversed the convictions of nine young black men for allegedly raping two white women on a freight train near Scottsboro, Alabama)

**1954** - Brown v. Board of Education of Topeka, KS (separate public schools for black and white students to be unconstitutional)

**1971** - Griggs v. Duke Power (employment discrimination and the adverse impact theory)

**1973** - Roe v. Wade (restrictive state regulation of abortion is unconstitutional)

**1978** - Regents of the University of California v. Bakke (upheld affirmative action, allowing race to be one of several factors in college admission policy)

**1987** - Johnson v. Transportation Agency (gender based discrimination)

**1989** - City of Richmond v. J.A. Croson Co (minority set-aside program, which gave preference to minority business enterprises [MBE] in the awarding of municipal contracts, was unconstitutional)

**2013** - Shelby County v. Holder (voting rights)

**2015** - Obergefell v. Hodges (recognition of same gender marriage)

**2016** - Fisher v. University of Texas (Affirmative Action)







## CONTEXT

Exodus 18:7-24 (NIV)

### Jethro Visits Moses (Exo

<sup>7</sup> So Moses went out to meet his father-in-law and bowed down and kissed him. They greeted each other and then went into the tent.<sup>8</sup> Moses told his father-in-law about everything the Lord had done to Pharaoh and the Egyptians for Israel's sake and about all the hardships they had met along the way and how the Lord had saved them.

<sup>9</sup> Jethro was delighted to hear about all the good things the Lord had done for Israel in rescuing them from the hand of the Egyptians. <sup>10</sup> He said, "Praise be to the Lord, who rescued you from the hand of the Egyptians and of Pharaoh, and who rescued the people from the hand of the Egyptians. <sup>11</sup> Now I know that the Lord is greater than all other gods, for he did this to those who had treated Israel arrogantly." <sup>12</sup> Then Jethro, Moses' father-in-law, brought a burnt offering and other sacrifices to God, and Aaron came with all the elders of Israel to eat a meal with Moses' father-in-law in the presence of God.

<sup>13</sup> The next day Moses took his seat to serve as judge for the people, and they stood around him from morning till evening. <sup>14</sup> When his father-in-law saw all that Moses was doing for the people, he said, "What is this you are doing for the people? Why do you alone sit as judge, while all these people stand around you from morning till evening?"

<sup>15</sup> Moses answered him, "Because the people come to me to seek God's will. <sup>16</sup> Whenever they have a dispute, it is brought to me, and I decide between the parties and inform them of God's decrees and instructions."

<sup>17</sup> Moses' father-in-law replied, "What you are doing is not good. <sup>18</sup> You and these people who come to you will only wear yourselves out. The work is too heavy for you; you cannot handle it alone. <sup>19</sup> Listen now to me and I will give you some advice, and may God be with you. You must be the people's representative before God and bring their disputes to him. <sup>20</sup> Teach them his decrees and instructions, and show them the way they are to live and how they are to behave. <sup>21</sup> But select capable men from all the people—men who fear God, trustworthy men who hate dishonest gain—and appoint them as officials over thousands, hundreds, fifties and tens. <sup>22</sup> Have them serve as judges for the people at all times, but have them bring every difficult case to you; the simple cases they can decide themselves. That will make your load lighter, because they will share it with you. <sup>23</sup> If you do this and God so commands, you will be able to stand the strain, and all these people will go home satisfied."

<sup>24</sup> Moses listened to his father-in-law and did everything he said.

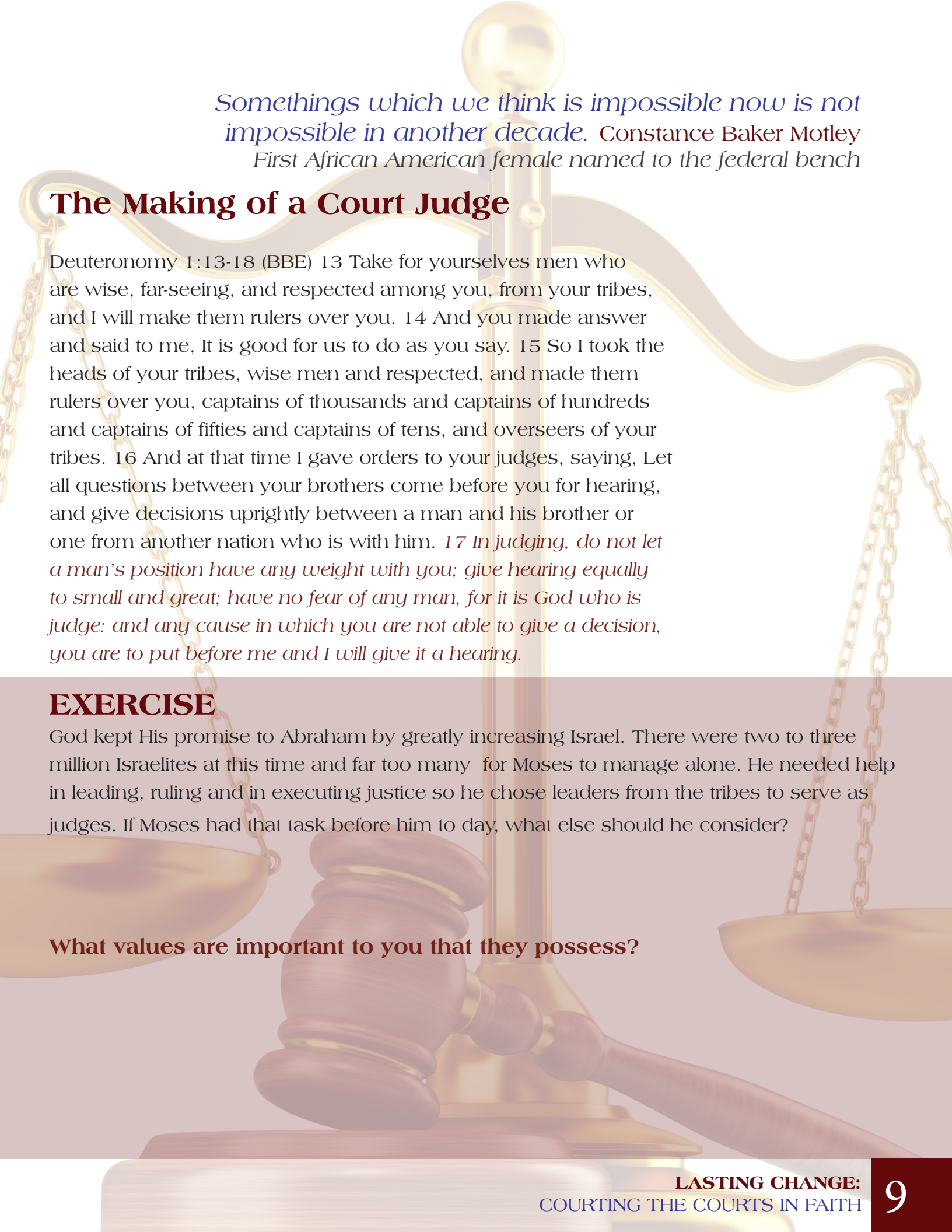
## EXERCISE

**Topic:**

**Points**

**Reflection:**





*Some things which we think is impossible now is not impossible in another decade. Constance Baker Motley  
First African American female named to the federal bench*

## **The Making of a Court Judge**

Deuteronomy 1:13-18 (BBE) 13 Take for yourselves men who are wise, far-seeing, and respected among you, from your tribes, and I will make them rulers over you. 14 And you made answer and said to me, It is good for us to do as you say. 15 So I took the heads of your tribes, wise men and respected, and made them rulers over you, captains of thousands and captains of hundreds and captains of fifties and captains of tens, and overseers of your tribes. 16 And at that time I gave orders to your judges, saying, Let all questions between your brothers come before you for hearing, and give decisions uprightly between a man and his brother or one from another nation who is with him. 17 *In judging, do not let a man's position have any weight with you; give hearing equally to small and great; have no fear of any man, for it is God who is judge: and any cause in which you are not able to give a decision, you are to put before me and I will give it a hearing.*

### **EXERCISE**

God kept His promise to Abraham by greatly increasing Israel. There were two to three million Israelites at this time and far too many for Moses to manage alone. He needed help in leading, ruling and in executing justice so he chose leaders from the tribes to serve as judges. If Moses had that task before him to day, what else should he consider?

**What values are important to you that they possess?**

## **Introduction:**

It is difficult to think of justice without thinking of the court, that place where justice is administered, and the men and women who are anointed, appointed, elected or nominated. King Jehoshaphat, whom the Lord showed favor with a safe return to his palace in Jerusalem, knew the time had come for a new paradigm for executing laws through the assignment of lower and higher court appointments.

### **I. Preparation:** *Consider carefully what you do...* (v6 NIV)

- Assignment has historical significance since the days of Moses
- Assignment is always with the character of Lord in mind
- Assignment requires a knowledge of the law
- Assignment is to serve

### **II. Process:** *Judge carefully ...Serve faithfully and wholeheartedly ...* (v7;9 NIV)

- Serves to show the authority of the Lord
- Serves to imitate the just/justice Lord (Genesis 18:25)
- Serves to please the wisdom of Lord (Romans 2:11)

### **III. Provision:** *you are to warn (and instruct) them so that they may not be guilty before the Lord; otherwise (God's) wrath will come on you and your brothers. Do this and you will not be guilty.* (v10 AMP)

- Know the assignment requires obedience, to instruct
- Know that the assignment requires compassion, the Lord is fair
- Know that the assignment has choices and consequences, judge and be judged

### **IV. Peace:** *Deal courageously, and may the Lord be with the upright.* (v11 AMP)

- Have confidence in the nominee's abilities, prior service
- Have confidence in the nominee's integrity, honorable
- Have confidence in the nominee's disbursement of justice, He is faithful



## Conclusion:

Judicial assignments are delivered to persons appointed, selected, nominated, elected or divinely anointed to judge and administer justice and with expediency should be confirmed. King Jehoshaphat knew then, as President Obama knew, the social and political climate, and to delay the appointments (nomination process) was to delay judicial authority in implementing God's law and the principles of fairness and justice. Trust the preparation, process, provision and peace and let the impartial (Deuteronomy 1:17), the nominee have a hearing, confirmation and be seated if supported by the people and for the people.

## Reflections

### Article II of the U.S. Constitution ...

*gives the President and the U.S. Senate authority over nominations and confirmations of executive officers and members of the Federal Judiciary. Specifically, the President “shall nominate, by and with the advice and consent of the Senate, shall appoint ... judges of the Supreme Court, and all other Officers of the United States[.]” The Senate has an independent role in the nominations process, confirming or rejecting the choices made by the President. As conceived by the founders, this check on presidential power serves to ensure the President’s choices are qualified.*



# The state court system

<b>State Supreme Court</b>	hears appeals from lower courts
<b>Superior Court</b>	hears serious cases most trials held here
<b>Special Courts - juvenile, divorce, family, housing</b>	specific cases heard
<b>County, municipal, traffic, magistrate, etc.</b>	minor cases, arraignments

# The federal court system

<b>U.S. Supreme Court</b>	appeals on cases of constitutional law
<b>U.S. Courts of Appeals</b>	appeals, challenges to orders from fed agencies
<b>Special Courts - tax, trade, etc.</b>	specific types of cases heard
<b>U.S. District Courts</b>	hear cases related to violations of federal law

\* Supreme Court also hears appeals from all the other federal courts.



*Appoint judges and officials for each of your tribes in every town the LORD your God is giving you, and they shall judge the people fairly. Deuteronomy 16:18 (NIV)*

## **Federal - State Court**

*What are the state courts in order?* The federal district courts hear cases that arise under federal law or the U.S. Constitution. The second levels are the appellate courts, which hear appeals from the trial courts. Both the state and federal systems have a Supreme Court, to serve as the “court of last resort.”

*What are the 3 Levels of the Federal Court System?* The federal court system has three main levels: U.S. District Court, U.S. Circuit Court of Appeals and the U.S. Supreme Court. Each level of court serves a different legal function for both civil and criminal cases.

*What is the state Supreme Court?* In the United States, a state supreme court (known by other names in some states) is the ultimate judicial tribunal in the court system of a particular state (i.e., that state’s court of last resort). Generally, the state Supreme Court, like most appellate tribunals, is exclusively for hearing appeals of legal issues.

*What does the federal court do?* Federal court jurisdiction is limited to the types of cases listed in the Constitution and specifically provided for by Congress. For the most part, federal courts only hear: Cases in which the United States is a party; Cases involving violations of the U.S. Constitution or federal laws (under federal-question jurisdiction); Cases between citizens of different states if the amount in controversy exceeds \$75,000 (under diversity jurisdiction); and bankruptcy, copyright, patent, and maritime law cases.

Source: [litigation.findlaw.com/legal-system/federal-vs-state-courts-key-differences.html](http://litigation.findlaw.com/legal-system/federal-vs-state-courts-key-differences.html)

## Confirmation Process

What are ways to advocate and demonstrate power during the confirmation process?

*The Nomination ...* When a federal judge announces plans to step down from the bench, the search for a new judge begins. It is up to the White House to vet candidates for the judicial position, often consulting U.S. Senators from that state throughout the process.

**Do:**

*Referral to the Judiciary Committee ...* Once the nomination is made, the Senate Judiciary Committee sends a “blue slip” to the state’s U.S. Senators for approval of the nominee.

**Do:**

*Committee Hearing...* After the blue slips are returned, the Judiciary Committee will hold a hearing on the nominee. This is the primary opportunity for members to discuss the nominee’s qualifications, judgment, temperament, and philosophy.

**Do:**

*Committee Vote ...* Days or weeks later, the Committee debates the nominee and votes to move them forward to a full Senate vote.

**Do:**

*Senate Vote ...* Senators debate any questions about the nominee. The process concludes when the Senate votes to confirm (by a majority vote).

**Do:**

Note: At the state level, judges are either appointed or elected within the state’s system. How are they seated in your state?



## CONSCIENCE

While the Bible does not mention a court in the way it is applied here in *Courting the Courts*, references to what we know today can be found in these old and new testament scripture (NKJV) as it pertains to dealing with judging. Can you connect them to the importance of justice and fairness?

**Proverbs 16:7** *When a man's ways please the Lord, he makes even his enemies to be at peace with him.*

**Isaiah 54:17** *No weapon formed against you shall prosper, And every tongue which rises against you in judgment You shall condemn. This is the heritage of the servants of the Lord, And their righteousness is from Me, Says the Lord.*

**Luke 12:11-12** *Now when they bring you to the synagogues and magistrates and authorities, do not worry about how or what you should answer, or what you should say. For the Holy Spirit will teach you in that very hour what you ought to say.*

**1Cor. 6:1-6** *Dare any of you, having a matter against another, go to law before the unrighteous, and not before the saints? Do you not know that the saints will judge the world? And if the world will be judged by you, are you unworthy to judge the smallest matters? Do you not know that we shall judge angels? How much more, things that pertain to this life? If then you have judgments concerning things pertaining to this life, do you appoint those who are least esteemed by the church to judge? I say this to your shame. Is it so, that there is not a wise man among you, not even one, who will be able to judge between his brethren? But brother goes to law against brother, and that before unbelievers!*

**Ephesians 5:11** *And have no fellowship with the unfruitful works of darkness, but rather expose them.*

## CULTURE

### Barber: Supreme Court Delivered 'A Major Victory'

By JEREMY LOEB • MAY 22, 2017  
HARRY LYNCH, NEWS & OBSERVER

The U.S. Supreme Court ruled Monday that two North Carolina Congressional districts are illegal because race factored too heavily in their drawing. The 5-3 ruling is the latest in a string of defeats for the Republican-controlled General Assembly. It comes just weeks after the court declined to hear an appeal of the state's invalidated voter ID law. The Reverend William Barber II is head of the state NAACP, which helped bring the lawsuit against the districts.



## QUESTION:

**Why is the voice of the African American faith community important in matters related to the judicial system?**



*“For the future of the Supreme Court, and for the rights of all Americans, November 8, 2016 [was] truly judgment day.”*

## **At Stake**

Access to Justice **Money and Politics**

Civil and Voting Rights **LGBT Rights**

Reproductive Freedom and Women’s Rights **Workplace Fairness**

Protecting the Environment **Religious Liberty**

Gun Violence **Marketplace and Consumer Fairness**

Protection Against Government Abuse

In a press conference on January 11, 2017, President Elect Donald Trump said the following with regard to the vacancy in the US Supreme Court since the February 13, 2016, death of Associate Justice Antonin Scalia: “So, as you know, I have a list of 20. I’ve gone through them. We’ve met with numerous candidates. They’re outstanding in every case. They were largely recommended and highly recommended by Federalist Society. Jim DeMint was also very much involved, and his group, which is fantastic, and he’s a fantastic guy. So between Leo and Jim DeMint and some senators and some congress people, we have a great group of people. I’ll be making the decision on who we will put up for justice of the United States Supreme Court, a replacement for the great, great Justice Scalia...But on the Supreme Court, I’ll be making that decision, and it will be a decision which I very strongly believe in. I think it’s one of the reasons I got elected. I think the people of this country did not want to see what was happening with the Supreme Court, so I think it was a very, very big decision as to why I was elected.”

## **Reflections:**

<sup>1</sup> <https://www.nytimes.com/2017/01/11/us/politics/trump-press-conference-transcript.html>



*The job of a judge is to figure out what the law says, not what he wants it to say. There is a difference between the role of a judge and that of a policy maker...judging requires a certain impartiality.*

Clarence Thomas

## **Communication Matters**

### **Various Ways To Communicate:**

### **Sample Op-Eds, Letters to the Editor, SM posts**

#### **I. Letters to the Editor**

##### **a. Things to remember:**

- i. Respond quickly
- ii. Identify yourself. Identification should include your name and position, and your affiliation with PFAW/AAMIA/AAMLC
- iii. Read the letters section of the newspaper to which you are sending the letter and follow their format
- iv. Look for or ask for rules and guidelines about length and format. If you can't find them at the newspaper's site, call and ask.
- v. KEEP YOUR LETTER SHORT. No letter should be more than 200 words
- vi. Know your audience
- vii. EDIT, EDIT, EDIT!!
- viii. Send your letter to ONE NEWSPAPER. Do not "farm" it around to various newspapers.
- ix. Once the letter to the editor is printed, distribute it widely – to friends, colleagues, on social media, etc. Send a copy also to your senator and congresspersons whether it is printed or not.

#### **II. Samples:**

##### **a. Dear Editor:**

I am writing to express my concern over a bill being debated in the legislature which would prevent low-level felonies from being reduced to misdemeanors.

I am a faith leader and have seen too many people locked up in prison for non-violent drug offenses. Their incarceration is out of proportion to their offenses, and also disrupts their families and their communities.

Our city needs a common-sense, compassionate and moral perspective in dealing with drug offenses. Reducing felonies to misdemeanors, punishable perhaps by a fine



and community service, seems a more viable way to deal with the drug problem. Mass incarceration is not the answer, and no community can survive if its families are destroyed by an unjust justice system.

Sincerely....

**a. Dear Editor:**

As a faith leader in this city, I am writing to express my concern over the recent actions of the state legislature which will insure that teens found guilty of marijuana possession will be forced to spend time in prison.

I and other faith leaders find this action problematic and reprehensible. Young children – and they are children – who make mistakes ought not be punished by our judicial system. The work, mission and focus of the court ought to be to help people lead lawful lives, not to be excessively punitive for these low-level, non-violent offenses.

We, the undersigned, sincerely hope that the legislature will revisit their decision and enact laws which will assist the courts in an effort to distribute justice to all, especially to these young people who ought not be thrown into the system for much of their lives for these offenses.

This community needs these young people, who are no worse, we believe, than we were as we made our own youthful mistakes.

Sincerely ....

### III. Op-Eds

#### a. Things to remember:

- i. Follow the rules. All newspapers have rules for op-ed submissions and how op-eds are selected.
  1. Check length limits
  2. Check exclusivity rules. Some papers require that an op-ed be submitted to only one paper.
  3. If the paper doesn't post rules on its website, call the editor and have a conversation to learn how to proceed.
  4. At that time, share your idea.
- ii. **FOCUS.** Editors are good at throwing submissions away. Your piece should be timely, unique, clearly written and well-argued.
- iii. **ILLUSTRATE.** Many times, a personal story helps strengthen your argument and brings a personal component to the point you are trying to make.
- iv. **LESS IS MORE:** Aim for clearly written sentences and wisely chosen words. Avoid slang or colloquialism.
- v. **EDIT, EDIT, EDIT!!!**
- vi. Submit and follow up. Wait a couple of days and if you do not see your piece, check to see if it is being considered. Ask if there are revisions you can make which will make the editor more inclined to take the piece.
- vii. Sample op-eds: <https://www.nytimes.com/2017/08/04/opinion/obamacare-rage-in-retrospect.html>
- viii. <https://www.nytimes.com/2017/02/20/opinion/why-donald-trump-doesnt-understand-black-life.html>





## SAMPLE Social Media Posts

Facebook posts can be as big as you desire. Things which should be posted:

- I. Events which will deal with subject of courts
- II. Articles from newspapers and magazines
- III. General information

TWEETS should concentrate on concisely worded statements which give vital information. Example: State lawmakers should be held accountable for law which will increase mass incarceration.

@(give lawmaker's handle) votes against measure which would help end mass incarceration.

@ (newspaper or other publication) has op-ed about recent state ruling...

Facebook posts allow much more freedom. Those engaged in this project can:

- a. Create "events" like hosting a workshop on "Courting the Courts"
- b. Join an issue group like PFAW, Why Courts Matter, Leadership Conference on Civil and Human Rights, to participate in the conversation
- c. Use and post liberally stories from other publications that are related to the message you are trying to get out.

## CLARION CALL - TEACH - True or False

The Federal Court of Appeals is the highest court in the country

President Obama was the first to ever seat a woman as Supreme Court Justice

The Bible mentions two types of courts

There are 50 Supreme Courts

The first case argued before the Supreme Court where the plaintiff was an African American was Plessy vs. Ferguson

The President of the US confirms the Supreme Court nominee

When David speaks in Psalm 84:10 that "A day in Thy courts is better than thousands." He is talking about heaven

The US Supreme Court is one of three of the branches of government in the country

Justice Clarence Thomas was the first African American to ever serve on the Supreme Court

A Supreme Court Justice must retire from the Court when she/he reaches the age of 75

The Senate Armed Forces Committee hears arguments, and votes for and against a Court nominee

The US Senators from the nominee state introduces her/him as

The Supreme Court is mandated by the Bible

The decision to strip the power from the Voting Rights Act of 1964 directly affected African Americans right to vote

The role of the US Supreme Court is to interpret laws and the Constitution

The current court is more concerned about corporations and those with money than average/vulnerable Americans

# PEOPLE'S WORLD

## Black clergy and labor unite against voter suppression

SEPTEMBER 5, 2012 4:22 PM CST BY RICK NAGIN

CLEVELAND – Reacting to Republican efforts to suppress their access to voting, leaders of the African American community and the AFL-CIO are mounting a massive effort to promote balloting by mail and in person voting at the Board of Elections prior to Nov. 6.

On Aug. 31, a federal judge overturned a GOP-sponsored law preventing in-person voting the weekend preceding the presidential election. Judge Peter C. Economus ruled that, since overseas and military personnel can vote on that weekend, Ohio could not deny the same right to all others.

In fact, as a result of a major effort by black churches to bring “souls to the polls” some 93,000 Ohioans voted at election boards the Sunday before that election. Fifty-six percent lived in predominantly African American precincts, according to Norman Robbins, a retired professor at Case Western Reserve University and director of Northeast Ohio Voter Advocates.

Over 30 black ministers calling themselves the United Clergy of Greater Cleveland, attended the event. They represented the Baptist Ministers Conference, the Pastors’ Council and the United Pastors in Mission and are affiliated with the Ohio Unity Coalition headed by Pete Talley, Secretary-Treasurer of the Ohio AFL-CIO.

Rev. Tony Minor, a leader of the religious coalition, blasted the voter suppression rules and laws enacted since 2011 by Republican-controlled legislatures in 19 states, as “modern Jim Crow.”

“They are burning our rights. They are lynching our access to the ballot,” he said. “But we are united in one voice and we will not stop ’til victory is won.”

*Photo: Rev. Tony Minor and group. Rick Nagin/PW*





## CLARION CALL - PREACH

### Introduction:

It is difficult to think of justice without thinking of the court, that place where justice is administered, and the men and women who are anointed, appointed, elected or nominated. King Jehoshaphat, whom the Lord showed favor with a safe return to his palace in Jerusalem, knew the time had come for a new paradigm for executing laws through the assignment of lower and higher court appointments.

#### **I. Preparation:** *Consider carefully what you do...* (v6 NIV)

1. Assignment has historical significance since the days of Moses
2. Assignment is always with the character of Lord in mind
3. Assignment requires a knowledge of the law
4. Assignment is to serve

#### **II. Process:** *Judge carefully ...Serve faithfully and wholeheartedly ...* (v7;9 NIV)

1. Serves to show the authority of the Lord
2. Serves to imitate the just/justice Lord (Genesis 18:25)
3. Serves to please the wisdom of Lord (Romans 2:11)

#### **III. Provision:** *you are to warn (and instruct) them so that they may not be guilty before the Lord; otherwise (God's) wrath will come on you and your brothers.*

*Do this and you will not be guilty.* (v10 AMP)

1. Know the assignment requires obedience, to instruct
2. Know that the assignment requires compassion, the Lord is fair
3. Know that the assignment has choices and consequences, judge and be judged

#### **IV. Peace:** *Deal courageously, and may the Lord be with the upright.* (v11 AMP)

1. Have confidence in the nominee's abilities, prior service
2. Have confidence in the nominee's integrity, honorable
3. Have confidence in the nominee's disbursement of justice, He is faithful

## Conclusion:

Judicial assignments are delivered to persons appointed, selected, nominated, elected or divinely anointed to judge and administer justice and with expediency should be confirmed. King Jehoshaphat knew then, as President Obama knew under his administration the social and political climate, and to delay the appointments (nomination process) was to delay judicial authority in implementing God's law and the principles of fairness and justice. Trust the preparation, process, provision and peace and let the impartial (Deut 1:17), the nominee have his hearing, confirmation and be seated by the people and for the people.



## Reflections:

## CLARION CALL - SPEAK

### Sample op-ed:

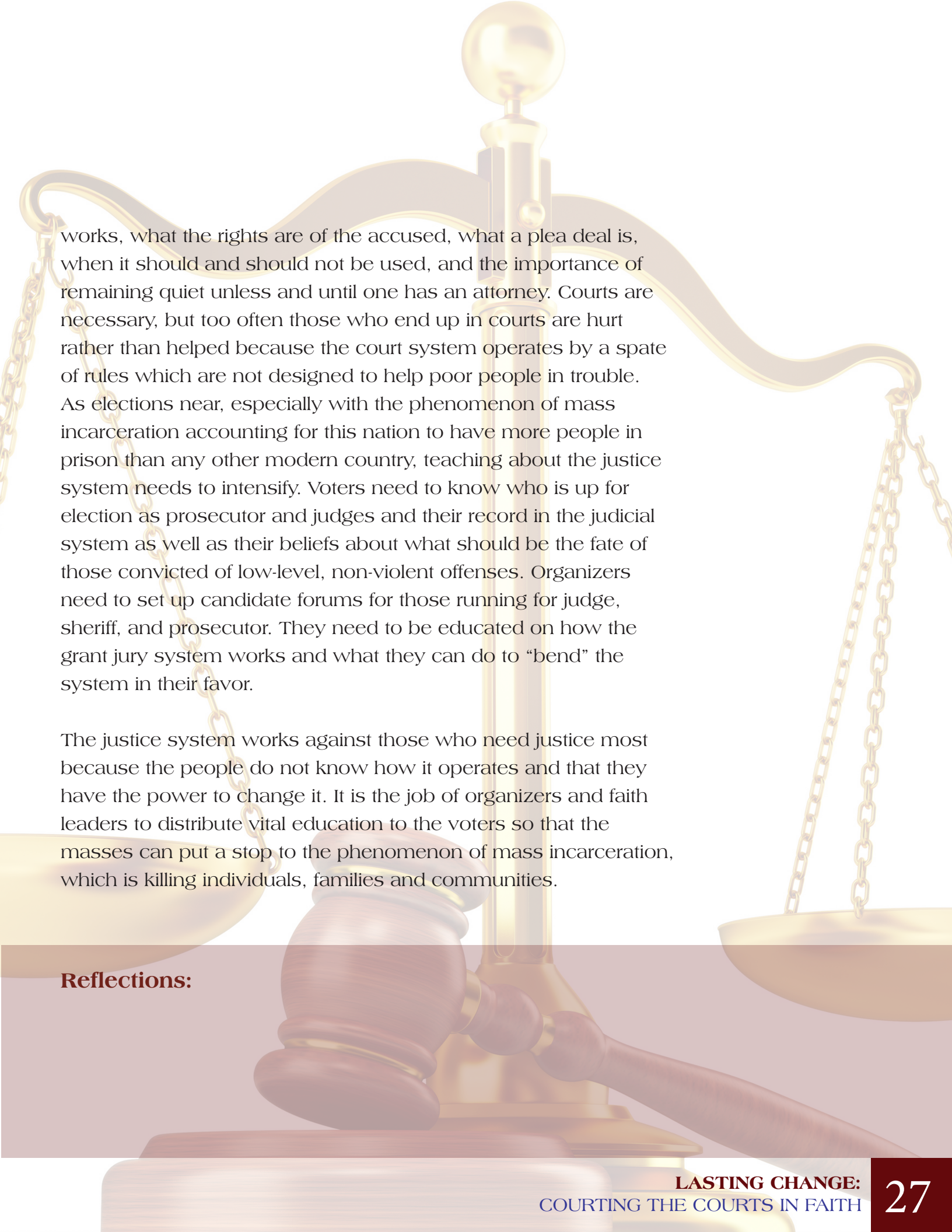
#### Understanding the Justice System a Key to Obtaining Justice

It is a fact that far too many Americans do not understand the justice system to which they turn when they are in fact seeking justice. Courts are necessary, true, but the way courts and the justice system operate ironically produce injustice far too often. A case in point is the sad case of Kalief Browder, the young African-American teen who was sent to Rikers Island for a crime he did not commit. His family did not have enough money to bail him out of prison; his court date was continued over and over, and the young man, who was 15 at the time of his arrest, spent over 300 days in prison, and over 200 of those days in solitary confinement. He could have been released sooner had he “confessed” what he had been arrested for, but he refused because, he maintained, he had not done anything. When he was released, without ever having had a trial, his life had been forever changed. The justice system had been unjust in the worst way, and this young man ended up committing suicide a year after his release. (<https://www.nytimes.com/2015/06/09/nyregion/kalief-browder-held-at-rikers-island-for-3-years-without-trial-commits-suicide.html>)

The recent expressions of rage come as people have been disappointed, manipulated and treated poorly by the justice system over years. African Americans and poor people in general suffer most greatly, but nobody is immune. Getting “justice” too often depends on how much money one has; Bryan Stevenson, the Executive Director of the Equal Justice Institute (EJI) has noted that it is “better for one to be rich and guilty than poor and innocent.”

As cities, counties and states get closer to elections, it is imperative that organizers and organizations become intentional about teaching voters how the justice system works. That includes explaining how the grand jury





works, what the rights are of the accused, what a plea deal is, when it should and should not be used, and the importance of remaining quiet unless and until one has an attorney. Courts are necessary, but too often those who end up in courts are hurt rather than helped because the court system operates by a spate of rules which are not designed to help poor people in trouble. As elections near, especially with the phenomenon of mass incarceration accounting for this nation to have more people in prison than any other modern country, teaching about the justice system needs to intensify. Voters need to know who is up for election as prosecutor and judges and their record in the judicial system as well as their beliefs about what should be the fate of those convicted of low-level, non-violent offenses. Organizers need to set up candidate forums for those running for judge, sheriff, and prosecutor. They need to be educated on how the grant jury system works and what they can do to “bend” the system in their favor.

The justice system works against those who need justice most because the people do not know how it operates and that they have the power to change it. It is the job of organizers and faith leaders to distribute vital education to the voters so that the masses can put a stop to the phenomenon of mass incarceration, which is killing individuals, families and communities.

### **Reflections:**

# CLARION CALL - PRAY

## FOR COURTS & JUDGES

Lord God, I thank you today for the gift of our nation.  
You alone rule the world with justice,  
Yet you place in our hands the solemn duty  
of participating in the shaping of our government.  
I pray today for our Elected and Appointed Officials,  
I pray for our public servants to be reminded that they serve all of the people  
I pray for those who have the responsibility of placing judges on our courts.  
Please protect this process from all obstruction.  
Please send us men and women of wisdom,  
Who respect Your law of Life, Liberty and the Pursuit of Happiness  
Please send us judges with humility,  
Who seek Your truth and not their own opinions.  
Lord, give all of us the courage we need to do what is right  
And to serve you, the Judge of all, with fidelity.  
We ask this through Christ our Lord. Amen!







## FOR JUSTICE

DEAR LORD, hear my plea for justice. Listen to my cry for help. Pay attention to my prayer, for it comes from an honest and overwhelmed heart.

Help us to love our neighbors more than we love ourselves, respecting differences, and embracing our commonalities to find common ground. Help us move past our prejudices, stereotypes, and judgements to a place of beloved community.

Break our hearts for the things that break yours. Help us to be your echoes of mercy and whispers of love.

Use our hands to extend help to those who are in need of it. Guide our hearts to an everlasting peace.

Help us to realize that an aching world is waiting for us, your followers, to be instruments of justice, and stewards of Your Word.

In your name we pray, In the name of Jesus I pray  
Amen.

OUR LORD, our Maker and the Creator of all things, there is no limit to Your blessing if we listen and obey Your word. God, our Deliverer, our Rock, our Refuge, give those who labor in Your courts a delight in Your law, so they will hunger and thirst after Your knowledge and understanding. Give them a joy in meditating in Your law day and night. You will make such a man or woman like a tree, firmly planted by streams of water, which yields its fruit in its season, and its leaf does not wither, and in whatever they do they prosper. Give us a Luke 4:18 view of how you want us to love and care for your people. We submit ourselves to hear your voice and your commands. In the name of our Lord and Savior, Jesus the Christ, Amen.

## Reflections:



## OUR NATION

Almighty God,  
bless our nation  
and make it true  
to the ideas of freedom and justice  
and brotherhood for all who make it great.

Guard us from war,  
from fire and wind,  
from compromise, fear, confusion.

Be close to our president and our statesmen;  
give them vision and courage,  
as they ponder decisions affecting peace  
and the future of the world.

Make me more deeply aware of my heritage;  
realizing not only my rights  
but also my duties  
and responsibilities as a citizen.

Make this great land  
and all its people  
know clearly Your will,  
that they may fulfill  
the destiny ordained for us  
in the salvation of the nations,  
and the restoring of all things in Christ. Amen  
(Adapted from the Book of the Prophet Prayers)





## CLARION CALL – DO 12 THINGS

- C**reate change that lasts by preaching, teaching, keeping courts before all generations.
- O**rganize with other faith and community groups quarterly education forums to raise awareness.
- U**rge leadership – peers, ministerial alliances, denominations - to support through resolutions court nominees or candidates who value a fair court system.
- R**esearch nominees once announced by the president and where possible encourage a qualified person to seek the nomination.
- T**ell your senators about concerns or support you have toward nominee.
- S**peak truth to power, to your Senators, with the Power of the Holy Spirit by testifying at a Senate Judiciary Committee hearing, submitting a statement for the record, or partnering in an amicus brief (friend of the court).
- M**ake clear connections often with your senator on the importance of the court and court nominees to you through office visits, emails, letters, and telephone calls.
- A**rrange for your senator to visit your church or community during a recess to learn why you support or oppose nominee and address communicated concerns.
- T**each and train advocacy on issues such as voting rights, identity, education, worker rights, ending all forms of discrimination, civil rights violations that often end up before the court.
- T**estify via social media, op-eds, email at least once a month on an issue relating to the courts.
- E**mpower youth and young adults to coordinate press conferences, rallies, prayer vigils, and document on church website, Facebook, twitter, Instagram.
- R**egister every person of voting age and make sure they are ready to vote!

## Education Calendar

Religious and political conservatives have long had a goal of shifting the courts toward conservatism and as a result of the presidential election results in November 7, 2016, that goal is being realized. Because our elected senators must vote to confirm judicial nominees, your voice along with those members of your place of worship must have a role to play in the judicial nominations process. Once a vacancy is announced, be prepared and get involved.

### JANUARY

Citizens United v. FEC  
Roe v. Wade  
City of Richmond v. J.A. Croson  
Ratification of the 24<sup>th</sup> Amendment

### FEBRUARY

African American Judges

### MARCH

Dred Scott Decision  
Johnson v. Transportation Agency  
Thomas Mundy Peterson Voted

### APRIL

U.S. District Court Judge Baile Brown & SCLC

### MAY

Brown v. Board  
Plessy v. Ferguson  
Griggs v. Duke Power

### JUNE

Shelby County v. Eric Holder  
Obergefell v. Hodges

### JULY

Fisher v. University of Texas  
Nomination of Justice Clarence Thomas

### AUGUST

March on Washington for Jobs and Freedom

### SEPTEMBER

Appointment of Judge Constance Baker Motley

### OCTOBER

U.S. Supreme Court Convenes

### NOVEMBER

Election of Barack Hussain Obama

### DECEMBER

Powell v. Alabama





## RESOURCES

American Bar Association [www.americanbar.org](http://www.americanbar.org)

American Constitution Society [www.acslaw.org](http://www.acslaw.org)

Asian American Legal Defense and Education Fund [www.aaldef.org](http://www.aaldef.org)

Civil rights Litigation Clearinghouse at the University of Michigan Law School  
[www.Clearinghouse.net](http://www.Clearinghouse.net)

Equal Justice Society [www.equaljusticesociety.org](http://www.equaljusticesociety.org)

[JudicialNominations.org](http://JudicialNominations.org)

[JusticeatStake.org](http://JusticeatStake.org) (information on elected vs. appointed judges)

Leadership Conference on Human and Civil Rights [www.civilrights.org](http://www.civilrights.org) :

NAACP Legal Defense and Education Fund: America's premier organization  
fighting for racial justice. [www.naacpldf.org](http://www.naacpldf.org)

National Bar Association: The National Bar Association was founded in 1925  
and is the nation's oldest and largest national network of predominantly  
African-American attorneys and judges. [www.nationalbar.org](http://www.nationalbar.org)

National Council of Jewish Women [www.ncjw.org](http://www.ncjw.org)

National Lawyers Committee for Civil Rights Under the Law [www.lawyerscommittee.org](http://www.lawyerscommittee.org)

National Lawyers Guild [www.nlg.org](http://www.nlg.org)

People For the American Way [www.pfaw.org](http://www.pfaw.org)

Right Wing Watch [www.rightwingwatch.org](http://www.rightwingwatch.org)

Supreme Court of the United States (SCOTUS) [www.scotusblog.com](http://www.scotusblog.com)

The Brennan Center [www.brennancenter.org](http://www.brennancenter.org)

Young People For – Courts Matter [www.yp4.org](http://www.yp4.org)

US Senate [www.senate.gov](http://www.senate.gov)

## To Teach Answers Endnotes

- i. False, the US Supreme Court is the highest Court in the land
- ii. False, the first female Justice was Sandra Day O'Connor and was nominated by President Reagan
- iii. False, the President nominates and the US Senate confirms
- iv. True, open for interpretation, also can be seen as “a day of justice”, see commentary by Matthew Henry
- v. True, it was created so that there would be a balance of power in government
- vi. False, the first Associate Justice was Thurgood Marshall, nominated by President Johnson and served from 1967-1991
- vii. False, this is a life time appointment
- viii. False, the Senate Judiciary Committee hears, votes and sends nomination to the full Senate to confirm

Source: [supremecourt.gov](http://supremecourt.gov)



## **Acknowledgements**

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**Marie Lindberg**

**Reverend Timothy McDonald, III**

**Reverend Leslie Watson Malachi**

**Reverend Dr. Robert Shine**

**Reverend Susan Smith, PhD**

**Reverend Melvin Wilson**

**Reverend Patrick Young**

**National Council of Jewish Women**

**People For the American Way Foundation**

**Brian Young of Young Design**



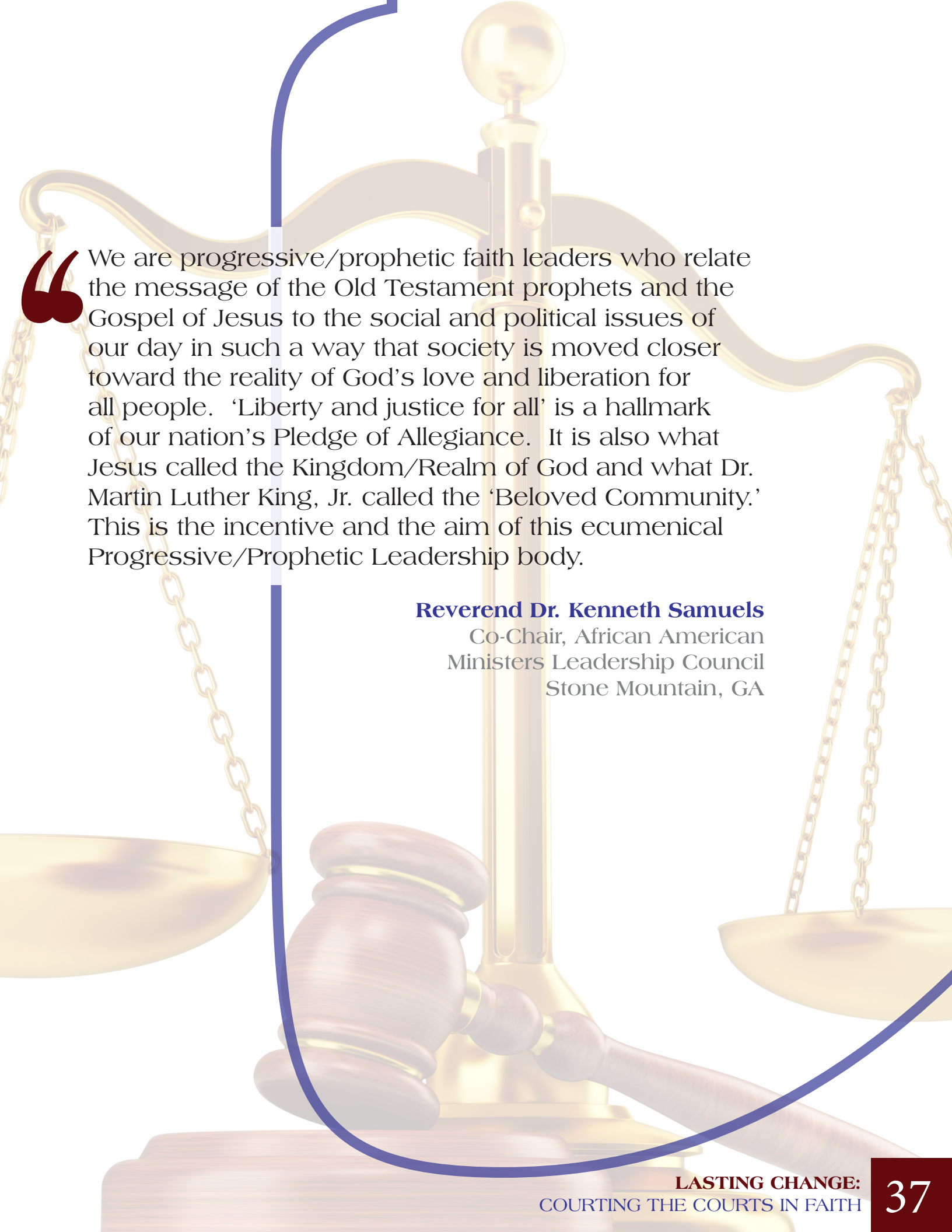


## PROGRAM DESCRIPTION

Since 1997, the African American Religious Affairs department (AARA) through its non-partisan African American Ministers Leadership Council (AAMLC) of People For the American Way Foundation (PFAWF) has developed a strong ecumenical association of progressive clergy, theologians, seminarians and ministry laity. AAMLC equips these leaders with Bible based community organizing, strategic planning, advocacy, and communications skills to encourage African American houses of worship and communities to become more civically engaged in areas from public education to health care, fair courts to voting rights, racial equity through economic justice. The general goal is to increase competency in their role of “trusted voices” as leaders and community advocate through this program, this ministry of social justice through civic engagement.

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“We are progressive/prophetic faith leaders who relate the message of the Old Testament prophets and the Gospel of Jesus to the social and political issues of our day in such a way that society is moved closer toward the reality of God’s love and liberation for all people. ‘Liberty and justice for all’ is a hallmark of our nation’s Pledge of Allegiance. It is also what Jesus called the Kingdom/Realm of God and what Dr. Martin Luther King, Jr. called the ‘Beloved Community.’ This is the incentive and the aim of this ecumenical Progressive/Prophetic Leadership body.

**Reverend Dr. Kenneth Samuels**

Co-Chair, African American  
Ministers Leadership Council  
Stone Mountain, GA







# NOTES

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