

INFLUENCING YOUR CANADA FOR CHRISTAs A Barrister

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There is a children's song that goes: "I've got power that you can't see, God is living inside of me".

Not surprisingly, I have never considered it appropriate to include that line in my opening statement to the court!

Prudent as that decision may be, the truth is, I *am* uniquely equipped and empowered to influence proceedings for Christ because of the fact that, as a follower of Jesus Christ, God's Spirit lives within me. And so are you.

It was Prosser who said: "Your lawyer in practice spends a considerable part of his life in doing distasteful things for disagreeable people who must be satisfied, against an impossible time limit and with hourly interruptions, from other disagreeable people who want to derail the train; and for his blood, sweat and tears he receives in the end a few unkind words to the effect that it might have been done better, and a protest at the size of his fee".

If that is true for lawyers in general, it is doubly true for those who have chosen to become barristers, active advocates in that crucible called the courtroom. There are few places more emotionally charged, more capable of testing the very foundations of our identity and character and consequently few places of greater risk.

Because the arena of conflict is such an unlikely place to find exemplary character and conduct, when it is found there it gets noticed; questions get asked opportunities for influence are created.....opportunities to influence your Canada for Christ as a barrister.

When I came out of law school, no one could have been less well prepared for law practice by way of background than I was. I was the son of a Baptist Pastor; I had no exposure to business, no exposure to analytical thinking, no real exposure to the broader issues of life. I had a science degree in Zoology and Chemistry having taken a pre-med program thinking that I wanted to be a doctor. To be perfectly candid, I hadn't incorporated into my life many of the disciplines that are essential to success.

My early years in practice provided little to suggest that a life of significant influence would be mine.

Relatively early in my practice, I represented the purchaser of some farmland in central Alberta who intended to develop the land as a residential subdivision, but had encountered a reluctant elderly vendor. It's never an easy thing for elderly farm folk to let go of their land. They have a huge emotional attachment to it. During a break in the course of examinations for discovery, I engaged one of the elderly vendors in a conversation and quickly found that he had known my father many years before. The gentleman called out to his sister, the other vendor: "Delsie, do you know who this is? It's Bill Laing's boy!" Delsie quickly came over and with great emotion exclaimed: "Does your father know what you're doing to us?"

Few things are uglier than matrimonial disputes.

My client professed to be a Christian. His wife had left him to join the Children of God, then generally regarded by most as a radical "cult". The court proceeding had to do with the custody of their young son. It was a bitter dispute. We lost. Never has there been written a more vitriolic denunciation of a participant in a court proceeding than was written of my client in this case.

When I read the reasons for judgment, I was not proud to be associated with the case. The most memorable thing about it, however, was the fact that when the decision was reported in the *Western Weekly Reports*, the editor reversed the names of counsel and I was shown as representing the successful wife. Counsel opposite me was incensed. He made application to the court for an order directing the editor to correct the matter, but the order was refused. The record of that case remains unchanged to this day.

Some victories come more easily than others! My foray into criminal court was equally discouraging.

Representing an accused in a bicycle theft case, I chose to cross-examine the Police Officer by pressing him on just how he could be so sure that the bicycle my client was found with was the stolen item. He responded with a lengthy list of the precise characteristics of the bike. The Judge bent down and said to me in a mocking voice: "aren't you glad you asked that question?"

Same court, different day.....

I was representing a witness who had been subpoenaed to attend and give testimony on behalf of an accused. There had been a motor vehicle accident and the accused was charged with a moving violation of some sort. My client, who was drunk at the time, had actually been the driver, but had switched places with the accused just as the arresting officer was walking up to the vehicle. He had not been charged. Knowing the true facts that he would now be required to testify to, we claimed the protection under the Canada Evidence Act with respect to incriminating testimony and my client took the stand and told his story. When he was done, the Judge looked at him and said: "you did that? Then I find you guilty". Notwithstanding my reminder to the Judge that there was no charge laid against my client and that he had claimed the protection of the Canada Evidence Act, the Judge was not persuaded. He fined him and sent him off to jail with no time to pay.

As my practice moved from matrimonial conflict and criminal conduct to other things, I found myself in more exotic places dealing with oil and gas disputes. While acting for the President of one of the large oil and gas companies in the U.S., I met his wife. We were waiting for court to start one morning when she turned to me and asked: "How old are you anyway?" I answered. She then said: "You're too young to be any good!" I sensed immediately that the only "cure" for this woman was a stunning victory in the courtroom. Thankfully, it came. Reputation is, after all, critical!

These events and many others forced me to focus on just exactly what would anchor my life and what would be my priorities.

It was Stephen Covey, author of *The 7 Habits of Highly Effective People*, who wrote: "Whatever is at the center of our life will be the source of our security, guidance, wisdom and power". It's "inside out" says Covey.

The Scriptures contain promises and assurances for those who choose to make God's business the center of their life, promises and assurances that can have great meaning and significance to us as Christian lawyers.

God promises to strengthen us.

11 Timothy 1:7

"For God did not give us a spirit of timidity, but a spirit of power, of love and of self-discipline".

Jeremiah 1:17-19

"Get yourself ready! Stand up and say to them whatever I command you. Do not be terrified by them, or I will terrify you before them. Today I have made you a fortified city, an iron pillar and a

bronze wall to stand against the whole land-against the kings of Judah, its officials, its priests and the people of the land. They will fight against you but will not overcome you, for I am with you and will rescue you, declares the Lord”.

He promises to give us enhanced insights into life.

Psalm 119:97-100,105,147

“Oh, how I love your law! I meditate on it all day long. Your commands make me wiser than my enemies, for they are ever with me. I have more insight than all my teachers, for I meditate on your statutes. I have more understanding than the elders, for I obey your precepts.....Your word is a lamp to my feet and a light for my path.....I rise before dawn and cry for help; I have put my hope in your word”.

God says that when we are doing His business he will put His words in our mouths.

We see it in the life of Moses:

“Moses said to the Lord, ‘Oh Lord, I have never been eloquent, neither in the past nor since you have spoken to your servant. I am slow of speech and tongue’. The Lord said to him, ‘Who gave man his mouth? Who makes him deaf or mute? Who gives him sight or makes him blind? Is it not I, the Lord? Now go; I will help you speak and will teach you what to say”. Exodus 4:10-12

In other words, trust and obey.

We see it in the life of Jeremiah:

“Therefore this is what the Lord God Almighty says: ...I will make my words in your mouth a fire...” Jeremiah 5:14

We see it again when Jesus speaks to His disciples regarding the end of the age. In Luke 21:12-19 Jesus said:

“But before all this, they will lay hands on you and persecute you. They will deliver you to synagogues and prisons, and you will be brought before kings and governors, and all on account of my name. This will result in your being witnesses to them. But make up your mind not to worry beforehand how you will defend yourselves. For I will give you words and wisdom that none of your adversaries will be able to resist or contradict. You will be betrayed even by parents, brothers, relatives and friends, and they will put some of you to death. All men will hate you because of me. But not a hair of your head will perish. By standing firm you will gain life”.

I don't mean to underestimate the importance of thorough preparation. But there have been many times in my professional life where I have prayed that God would help me to find the “key” that would unlock my understanding of a case or that would help me to clearly articulate a position to the court. God has been faithful to do so. Many times I have seen a phrase repeated in reasons for judgment that came straight from me as the instrument through whom God choose to speak His justice.

There have been other times where in response to the court's questions I have blurted out something that was right on the mark, but which I did not consciously formulate.

God can be trusted to do as He promises!

My prayer has become that God will help me to understand His character and that He will develop my heart through a relationship with Him so that His character will be seen in me and so that I will come to see the world as He sees it.

Over a lifetime, God has been shaping my behavior, directing my life and training my perceptions.

After leaving the practice in the fall of 1993 to work with Samaritan's Purse, much to my surprise and I suspect to the surprise of my former law partners at Bennett Jones in Calgary, I returned to my former firm in the summer of 1996. Nothing had really changed, but yet everything had changed. I had changed.

One of the things that had changed was that I had come to appreciate that professional life isn't in one place and Christian witness in another. The truth is that faith and life are meant to be fully integrated. The Bible's instruction is "let your light shine before men, that they may see your good deeds and praise your Father in heaven" (Matthew 5:16).

God continued to shape my life.

Like so many others who have enjoyed a measure of professional success, I found it easy to become reliant for reputation on the usual badges of success. As I continued to read my Bible and pray, I encountered two verses in the book of Jeremiah that began to dramatically influence my thinking.

The prophet Jeremiah speaking to the people of Jerusalem says (Jeremiah 9:23-24):

"This is what the Lord says: 'Let not the wise man boast of his wisdom or the strong man boast of his strength or the rich man boast of his riches, but let him who boasts boast about this: that he understands and knows me, that I am the Lord, who exercises kindness, justice and righteousness on earth, for in these I delight,' declares the Lord".

God's "badges of success": kindness, justice and righteousness!

By this time I had come to believe that God really did have my best interests in mind when He brought things like this to my attention, so I paid close attention. I approached the matter logically. If God is as He says, a God of justice, and if I as a trial lawyer am in the business of doing justice, then He and I should be on the same page. I should therefore be able to talk to Him about my cases and ask for His wisdom and guidance in how to handle them.

So I began to pray about the files I was handling and the trials I was conducting. I never prayed that I would win. I was smart enough to know that there might be a person of faith praying on the other side! I simply prayed that God would help me to have a clear understanding of the facts, the issues and the law.....that He would help me to present all of that to the court with such clarity and persuasion that the court would be moved to the point in making its decision that justice would be done. I also prayed that my conduct before the court would be such that when the members of the court read the words "All of Which is Respectfully Submitted" at the end of my legal brief, they would know that I really meant it and therefore the Court would be receptive to my submissions.

I also prayed that God would help me to value other people, especially those who opposed me. I prayed that He would give me insight into difficult cases along with wisdom and discernment that would allow me to be a seeker of solutions and a healer of conflict. He answered those prayers and allowed me to enjoy the trust of a large segment of the Calgary legal community that made the resolution of disputes the stuff of which my practice became known. For the most part, the role of the gladiator was left for others. What I was doing was asking my adversaries to trust me. Not surprisingly, that message was far more easily communicated when I left my sword and my ego at home. I learned that it was far more important for me to do the right thing than it was for

me to be seen to be right. I found that I could be an effective advocate without continually having to prove that I was capable of winning in the courtroom.

When you stop and think about what the passage from Jeremiah says and consider what my life as a barrister has taught me, a powerful life lesson emerges: "When the superfluous is stripped away we find the essential—and the essential is God" (Eugene H. Peterson, *Run With The Horses*).

I have recently been working my way through Henry Blackaby's study titled, *Created to be God's Friend*. Blackaby has this to say:

"It is a moment of trembling to realize the Heart of God, but this comes to the one who chooses to let God draw him closer to Himself....This is the "friend" He is looking for. This is the kind of relationship He is shaping in the one He calls. This one will see further, see clearer and see more than others around him. This too will often separate him from those around him, especially because of the intensity which this revelation creates. It is sometimes lonely being a "friend of God"! To walk faithfully with God will always bring a person to experience God's laying His heart over his".

Scripture puts it similarly.

"For the eyes of the Lord range throughout the earth to strengthen those whose hearts are fully committed to him". 2 Chronicles 16:9

"The Lord confides in those who fear him; he makes his covenant known to them". Psalm 25:14

God's way is not to whittle down the problem, but to build up the resources. It is one thing to know God's promises and quite another to so believe them that they become the foundation of our life and practice. Consistent living does not come easily!

There have been times in my practice where I have had to call up a fellow lawyer and apologize for my words and actions. It was hard. It was humiliating. You can only imagine how glad I was that I had done the hard thing when later that lawyer was appointed to the Alberta Court of Appeal and I knew that one day I would have to appear before him!

We may never be the most eloquent or the most brilliant person in the courtroom, but we do have the opportunity in that arena to reflect the character of God Himself. Nothing could be more winsome! There can be no more worthwhile pursuit for the one who wants to influence his Canada for Christ as a barrister.

I want to be that one who, when God's eyes range throughout the earth, He sees and chooses to strengthen because He finds me fully committed to Him.

I want to be that one in whom He confides about the hidden and important things of life.

Most of us don't get the opportunity to receive a "report card" on how we are doing while we are living. That generally comes in the form of a eulogy. However, having chosen to leave the practice of law to do other things about a year and a half ago, on leaving I was blessed with the good wishes of many friends and colleagues. One was particularly memorable.

Several years ago I was involved on behalf of a client in a dispute regarding the purchase and sale of international oil and gas interests. Our position in the case was, to put it mildly, not without its problems. The lawyer on the other side was a fellow I had known for some years.....a fellow who I anticipated would be difficult to deal with. He was young, cocky and brash. It seemed that he thought he was smarter than me. What irked me most was that he probably was smarter than me! I remember specifically asking God to give me great grace in dealing with this

man and to give me wisdom in bringing this dispute to an early resolution. God answered both prayers and in doing so gave me great confidence that "I can do everything through Christ who gives me strength" (Philippians 4:13).

On my leaving the firm, this colleague wrote me a letter. In it he had this to say: "Rolly, to say you'll be missed by the practicing commercial litigation bar in Calgary is an understatement. To many of us in the "next generation", you were a fine example of how it was not only possible, but appropriate, to practice at the highest adversarial level yet still carry oneself as a "gentleman" with all the courtesy, honesty and business efficacy that term entails. The world's full of "great guys", and there's more than a few "great lawyers", but few are both. You are.

You once told me you took seriously your role as a mentor, that you viewed training junior lawyers as an important aspect of your professional duties. I thought it might please you to know that your training influence extended beyond the confines of Bennett Jones and your formal mentoring program, to younger lawyers like me who litigated with and against you and learned from your example.....the real point is you set a standard of behavior that exemplifies how personal conduct does not and should not need to be compromised to be an excellent advocate and contributing partner".

My challenge to you today is that you take your relationship with the Lord seriously. His promise is that we can take Him seriously. By trusting and obeying, all things are possible. Proverbs 16:7 says: "When a man's ways are pleasing to the Lord, he makes even his enemies live at peace with him."

The Scriptures say: "not by might nor by power, but by my Spirit, says the Lord Almighty" (Zechariah 4:6).

My Pastor recently put it this way: "Influence is the result of intimacy"..... "You can impress people from a distance, but you can't influence people from a distance."

Our ability to influence others for Christ starts with an intimate relationship with God. Matthew 12:34 puts it this way: "For out of the overflow of the heart the mouth speaks".

May our lives be lived so as to delight the heart of God! When that happens, our Canada can be influenced for Christ.

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