

SYMPOSIUM

RELIGIOUS PRACTICE: COUNSELING AND REPRESENTING FAITH BASED ORGANIZATIONS

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This year's annual Donald C. Clark Endowed Lecture in Law and Religion featured three attorneys who serve as general counsel to three prominent religious organizations: The United States Conference of Catholic Bishops; the Joint Baptist Committee for Religious Freedom; and the United Church of Christ. The symposium explored the roles of attorneys representing faith-based organizations; ethical and legal challenges presented by the kind of work these attorneys do on a day-to-day basis, and fostered a discussion of emergent issues these religious organizations face. Some of these issues are examined more thoroughly in the following articles.

In *A Limitation on the Narrowing Nonprofit Tax Exemption—A Practitioner's Experience*, Donald C. Clark discusses a challenge to the United Church of Christ's 501(c)(3) Federal tax exemption based on an appearance by then presidential candidate Barack Obama in 2008. As General Counsel, Clark discusses his role in litigation and the eventual dismissal of the I.R.S.'s lawsuit.

In *The Intersection of Law and Religion: Avoiding Collisions*, Jeffrey Moon focuses on the Health and Human Services mandate that charitable organizations which provide health insurance to employees must also provide birth control coverage as a part of their prescription plan. Moon discusses potential challenges to the Mandate as well as offers a summary of the constitutional infringement issues presented by the Health and Human Services mandate. This article is a primer for pending litigation in the Federal courts.

Finally, in *Religious Liberty Advocacy: The Essential Role of Religious Organizations in the Courts*, K. Hollyn Hollman discusses her role as General Counsel of the Baptist Joint Committee in the context of public advocacy work. Hollman's focus is on effective and ineffective use of amici briefs and the impact that sponsoring an amicus brief can have on a Court's decision. Hollman further

1. Editor in Chief, *RUTGERS J. L. & RELIGION*, 2012-2013.

reflects on the Baptist Joint Committee's amicus brief for *Hosanna-Tabor* and its potential impact on the decision by the Supreme Court.

Together these articles provide a glimpse into the experience of counseling a faith-based organization. The work is unique, challenging, and calls for a special kind of counselor to address the diversity of issues these organizations deal with in their everyday operations.