

Spring 5-20-2024

## **Clark Memorandum: Spring 2024**

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CLARK MEMORANDUM

J. Reuben Clark  
Law School  
Brigham Young  
University  
Spring 2024







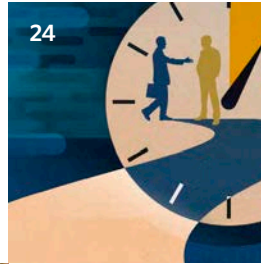
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What shall it profit a man, if he shall gain the whole world, and lose his own soul?”<sup>1</sup> With this question, the Savior invites us to examine the priorities we pursue. Are we chasing losing bargains? As the Savior taught, what some perceive as profitable can be devastating; winning can mean losing.

Legal education and a legal career can profit us much. My legal education and career have improved my abilities to analyze, understand, speak, write, advocate, and lead. My life in the law has yielded fascinating experiences, a broader worldview, opportunities to bless others, valued friendships, and a stable livelihood. Of course, life in the law can also offer bad bargains. The lure of power, prestige, and possessions can corrupt character and behavior. Whether in school or in practice, life in the law can also be demanding, making it easy to get lost in the next exam, billable hour, transaction, or hearing. What is at stake in mortality is far greater than all these concerns. All that the Father hath is on the line.<sup>2</sup>

Fortunately, achieving that eternal reward does not require abandoning the law. Indeed, success in mortality *turns* on the law—the law we choose to live. As President Russell M. Nelson has taught, “During this life we get to choose which laws we are willing to obey—those of the celestial kingdom, or the terrestrial, or the testial—and, therefore, in which kingdom of glory we will live forever.”<sup>3</sup> The law we live determines our destiny.

BYU Law is uniquely committed to combining the benefits of a legal education and career with a commitment to celestial law. As faculty, staff, students, and graduates, “we seek to be and develop people of integrity who combine faith and intellect in lifelong service to God and neighbor.”<sup>4</sup> This issue of the *Clark Memorandum* shares remarks delivered by several of our outstanding faculty who are both exemplary scholars and dedicated disciples.

I do not know whether there will be a need for lawyers in the celestial kingdom, but this world needs lawyers who live celestial laws—lawyers who excel at their craft with civility, honesty, compassion, humility, and selflessness. Lawyers who are also covenant disciples. Such lawyers pursue the double aim of reaching for their eternal potential while blessing the profession and their communities now. **That is a profitable path.**



## NOTES

- 1 Mark 8:36.
- 2 See Doctrine and Covenants 84:38.
- 3 Russell M. Nelson, “Choices for Eternity,” worldwide devotional for young adults, May 15, 2022, [churchofjesuschrist.org/study/broadcasts/worldwide-devotional-for-young-adults/2022/05/12nelson](https://www.churchofjesuschrist.org/study/broadcasts/worldwide-devotional-for-young-adults/2022/05/12nelson).
- 4 “Mission and Objectives,” BYU Law School, [law.byu.edu/about/mission-and-objectives](https://law.byu.edu/about/mission-and-objectives).

DAVID H. MOORE

Dean, BYU Law School

F A C I N G

F E A R W I T H

F A I T H

BY SUSAN GRIFFITH

*Executive Director of the Timpanogos Legal Center  
and Adjunct Professor at BYU Law*

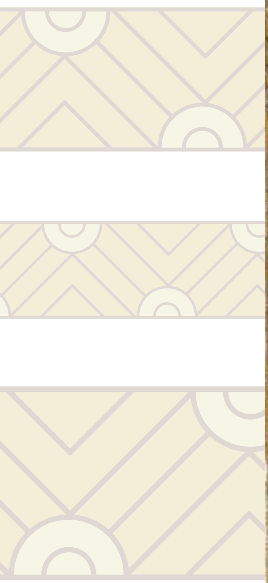
**W**e have all kinds of things to be afraid of. Just turn on the news. The detailed reports of atrocious murders, rioting, rampant worldwide diseases, school shootings, suicides, bitterness between rivaling political parties, issues that split and divide the country, the chaos created by malware and ransomware, threats on financial security, and the advent of new types of fraud seems endless. Listening to the news can be scary and exhausting. ♦ The question I address today is “How we can face our fears with faith?” ♦ I will be forever grateful to the Young Women leader who asked me to make a poster of the scripture from 2 Timothy 1: “For God hath not given us the spirit of fear; but of power, and of love, and of a sound mind.”<sup>1</sup> As I carefully outlined the letters to get it just right, I had plenty of time to have these words sink deeply into my young heart. This is a scripture I continue to rely on for one simple reason: I am prone to fear. During stressful times, I repeat my mantra: “Power, love, strong mind. Power, love, strong mind.”

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*This article is adapted from remarks delivered at  
BYU Law’s devotional on December 6, 2023.*

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Esther is chosen Queen.



This is what the Lord gives us: power, love, and a strong mind. In my experience, fear does not come from the Lord. Sometimes fear is inherent in the situations we find ourselves in, but if we are living in alignment with gospel principles, fear never comes from the Lord.

I want to share lessons I've learned about how power, love, and a strong mind can help us overcome fear.

## Understanding Our Unique Mission Gives Us Power

I have learned that understanding our individual missions gives us great power to conquer our fears. The story of Esther illustrates this power.<sup>2</sup>

King Ahasuerus of Persia had a favorite prince, Haman, who was angered that Mordecai would not bow to him. Mordecai was an observant Jew who would only bow to his God. Haman convinced the king to sign a decree requiring the destruction of the Jews. When Mordecai learned of this decree, he gave it to the king's chamberlain with the instruction to deliver it to Esther, for Mordecai had been her guardian and she was now the wife of the king. Mordecai "[charged] her that she should go in unto the king, to make supplication unto him, and to make request before him for her people."<sup>3</sup>

I can imagine how devastated Esther must have been when she read that decree signed by her husband. She had been keeping her Jewish identity a secret from the king, an identity she now understood could get her killed. Additionally, on penalty of death, no one could approach the king unless summoned. In my mind, Esther's initial response sounded something like, "I can't approach the king. I haven't even seen the king in 30 days, and I'm not sure if I'm in favor with him. And this isn't a subject I can casually mix into the conversation were I to see him."

Mordecai, however, sees what *can* be done. His answer to Esther, and I continue to paraphrase, was "If you hold your peace at this time, then the deliverance of the Jews will arise from another place." Are you astonished at his great faith? We don't often emphasize the great faith of Mordecai when telling this story. He was there when Esther was chosen to be one who would spend a

year preparing to meet the king, and I'm guessing he understood that she landed in her position not out of random luck or just because she was beautiful. I believe that Mordecai was one who saw the hand of God in all things. Mordecai understood that Esther had a mission.

When Mordecai asked the famous question, "Who knoweth whether thou art come to the kingdom for such a time as this?"<sup>4</sup> it was no casual comment. I believe he knew the answer. But Mordecai, a father figure, mentor, counselor, and teacher, needed Esther to answer the question for herself.

And she did. The scriptures are silent on how much time elapsed between when Esther received Mordecai's charge and when she accepted it. But something amazing happened during that interim. Esther stopped seeing herself as powerless. While her initial response was focused on her self-interest in staying safe, we never again see Esther concerned about self-preservation. Mordecai's mandate prompted her to get her own confirmation concerning her mission. Once Esther understood that responding to this crisis was part of her mortal mission, she moved forward with tremendous faith.

Reading the story of Esther should prompt us to question, "What have I come to this time and place to do? What is my mission?" Most of us will be relieved to discover we aren't responsible for saving all future generations of our people. But our missions probably do include saving a few people—special ones for whom we have stewardship.

The first thing I learn from Esther is the importance of recognizing our mission. We are fortunate to live in the latter days where we are given so much to help us understand our unique missions. Think of the tremendous benefits of patriarchal blessings, the counsel of living prophets, direction found in the scriptures, personal revelation, and the inspiration of the Holy Ghost, all of which we can use on a daily basis to help us discover and fulfill our purpose and our mission.

## Recognizing Our Purpose

With these kinds of resources, discovering our purpose should be easy enough, right? But it can be difficult to recognize all aspects of our personal missions on earth.

I had a powerful experience that illustrates this point. My exceptionally bright little four-year-old came home from her first day of preschool angry and frustrated. Her classmates were understanding letters and numbers and she wasn't. I knew that something was off in her learning, but I didn't know what, and I didn't know where to go. I did what all of us do when we don't know the answer: I turned to Google.

At that time there was little substantive information on dyslexia available to the public. I found some answers, but it was taking *so* much time—hours and hours every day—to work with her. Moreover, it was painful and tedious work that she hated, and frankly, it wasn't fun for me either. I found my prayers starting to go something like this: "I'm trying everything I can think of. I've looked for all the right answers. It doesn't seem like we are making much progress. And by the way, this is taking a lot of time. I could be doing other really good things with that time. Really important things." I wanted the Lord to "fix" my child so that I wouldn't have to continue dealing with this really hard thing that was so outside of my knowledge base. I wanted to get on with my "real" mission.

This trial was frustrating for both my daughter and me. One day, in sheer frustration, my sweet little daughter threw her books as hard as she could. And, to my shock, I joined in. There we were—both of us throwing books across the room! It sent me to my knees, and I asked the Lord if my daughter *really* needed to read. Maybe it was just too hard. Maybe she could have a happy life without reading, which I could hardly fathom since reading was such a joy for me. But we were both *that* desperate.

I remember vividly the Lord's answer to that question. The impression was short, simple, and unmistakable: "I *need* her." That's not the answer I wanted. I wanted to be off the hook. In fact, it didn't seem like much of an answer at all because I had already tried everything I knew how to do, everything the internet could suggest, and everything that the best professionals, teachers, and tutors had to offer.

But that prompting was exactly what I needed. I had been viewing this experience as an obstacle to get over before I

could get about the business of my real life's work. After that personal revelation, I knew something new: the Lord needed me because He needed my daughter. Failure wasn't an option. All of a sudden, this thing that was taking so much of my time and energy away from what I had deemed to be my life's work became my real work. Everything changed. I was more patient because I knew the Lord needed me to work through this with my daughter. I stopped begrudging the time it was taking, although the work itself didn't stop being frustrating. And I needed that powerful lesson because I was blessed with two more children after that with similar learning disabilities.

Here is the lesson: We don't always have a Mordecai to tell us when we are facing part of the mission for which we were sent here. Sometimes we have to figure it out on our own. Sometimes we get the message from our child or spouse, and sometimes we can play the role of Mordecai for those we love. We can help them to see their mission and how to accomplish it.

That feisty little four-year-old is now working on her thesis for her master's degree in applied behavioral analysis. She works with highly violent elementary school children to find ways to change their behavior and prevent them from getting on a road that has a high probability of landing them in jail. The Lord did need her. And He needs you too.

If you aren't sure what your mission is, and it seems like everyone else does, don't panic. The path is going to unfold, and you will probably be wildly surprised at how good it is.

### Overcoming Fear Through Love

Timothy's second tool for fighting fear is love. Some time ago, I was watching the news with my husband. Some terrible, violent thing had happened, and I made an offhanded comment about how I didn't understand why there is so much hate in the world. My husband, who loves to study history and war, simply replied, "Hate is almost always rooted in fear." He's right. Think about the simple examples "I hate spiders" or "I hate snakes." Why? They scare me. When we fear, we aren't feeling love. This is why Satan is referred to as a

DO ANY OF YOU  
STRUGGLE  
WITH DISTRACTION?  
NEHEMIAH IS  
YOUR EXAMPLE.



fearmonger—the more fear he can create, the more violence and hate he can stir up. So how can we use the inverse of hate—love—to fight fear?

My mother was an 18-year-old in Norway when two missionaries knocked on her door. The senior missionary delivered the standard introduction and, like most Norwegians, my mother started to shut the door on them. Then the brand-new junior companion, straight from Spring City, Utah, stepped forward and (in what my mother recalls as the worst Norwegian she has ever heard in her life) bore his testimony, which allowed the Holy Ghost to witness to the truth of the message. My mother felt something new. She opened the door and invited them in, and the rest is history. What made that quiet, unassuming farm boy with little ability to communicate step forward as the door was closing? It was simply the love he had for his Savior and the desire he had to share that happiness with a total stranger. Love is powerful. It casts out fear.

We are all familiar with Esther's final response to Mordecai: "Go, gather together all the Jews . . . and fast ye for me [for] three days . . . ; and so will I go in unto the king, which is not according to the law: and if I perish, I perish."<sup>5</sup> We see Esther's eternal perspective develop. Her initial response was very mortality-based and reality-inspired: I can't do it—I will be put to death. Now Esther has an eternal perspective—her personal safety no longer matters to her—and she understands her stewardship and what and who is depending on her. We can



see a transformation as her focus shifts from herself to the love she has for her people and her God. Esther made a plan and she was ready to act. I love her determination and her strength.

So, how do we tackle fear? With the power of love.

### Maintaining a Sound Mind

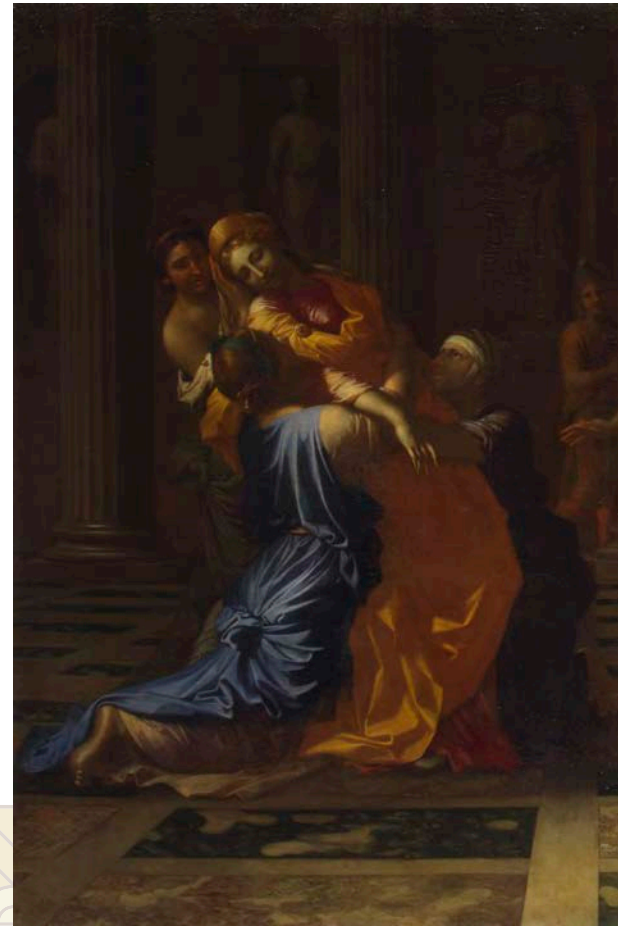
That brings me to Timothy's third point. Another Old Testament story helps me understand how a sound mind is an instrument to overcome fear. It is the story of Nehemiah.

Nehemiah was a trusted Jewish officer of the court as cup-bearer to the king. Persia had conquered Jerusalem with much destruction of the city. Nehemiah had gained favor with the king and received permission to go back to Jerusalem and rebuild the walls that protect the sacred city. This was quite an undertaking—"a great work"<sup>6</sup>—so he gathered a group of laborers. As with Jerusalem today, there were numerous surrounding groups who were not pleased to see this Jewish group rebuilding. They were "wroth, and took great indignation, and mocked the Jews."<sup>7</sup> What was Nehemiah's concern? He didn't want his men getting distracted.

Do any of you struggle with distraction? Nehemiah is your example. He armed his men with *weapons* in one hand and *tools* for getting the job done in the other. He was up there on the wall, with groups below mocking and trying to interfere with the work. That is such a great visual for me. Nehemiah,



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despite the distractions and persecution, was able to finish the work in an astounding 52 days.<sup>8</sup> After reading this story, I typed a card that I keep on my bookcase:

*Nehemia*

*How to respond to the distractors:*

*“I am doing a great work.”*

*What are the tools and the weapons I carry in each hand that help me “do” the work and build protective walls?*

You all have tools and you all have weapons. Think about what these are for you. The answer will be different for each of us. Can we maintain that “sound mind” that helps us keep our self-control and our focus so that we don’t get distracted by fears and uncertainty?

One of my very good friends, Steve Averett, a retired member of the BYU Law library faculty, is the perfect example of an

attorney who used a “sound mind” and all of his tools to combat what could have been fearful situations in court. Steve had been an elementary school teacher before going to law school, and he was not what you would think of as a typical hard-hitting litigator. He is kind to the core. He is meek and mild in a way that reminds me of Mr. Rogers. Just to give you the picture of what a great guy Steve is, his first group of law students in his Legal Research class made T-shirts with Steve’s face in the center and the words “I want to be like Steve” around the picture.

I first met Steve when Utah Legal Services hired him to represent victims of domestic violence. Clients loved him. He was compassionate as he worked through their difficult situations. Abusive people tend to find abusive attorneys to represent them, and opposing these bullies was Steve, representing the victims and getting these incredible, almost-too-good-to-be-true

results at trial. How did he do this? He was prepared. While the opposing counsel would grandstand or carry on with loud protestations, Steve would calmly introduce exhibits and evidence to make his case. Steve was brilliant in his research and thorough in his preparation. Even the loudest and most aggressive attorneys couldn’t beat that.

Use your unique talents and tools and don’t get distracted by loud voices.

### Acting in Faith Amid Storms

I get concerned when I hear comments like, “Faith and fear can’t coexist.” There are many faithful people who experience really difficult things and who might get the message that if you are fearing, you must not have very much faith. That is the wrong message.

I imagine Esther walking down the hallway toward the king’s room. She may have been so sure of her mission that she



was filled with peace and assurance. But I think the greater likelihood is that her heart was beating fast, she had a tight knot in her stomach, and her hands were moist. It isn't that Esther lacked faith. Indeed, she was totally committed to executing the plan regardless of the consequences for herself. The Lord always qualifies those whom He calls to action.<sup>9</sup> Do you have a testimony that He will qualify you to do the very hard work you have been asked to do in your mortal mission?

We often end the story of Esther with “they all fasted and prayed and Esther saved all of her people.” While it is true, that undercuts the complexity of what really happened.

The king's decree ordering destruction of the Jews was irrevocable, so when the king fully understood the situation, he armed the Jews so they could protect themselves when his forces came against them.<sup>10</sup> Not quite the tidy ending we like. It doesn't mean that this

story is any less compelling, and it doesn't minimize the role of faith. In fact, I think it makes the story even more instructive.

As an attorney I have advised many people who are going through some of the very worst trials that can be experienced: domestic violence, sexual abuse of a child, divorce, foreclosures, disabilities, and on and on. Many clients who have shared their stories with me have also shared their spiritual journeys during these life trials. These are people who acted, sometimes for many years, with tremendous faith, but a happily-ever-after resolution never came. It doesn't mean they weren't faithful. It doesn't mean they didn't do everything they could do. It doesn't mean that the Lord didn't inspire and guide them. Sometimes we fulfill our mission, but everything isn't wrapped up in a pretty package at the end of the story, at least in mortality. As Elder Neal A. Maxwell explained, “Trying to comprehend the trials and meaning of this life without understanding Heavenly Father's marvelously encompassing plan of salvation is like trying to understand a three-act play while seeing only the second act.”<sup>11</sup> This is a profound comfort. If things don't look pretty now, the third act is coming.

A few years ago, I was asked to present at a stake women's conference on the topic of applying the Atonement to our trials. In preparing for the conference, I called two of my very good friends who had both lost children in absolutely heartbreaking circumstances. In my opinion, they handled their loss in angelic ways, and I wanted to know more about how they did it. I was very surprised when both of them had nearly identical reactions when I called asking if I could share their stories. The response went something like, “Oh, I was such a wreck during that time.” Here were the women who I looked to as handling one of the hardest trials that could come in this lifetime in the best possible way. Both of them were completely faithful to their covenants and came out of that trial with a renewed dedication to living every single principle of the gospel because they were not going to do anything that would get in the way of being with that little child again. Yet they both described the year following the loss as one of prolonged crying, grief, and sadness. It was not that

either of them lacked faith. The reality was their faith was strengthened in immeasurable ways. But sometimes acting in faith doesn't always look pretty as we go about the process of getting through the dark days that inevitably come.

My concern is that some of us might think that, because we haven't slept well in months or because we are consistently anxious over the problems that surround us, we aren't as faithful as we should be or as faithful as others around us are. While it is absolutely true that we need to invoke the power of heaven as we face our trials and challenges, sometimes the circumstances in this life are just plain old hard, scary, and anxiety provoking.

Follow Esther's model. Know your mission. Act in faith. Don't be concerned if the process of getting through the trial doesn't look picture-perfect.

I know we will be given all that we need as we earnestly seek to fulfill our individual missions. I testify that God has given us the principles of power, love, and a sound mind to help us overcome fear and move forward with faith. [cm](#)

#### NOTES

- 1 2 Timothy 1:7.
- 2 See Esther 2-8.
- 3 Esther 4:8.
- 4 Esther 4:14.
- 5 Esther 4:16.
- 6 Nehemiah 6:3.
- 7 Nehemiah 4:1.
- 8 See Nehemiah 6:15.
- 9 Attributed to Thomas S. Monson; see Thomas S. Monson, “Duty Calls,” *Ensign*, May 1996, 44.
- 10 See Esther 8:11.
- 11 Neal A. Maxwell, “Enduring Well,” *Ensign*, April 1997, 7.

#### ART CREDITS

Pages 1, 5: Minerva Teichert (1888-1976), *Queen Esther*, 1939, oil on canvas, 65 x 48 inches. Brigham Young University Museum of Art.

Page 7: Julius Schnorr von Carolsfeld (1794-1872), *Rebuilding of the City Walls of Jerusalem*. GettyImages—ZU\_09.

Pages 8-9: Nicolas Poussin (1594-1665), *Esther Before Ahasuerus*, mid-1650s.



ILLUSTRATION BY JOHN JAY CABUAY

# THE GREAT LAW(S) OF PEACE

BY

MICHALYN STEELE

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*Marion G. Romney  
Professor of Law  
and Associate Dean  
for Faculty and  
Curriculum at  
BYU Law*

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John Key



# M

y story as a disciple-scholar at BYU Law School begins before I was born. At BYU freshman orientation in the fall semester of 1960, a girl who was just turning 17 met an Idaho boy. My mother had skipped a few grades on her way to BYU and was far from the Cattaraugus Indian reservation in western New York where she was raised. My dad had been persuaded by his older sister to think a little bigger than he had planned, so he left Idaho for BYU. My brother, sister, and I treasure our twin heritage as members of the Seneca Nation of Indians and as descendants of the faithful early Mormon pioneers.

I was born in Western New York, where we lived on the Seneca reservation, but I spent some of my toddler days riding a tricycle around Wymount Terrace as my parents pursued graduate degrees. We returned to live on the reservation for several years until my mom felt inspired to pursue a law degree at BYU. She was a member of the Law School's eighth class and graduated with former BYU Law dean and BYU president Kevin Worthen. I was in junior high school during her time at BYU Law, and my dad served as the bishop of a BYU ward. I remember wandering through the law building, peeking into classes, exploring around campus, and carefully calculating how to spend my dollar at the vending machines. I was brought up to be a true-blue Cougar, so when people asked what I wanted to do when I grew up, I said, "I want to teach at BYU."

I had no idea what that would take or how that might happen for me. It just seemed to my young self like the coolest thing you could do. Yet as the years passed, I lost sight of that goal and thought I might be a journalist or a high school English teacher. Eventually, I went to law school at Georgetown University. Even as I practiced law in Washington, DC, I didn't think that the legal academy was an achievable dream for me. I imagined that only the fanciest credentialed people could aspire to teach, and I didn't think that included me. But a series of unlikely doors miraculously opened for me, patient mentors invested in me, and I moved to Provo in 2012 to begin teaching at BYU Law. As I made my way to my first office, I remembered the dream of the junior high girl to teach at BYU. I am grateful that the Lord heard my prayers as a young girl, yearning for something I was perhaps too timid to hope for as an adult. It is because of BYU that I have been able to embark on a journey as a scholar of faith. I am inspired by the clear prophetic vision of the divine destiny and mission of the Lord's university, and I am honored to play a small part in realizing that vision.

## SEEKING WISDOM

One of the amazing things about being an academic is the opportunity to think and read and write with a great deal of autonomy about questions and subjects that interest you. My scholarly focus has been the legal relationship between the Indigenous peoples of the United States and the federal government. I am interested in questions about the scope of tribal sovereign authority over people and territory, how that governing power is determined and by whom under the US Constitution, and how it relates to federal and state sovereignty. To me, it is nothing short of a miracle—a fulfillment of prophecy—that so many tribes and Indigenous people have survived as distinct peoples with their cultures and traditions centuries after the arrival of other nations and their settlers.

The policies of the United States towards the tribes, my area of academic interest, have often threatened the survival of Indigenous peoples. Indeed many tribes, cultures, families, communities, and individuals have been lost to a kind of cultural genocide—to forced assimilation, to disease from post-Columbian contact, and to poverty and its attendant suffering. Yet other laws and policies have helped and empowered tribal determination to survive.

I will side note here that I cringe a bit when people use the term "tribe" when they mean partisan factions, or a devolution of society into deep and bitter divisions. To me, a tribe is

*This article is adapted from remarks delivered on March 6, 2024, for the My Journey as a Scholar of Faith lecture series sponsored by the BYU Faculty Center and the Education in Zion Gallery.*

a place of shared history and belonging, where we are each invested in one another with a communal sense of responsibility to the whole.

I love learning and thinking about the ways that the hand of the Lord has preserved Indigenous peoples and their wisdom for such a time as this. It reminds me of the promises made to Joseph of old, who was sold by his brothers into Egypt. His coat of many colors suggests to my mind a broad coalition of peoples who are his descendants and inheritance, branches broken off from the house of Israel—but who the Lord remembers. While Joseph was in exile in Egypt, he interpreted Pharaoh’s dreams warning of the coming famine, and he urged Pharaoh and his people to store up grain.<sup>1</sup> Joseph was the means of making that grain available to the house of Israel when famine struck, and his family, the tribes of Israel, were spared by the Lord’s mercy. Certainly, we see an echo of this great blessing in the preservation of the stick of Joseph, the Book of Mormon, laid up against a time of spiritual famine as Another Witness of Jesus Christ, containing the fulness of the everlasting gospel. So too, for me, this story echoes as I learn about the remnant of the house of Israel who are “among the ancestors of the American Indians,”<sup>2</sup> and the precious wisdom and truth preserved in their culture, history, and survival.

Toward the end of his ministry, the prophet Nephi was eager to write on the small plates only those things which were most precious because they would persuade those who came after him to believe in Jesus Christ. His mission was to teach and prophesy with plainness, “for after this manner doth the Lord God work among the children of men,” he writes, teaching us an attribute of the Savior. “For the Lord God giveth light unto the understanding; for he speaketh unto men according to their language, unto their understanding.”<sup>3</sup> Nephi teaches us that the Lord gives light, or in other words, truth and knowledge of things as they really are, according to our language and understanding. The Lord communicates as much light and truth as we are willing to receive and obey, and He is not bound by limitations of language and culture. There is no “foreign” language to God. There is no cross-cultural barrier.



*The Coat of Many Colours*

It has been my experience that as I study the principles that have guided tribal cultures and empowered their survival, I see the hand of God and the light of God working in and through all peoples who beautify and give variety to the earth. If color is the variety of wavelengths and energies of light, a coat of many colors is made by sewing these varieties of light together. To be sure, the source of all light and truth is the Savior Himself, whose glory is beyond the limitations of our finite eyes or minds to comprehend. It is my hope to convey some of the light of Christ, or eternal truths, that I have beheld as I have studied Indigenous peoples as a scholar of faith. These are principles that help me to find peace. We might think of them as laws of peace.

### BEING PRESENT

I begin with an ancient but timely tale. Many tribes have stories of a trickster they call Coyote, a notoriously transgressive figure whose misadventures help to reinforce community mores and teach important lessons. The story has tugged at my mind and meant different things to me at different times in my life. In this story, Coyote has learned a dangerous trick. He can send his eyes far out over the plains and mountains to see things far away and then call his eyes back into place. Wise people warn him not to keep doing this, predicting that one day his eyes may not come back. He doesn’t listen. (He never listens.) One day he sends his eyes on a far-off adventure one too many times and his eyes don’t come back. Coyote is blind, with two empty holes in his face where his eyes should be. Eventually, because Coyote is unusually lucky, he finds one bison eye (way too big) and pops it into one eye socket, and one mouse eye (way too small) and pops it into the other socket. This looks very unusual of course, but it restores him to an odd kind of vision. With the bison eye, he can see only long distances and the big picture of things. With the mouse eye, he can see only very close up and the fine details of things.

In my teaching and practice, sometimes I need to look at a problem from the big picture, with the perspective of the bison eye; other times I need to pay special attention to fine details with the perspective of the mouse eye. I’ve found the perspective of each of these “eyes” useful, so I have long wondered if this was such a bad outcome for Coyote. I’ve also wondered what was transgressive about Coyote sending his eyes away. What is the principle being taught? What did Coyote do that serves as a warning to us?

Lately, I have thought of Coyote’s transgression as a failure to be present. While he sits there with his eyes out roaming the world—maybe scrolling TikTok or, like me, caught up in a rabbit hole of talking parrot



videos—he is ignoring those around him and shirking his responsibilities to family and community. Life passes him by. As I think about this Coyote story, I resolve to be more present. The present is a gift. As my mission president counseled, “Wherever you are, be there!”

What we choose to focus on in the present impacts our peace and joy. President Russell M. Nelson teaches us that even in the midst of turmoil, conflicts, corruption, and evil, we can focus on joy by focusing on the Savior. President Nelson said, “The joy we feel has little to do with the circumstances of our lives and everything to do with the focus of our lives.”<sup>4</sup> He continued, “[The Savior] offers an intensity, depth, and breadth of joy that defy human logic or mortal comprehension. . . . Joy is powerful, and focusing on joy brings God’s power.”<sup>5</sup> Grounding ourselves in the truths of the gospel and the light of Christ can see us through even the most challenging moments of our lives. President Nelson testified that during the wrenching period of ultimate suffering on the cross, the Savior focused on joy:

*As in all things, Jesus Christ is our ultimate exemplar. . . . In order for Him to endure the most excruciating experience ever endured on earth, our Savior focused on joy!*

*And what was the joy that was set before Him? Surely it included the joy of cleansing, healing, and strengthening us; the joy of paying for the sins of all who would repent; the joy of making it possible for you and me to return home. . . . to live with our Heavenly Parents and families.<sup>6</sup>*

It is not always the present reality that daunts us, however. Sometimes it is the past that haunts us, clouding the eye of faith that looks to a brighter future. Elder Jeffrey R. Holland warned against metaphorically sending our eyes, like Coyote did, sailing into the past by looking back, as did Lot’s wife:

*I plead with you not to dwell on days now gone, nor to yearn vainly for yesterdays, however good those yesterdays may have been. The past is to be learned from but not lived in. . . . Faith is always pointed toward the future.<sup>7</sup>*

This is one of the great laws of peace: we have access to greater peace and joy as we mind our focus and strive to be present and as we become yoked with the Savior, no matter the variable and challenging circumstances of our lives.

## FORGING BONDS

Another source for laws of peace that I’ve encountered in my scholarly and discipleship journey is the story of the founding of the Haudenosaunee, or Iroquois Confederacy. The Iroquois Confederacy forged a political, economic, and cultural alliance among the nations of the Iroquois: the

Seneca, Cayuga, Onondaga, Oneida, and Mohawk. These nations created a constitution they called the Great Law of Peace. Later, the Tuscarora would be added to the alliance. The Great Law of Peace governed relations among the tribes and prescribed laws for leaders and members of the confederated tribes to implement the founding principle of the alliance: that peace was better than war.

After many years of war so devastating that people forgot how to mourn and bury their dead, a leader we call the Peacemaker came among the people with the message that peace was better than war. He found a partner in Hiawatha, who had been driven insane with grief at the loss of his seven daughters. Hiawatha was healed through the Peacemaker’s caring concern. Together they spread the message that peace was better than war. In other words, forgiveness is better than contention. Life is better than death. Healing is better than wounding. Sweet is better than bitter. Love is better than hate. The emissaries of this message taught and convinced the people to throw down their weapons of war and seek peace. Their efforts facilitated the founding of the great Iroquois Confederacy and the adoption of the Great Law of Peace.

One vital lesson I take from these events is that peace and peacemaking is a choice. It must be a personal and societal value. We must choose peace over war, over contention, over estrangement. Indeed the Lord commanded that we are to “renounce war and proclaim peace”—like the Peacemaker and Hiawatha did and as the Iroquois people did—explaining that we promote peace by seeking to “turn the hearts of the children to their fathers, and the hearts of the fathers to the children.”<sup>8</sup> These vital family bonds, these bonds from the heart, underpin lasting peace.

As part of the ritual during the founding of the Confederacy, the people uprooted a great tree—the tallest white pine they could find. They threw their weapons into the pit created by the uprooted tree. Forsaking their weapons and their inclination to war, they replanted the tree and called it the Tree of Peace. This symbolized their commitment to plant deep roots of peace and bury the temptation to go to war. All who would live the Great Law of Peace would be welcome to enjoy the shade of the tree, or the protection of this covenant of peace.



*Hiawatha’s Arrival*

How do we fulfill  
our responsibility  
to those who come  
after us, leaving  
the earth cleaner,  
ensuring they have  
been the top  
beneficiaries of our  
energies, and  
leaving them a  
legacy of faith and  
good will?

## PLANTING PEACE

How do we plant trees of peace in our homes, congregations, communities, and nations? How do we welcome others to its soothing shade?

In addition to turning hearts to one another in our families, we must bury the weapon of contention forever. The Book of Mormon teaches that Satan himself is the father of contention, and rather than turning the hearts of children to their fathers, he seeks to “[stir] up the hearts of men to contend with anger, one with another.”<sup>9</sup> Elder Dieter F. Uchtdorf wisely observed, “Conflict is inevitable. It is a condition of mortality. It is part of our test. Contention, however, is a choice.”<sup>10</sup> President Nelson’s piercing call for peacemakers in his April 2023 general conference address made this eternal truth plain when he declared, “Make no mistake about it, contention *is* evil”<sup>11</sup> and delivered the prophetic injunction, “Anger never persuades. Hostility builds no one. Contention never leads to inspired solutions.”<sup>12</sup>

President Nelson also provided an antidote to the evil of contention: “Charity is the antidote to contention. . . . Charity defines a peacemaker.”<sup>13</sup> That charity, he explained, “the pure love of Christ,”<sup>14</sup> ought to motivate us to avoid contention and build peace through Christlike love.

The Savior taught us what that love is like: it turns the other cheek, it loves even your enemies, it blesses those that curse you or spitefully use you.<sup>15</sup> It is the Savior’s final, new commandment to His disciples that we love one another not merely as we love ourselves but as He has loved us<sup>16</sup>—with perfect charity. The fruit of that tree, a tree of peace and charity, seems worth any price. Indeed, the Savior paid the ultimate price to give us access to the tree of life—with fruit, like the love of God, that is sweeter and more precious than anything else. It stands in stark contrast to the bitter fruit of contention and division. It is the fruit that once we have tasted, we are compelled to share with others, inviting them to feast with us and to rest in the peaceful shade of the sacred trees.

## TRANSFORMING GENERATIONS

I have learned another principle of peace through studying Indigenous traditions: the seven generations principle. While this principle is found in different Indigenous cultures and varies in its meaning, I take my meaning today from the Haudenosaunee, or Iroquois, tradition. The Great Law of Peace, or Iroquois Constitution, established standards qualifying the nation’s leaders. One of those principles is that the leaders were responsible in their deliberations for the well-being of the next seven generations. They were to consider the consequences of their choices as leaders in the long term rather than seek short-term or self-interested outcomes. In fact, seeking one’s self-interest was disqualifying for representatives to the Confederacy’s deliberative body. Similarly, representatives were told that their skins were to be seven-spans thick, meaning they would not be easily offended or petty with one another. The effort to curb leaders’ self-interested actions and ensure accountability is not entirely unique to the Iroquois Confederacy, of course. But I have not heard of an enforcement mechanism quite like its provisions, which empower clan mothers and grandmothers to remove self-interested actors from their legislative seats.

The seven generations principle lifts our vision beyond the mundane. It may change the way we think about our environmental stewardship and our priorities for our time and energy, and it may cause us to reflect on the legacy we leave behind, both spiritual and temporal. Here again, I see that the Lord was teaching truth to the Haudenosaunee people in their own language and according to their understanding. In our day, President Nelson has counseled us to “think celestial”<sup>17</sup> as we make our daily choices. Instead of seeking instant gratification of fleeting or selfish desires, we can choose a higher, holier, and more-enduring way. This is the essence of the seven generations principle. How do we fulfill our responsibility to those who come after us, leaving the earth cleaner, ensuring they have been the top beneficiaries of our energies, and leaving them a legacy of faith and good will? Accomplishing these aims may mean breaking intergenerational patterns that have transmitted pain. I mourn for the Lamanites when I read about Laman and Lemuel’s transmission of a legacy of grievance. Their family story became one where they were perpetual victims of their imagined injustice, having been robbed of their rightful place of political prominence and of the plates and other



items. Thus they stoked and nurtured intergenerational hatred, disturbing the peace of many generations to come.

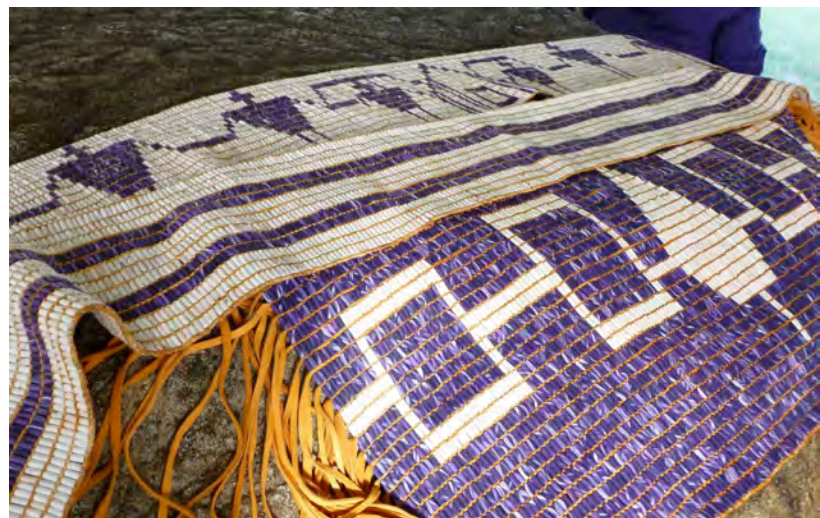
In contrast, the seven generations principle counsels us to forgive and liberates future generations from our grudges. If the principle has been truly implemented, fathers and mothers will have looked to your well-being for seven generations past, preparing the ground for your thriving; then it becomes your privilege to look to those who come after you with enduring love and purpose. In the Savior's eternal calculus, we might say we can look to the well-being of "seventy times seven"<sup>18</sup> generations, or in other words, to all generations in both directions, with powerful hope for those relationships to be sealed through Him and to Him. We get a visual of this potential in the sacred sealing rooms of the temple, with what Elder Gerrit W. Gong has described as "mirrors of eternity"<sup>19</sup>—mirrors that face each other and reflect back and forth, suggesting no beginning and no end to the generations.

In the Haudenosaunee tradition, political and economic relationships were transformed into kinship relationships through treaty-making. For the Indigenous peoples, making a treaty was a sacred undertaking that created alliances that were not merely of convenience and mutual benefit but that also forged a sacred and enduring bond of kinship. One such treaty relationship that has been important to my scholarship is called the Guswenta, or Two Row Wampum, representing the bond between Dutch settlers and Haudenosaunee people in the 17th century. In the two-row wampum, made of purple and white wampum shells, the Haudenosaunee and the Dutch are envisioned as two canoes traveling side by side, neither interfering with the other. It is an agreement that respects a cooperative sovereignty. On a personal level, we might think of sovereignty as agency. In this way, my scholarly journey has taught me the principle of respect for the agency of others. The Lord has empowered each of His children to choose to act for themselves, while inviting us to choose to follow Him and receive His grace. Similarly, we ought to respect the agency of others, even as we invite them to choose the path of happiness.

The Guswenta is part of what is called the Covenant Chain, which refers to a series of agreements for peace and mutual aid made between the Haudenosaunee and the occupying European powers, including England. These treaties often had physical symbols memorializing the significance of the agreements reached. The symbol of the Covenant Chain is derived from the metaphorical mooring of an English sailing ship to the Tree of Peace with a three-link silver chain. The three links were said to represent peace, friendship, and respect between the Haudenosaunee and the English Crown. These interlocking relationships, which bound the nations by covenant to one another, would need to be continually maintained. In the words of the parties, the Covenant Chain would need to be polished to remain bright. Although the sweep of history ultimately damaged the relationships symbolized by the chain between the Haudenosaunee and the English, the metaphor has caused me to ponder these questions: What links might I forge in my covenant relationships? How might I be anchored by my covenants to the Tree of Spiritual Peace? And how do I keep the links of that chain polished and bright?

*The two-row wampum represents an agreement that respects a cooperative sovereignty.*

... words have the power to nourish peace or to foment contention—and we each have a responsibility to use the power of our words for good. This is especially true for lawyers, for whom words are the central tools of the trade and can be used for good or ill.



President Nelson’s terminology for this eternal law of peace includes anchoring ourselves to the Savior and binding Him to us. This is the covenant path. He has given plentiful and wise counsel about walking this path to return to our Father in Heaven. In his first message as President of the Church, he said, “Your commitment to follow the Savior by making covenants with Him and then keeping these covenants will open the door to every spiritual blessing and privilege available to men, women, and children everywhere.”<sup>20</sup> Learning about the Covenant Chain helps me understand the significance of the covenant path and my responsibility to polish the ties that bind me to the Lord and to those I love.

## USING THE POWER OF WORDS

Earlier I mentioned one of the founders of the Iroquois Confederacy and its Great Law of Peace, Hiawatha, and that he had been overcome with grief at the loss of his seven daughters. He wandered in the fog of grief aimless and lost. As he encountered others, no one could quite identify what was wrong with him because the society had forgotten how to mourn. They thought perhaps he was hungry or cold or that some sickness had befallen him. Hiawatha felt isolated. As he wandered, he thought about what he would do if he found someone as devastated by grief as he was. He began to devise a ritual of condolence, composing the words that he would say to console someone, and he made strings of wampum to help him remember the sacred words. When he encountered the Peacemaker, who would become his partner in founding the Confederacy and spreading the message that peace was better than war, the Peacemaker recognized his grief and knew the words to say to offer solace. The Peacemaker performed the ritual of condolence for Hiawatha and set him on the path of healing so that he could be an effective leader again in his community. The two of them shared the ritual of condolence with others and taught the people how to bury their dead and how to mourn and comfort those who mourned.

In this ritual, the aggrieved gets to hear the words that have the power to heal. These are words of compassion and empathy, and they acknowledge that when someone is deep in mourning, it is hard for them to see the beauty of the world through eyes clouded with tears. The condoler takes a “white fawn-skin of pity” to wipe away those tears to help the mourner see clearly again.<sup>21</sup> The ritual recognizes that, during great grief, it may be hard to eat or to swallow or to hear the laughter of children. The words of empathy the condoler speaks are also the words of healing and creation.

In many creation stories, Indigenous and otherwise, the Creator causes the world to come into being by speaking it into existence. The power of speech, the power of words, especially the Creator’s words, is the power of creation. We give birth to ideas and pour the oil of comfort through our words; we can also inflict deep wounds with our words. The Indigenous emphasis on the power of words has helped me to better understand the words of Mormon: “By his word the heaven and the earth should be; and by the power of his word man was created of the dust of the earth; and by the power of his word have miracles been wrought.”<sup>22</sup> One of the laws of peace I have learned is that words have the power to nourish peace or to foment contention—and we each have a responsibility to use the power of our words for good. This is especially true for lawyers, for whom words are the central tools of the trade and can be used for good or ill. One tradition of the Haudenosaunee is the Thanksgiving Address, a poetic ritual reflecting the belief that human beings were given the gift of speech with the responsibility to speak gratitude to the Creator for His many gifts. In the Thanksgiving Address, people express gratitude for each of God’s creations, for water, for wind, for fish, for animals, for trees, and for medicinal and food plants. Gratitude is one of the keys of peace.

In sum, in my study of Indigenous traditions and legal history, especially the Great Law of Peace, I have learned laws of peace. In my study of the gospel of Jesus Christ and in my commitment to become His disciple, I have seen the Prince of Peace moving to bless all who will partake of the peace He offers. As Abinadi taught, “O how beautiful upon the mountains are the feet of him that bringeth good tidings, that is the founder of peace, yea, even the Lord.”<sup>23</sup> I am grateful for the foundation of peace, for the laws and principles of peace that come from the Savior. I testify with Alma that

*the Lord doth grant unto all nations, of their own nation and tongue, to teach his word, yea, in wisdom, all that he seeth fit that they should have; therefore we see that the Lord doth counsel in wisdom, according to that which is just and true.*<sup>24</sup>

I am grateful for the unique academic environment at BYU, which allows me to work in companionship with the Holy Ghost to seek truth wherever it may be found. I am grateful for the eternal truths I have learned through my scholarly journey and hope to be able to learn many more as I look to the Source of All Truth. [cm](#)

## NOTES

- 1 See Genesis 41.
- 2 Introduction to the Book of Mormon.
- 3 2 Nephi 31:3.
- 4 Russell M. Nelson, “Joy and Spiritual Survival,” *Ensign or Liahona*, November 2016, 82.
- 5 Nelson, “Joy and Spiritual Survival,” 82.
- 6 Nelson, “Joy and Spiritual Survival,” 82–83; emphasis in original.
- 7 Jeffrey R. Holland, “Remember Lot’s Wife,” BYU devotional address, January 13, 2009; emphasis in original.
- 8 Doctrine and Covenants 98:16.
- 9 3 Nephi 11:29.
- 10 Dieter F. Uchtdorf, “Five Messages That All of God’s Children Need to Hear,” BYU devotional address, August 17, 2021.
- 11 Russell M. Nelson, “Peacemakers Needed,” *Liahona*, May 2023, 99; emphasis in original.
- 12 Nelson, “Peacemakers Needed,” 98.
- 13 Nelson, “Peacemakers Needed,” 100.
- 14 Moroni 7:47.
- 15 See Matthew 5:39, 44.
- 16 See John 13:34.
- 17 Russell M. Nelson, “Think Celestial!” *Liahona*, November 2023, 118.
- 18 Matthew 18:22.
- 19 Gerrit W. Gong, “Temple Mirrors of Eternity: A Testimony of Family,” *Ensign or Liahona*, November 2010, 37.
- 20 Russell M. Nelson, “As We Go Forward Together,” *Ensign or Liahona*, April 2018, 7.
- 21 John Bierhorst, ed., *Four Masterworks of American Indian Literature* (New York: Farrar, Straus, and Giroux, 1974), 131.
- 22 Mormon 9:17.
- 23 Mosiah 15:18.
- 24 Alma 29:8.





# GRACE IN THE LAW SCHOOL

By Frederick Mark Gedicks



*This article is adapted from remarks delivered at BYU Law's 50th Anniversary Celebration on October 13, 2023.*

PHOTOGRAPH BY BRADLEY SLADE





I'm very happy to be with you all this afternoon to celebrate the Law School. Dean Moore asked me to say a few words about the personal meaning of my years on the faculty. I'm glad for this assignment, though it's a little complicated. Some things are easy to mark: when I arrived here in 1990, I had a lot of hair and was younger than all my colleagues; now, most of the hair is gone and I'm older than all of them but one.

There is something to be said for enduring to the end, but the meaning of my time here runs deeper than endurance. I could say that I have been blessed to be a member of the faculty, but that does not quite capture how I feel. Unlike English, the Romance languages have two cognates for *blessing*. Italians, for example, speak not only of *benedizione* (blessing) but also of *grazia* (grace). We often ask for blessings, whereas grace is less intentional, more unexpected. Grace is closer to how I think about my time here—as a series of unexpected gifts. I've chosen a few memories that exemplify how and why I feel this way.



## ACADEMIC FREEDOM

Among my earliest and most vivid BYU Law memories is an encounter with Rex Lee in 1990, during the process that ended in my appointment to the faculty. Rex was president of BYU by then, but he liked to meet candidates for the Law School faculty. I was ushered into his office, and we chatted for a while before he began to apologize for the mediocre state of faculty salaries. I blurted out, “Oh, I wouldn’t decline to come because of the money.” And then I thought, “Did I really say that out loud?”

Rex read all of this in my face and found it very funny. Then he asked, What *would* prevent me from coming to the Law School, if money weren’t the issue? I explained that my research interests focused on postmodern thought and critical theory, which I thought—and still think—have much to teach us about the nature of life, reality, and truth. I wasn’t sure how my prospective colleagues or BYU administrators would react to work like this. Rex didn’t hesitate. “Well,” he said (and this is as near to a quotation as I can remember), “you must be the only Mormon crit in the country, and if you are, we have to have you at the Law School.”

Now, Rex was not quite right about that. There were at the time a couple of other Latter-day Saint law professors writing in the critical-theory neighborhood, one of whom was already at the Law School. But I have experienced the broader truth of Rex’s comment throughout my years on the faculty. The Law School is a place where I have been able to follow my academic promptings, where intellectual diversity and critical thinking have value, where a faithful scholar is trusted with the resources and freedom to make arguments he believes are right. I remain deeply grateful to my deans and faculty colleagues for creating and maintaining the intellectual atmosphere that has supported me and my work over these many years.



## FRIENDSHIP

My colleagues were also a gift. On a faculty, you’re sort of stuck with each other. You have to learn to get along, to understand each other when you disagree—*especially* when you disagree, even over the oddest things. It’s an old academic joke that faculty politics are so heated because the stakes are so low.<sup>1</sup> I hope none of you is ever trapped in a meeting with 35 law professors about when the Law School should hold winter break.

Over the past 33 years, I have grown to appreciate the patience and wisdom of my colleagues. I also came to realize that, despite our differences, the faculty are more than my colleagues—they are my friends. In 1997, my wife, Nicea, and I lost our oldest child and only son, Alex, to a rare form of meningitis. He was attending college in North Carolina and had just accepted a mission call. It was a terrible time for our family, but the faculty made it less terrible. They came in the middle of the day to a very long funeral. They visited me in my office and took me to lunch and came to our home. One offered to teach my classes for the rest of the semester. No words are adequate for a loss like this, but they tried to find them anyway. They were patient with my lapses in productivity and were understanding of my outbursts over trivial things. For years after, they listened without judgment when I just wanted someone to know that it was Alex’s birthday, when he would have been some age that he will never reach.

Some of you have experienced this sort of loss; to those of you who haven’t, I pray you never do. But if it comes to you, I also pray that you will have friends like those I had and have on the Law School faculty. We mourned Alex’s death for a long time, and the faculty mourned with us.



WE MOURNED ALEX'S DEATH FOR A LONG TIME,  
AND THE FACULTY MOURNED WITH US.

## FAITH AND INTELLECT

I have not yet mentioned students. I confess that, at the beginning of my career, I did not appreciate students and thought of them almost as an inconvenience. Students are better than clients, to be sure—they can't tell you your bill is too high or make you stay up all night finishing their disclosure document. Still, I did not fully understand what they offered me until I came to BYU Law School.

I've taught constitutional law from the very start of my teaching career in 1985. I arrived at the Law School a few years later, during the opening salvos of the Culture Wars, where constitutional law is ground zero. Issues like abortion, access to contraception, affirmative action, critical race theory, feminism, LGBTQ rights, racial discrimination, religious exemptions, same-sex marriage, and sexism are all hard issues in a radically plural society like the United States—hard to grasp, hard to resolve, hard even to talk about, in and out of the Church. My BYU Law students are interested in these issues beyond legal doctrines and holdings and even their own commitments to one side or the other. They want to understand more deeply, to know what their intellectual and political commitments should mean for their spirituality, and to know what their spirituality should mean for their commitments.

Believers commonly experience a gap between politics, culture, and law on the one hand and covenants, discipleship, and testimony on the other. Bridging the gap between faith and intellect is hard and complicated work. Some people never succeed at it; they compartmentalize their spiritual and ideological selves, as if they belonged to different persons. Or they live in constant internal conflict and fear. Or, worst of all, they give up, erasing a part of themselves—their commitments or their spirituality. I wanted better for my students. I wanted to help them to integrate themselves, to work through the many and often-conflicting demands of intellect and faith.

So, in my 14th Amendment, Reproductive Rights, and Freedom of Religion classes, and others where it has made sense, I have set aside entire class sessions in which we openly and intentionally consider difficult constitutional issues and gospel teachings: Latter-day Saints and race, and abortion, and same-sex marriage, and sex discrimination, and exemptions from antidiscrimination laws, and so on. I assign general conference talks, sections of the Church's *General Handbook*, and thoughtful academic articles by Latter-day Saints and others on the many sides of these issues. Then we talk.

I try to let the students talk among themselves without intervening. You can imagine how difficult it is for a law professor to stay on the sidelines, but I am always rewarded when the students take the lead. Our students are smart, articulate, and faithful; they want to do what is right, but they're not always sure that the easy answers are the right ones. I've learned much from them over the years.

I have scores of these classroom memories, but I will relate just one. As most of you know, the history and development of the 14th Amendment is the history and development of race relations in the United States, principally between African Americans and the White majority. I sometimes haven't had many students of color in my 14th Amendment class, and often no African American students at all. One year, I decided we could do better than yet another class of mostly White people discussing what racism is and whether it is still a problem. I asked my research assistant if she could put together a panel of her African American classmates for this class, and she did.



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WHEN WILLIAM FINALLY  
MADE IT TO SALT LAKE CITY AT  
THE END OF NOVEMBER,  
ONLY FREDERICK WAS WITH HIM.

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*William Stimpson*

It was a remarkable experience. The five students on the panel were thoughtful and courageous. There they were, speaking with poise and honesty about their experiences of discrimination elsewhere and, lamentably, at BYU. Yet their very presence at the Law School also bore witness to their testimonies of the gospel. The other students were tremendous as well. They accepted the experiences of their Black classmates and engaged with the many dimensions of how to move forward from a present that no one wants but no one is certain how to fix.

I'm glad all these students were at the Law School. No one will ever convince me that diversity doesn't matter in education, because I have seen that it does. I have also seen the results of honest exchanges about the gospel and its relation to the tangled constitutional and political situations in our country. Some of you were present 50 years ago when BYU president Dallin Oaks charged the charter class "to get understanding, not to get done."<sup>2</sup> I'm grateful for students who fulfilled that charge and aimed at understanding, for others as well as themselves.

## CONSECRATION

Finally, my time at the Law School has taught me the meaning of stewardship. A phrase one often hears around BYU at contract time is "We assume an element of consecration when we set faculty salaries." This, I guess, is the theological version of Rex's apology. I understand the intent and endorse it, but still, I think it's off the mark. Let's be honest: the law faculty are paid to read books, give lectures, and publish articles without ever punching a clock. This hardly qualifies as sacrifice, even if we are paid a little below the market rate. Consecration has to mean more than this; I believe it does mean more.

I come from a convert family, but my wife, Nicea Stimpson, does not. Her third-great-grandfather William Stimpson joined the Church in England along with his wife Rebecca in the mid-19th century. They later heeded the call to gather their family to Zion. By then, William and Rebecca had two children: Frederick, who was almost four, and William B., who was one and a half. Rebecca was also expecting their third child. In May of 1856, this little family embarked on a five-week ocean voyage to Boston Harbor. From there, they took a series of trains across the East and Midwest to Iowa, where they joined the Martin Handcart Company. William B. died on the Wyoming plains near what is now Casper. Rebecca went into labor at Independence Rock, near Martin's Cove, and died in childbirth; she was 30. The baby boy she delivered died too. When William finally made it to Salt Lake City at the end of November, only Frederick was with him.

Perhaps *because* I come from a convert family, it took me a long time to claim any pioneer heritage as my own. I remember my first Pioneer Day as a BYU student; I just couldn't wrap my mind around all the hoopla. It was only after I came to BYU as faculty that I truly began to appreciate the pioneers. People are buried from here to Nauvoo so that we could be here today, in this hall, in this building, on this campus. They died for a future they would never see. Without them, there would be no BYU and no Law School. Provo would be another underpopulated dot on the vast deserts of the interior West.

Others have also made sacrifices—far less costly but still real. Founding BYU Law faculty member and former dean Carl Hawkins was a distinguished law professor at the University of Michigan, still today among the finest law schools in the country. He took his reputation and the accumulated capital of 15 years of academic success and bet them on the uncertain prospects of a brand-new law school in Provo. For nearly two decades, I have been privileged



BRADLEY SLADE

to hold the Guy Anderson Chair, named for a 20th-century attorney in southeastern Arizona. Brother Anderson was a significant benefactor of BYU Law early on when the Law School's success was not assured. He and many other donors have given amounts large and small to sustain and advance the Law School over our 50 years of existence. And, finally, as with all of BYU, the primary support for the Law School comes from tithing given by Church members. The most important sacrifices are those of the ordinary, anonymous Saints who pay that tithing without a whisper of a hope of ever coming here as students or faculty or employees.

I believe, as much as I believe anything about the Law School, that we owe all these people our very best—in time, in preparation, in care of students, in personal honesty, in intellectual integrity, in faith. This is a demanding standard, one I have often failed to reach. But it is the only standard worthy of what these faithful Saints gave. Someday I will pass on, and I will see Carl again and meet William and Rebecca and their children, and Brother Anderson, and all those numberless others whose true consecrations made my time here possible. I hope they will find my offering acceptable.

I hope they will find *all* our offerings acceptable. In that charge to the charter class, President Oaks referred to the privilege of participating in the “great venture” of a new law school at BYU. “It is our duty,” he said then, “to make it great.”<sup>3</sup> That duty has been discharged, I submit, because the Law School now *is* great; it now becomes our duty to keep it great. We can do so only by continued dedication to the same values by which it arose: academic freedom, genuine friendship, intellectual integrity, spiritual understanding, and consecration—all the gifts I’ve freely received as a member of the faculty.

I remember watching Kevin Worthen’s farewell testimony at the devotional in March 2023, when his release as BYU president was announced. “There is a God in heaven,” he declared.<sup>4</sup> And in the moment he said it, I knew it was true. There is a God in heaven, who loves His children and gave up His Son to save us from ourselves. I leave these thoughts with you in the name of that Son, Jesus Christ, the true and only Lawgiver, amen. [cm](#)

#### NOTES

- 1 Many people claim authorship, but the joke seems to have originated in the 1950s with Wallace S. Sayre of Columbia University. See Herbert Kaufman, “Communications: Letters to the Editor,” *PS* (American Political Science Association) 10, no. 4 (Fall 1977): 511.
- 2 Dallin H. Oaks, untitled address delivered at the opening ceremony of the J. Reuben Clark Law School in Provo, Utah, on August 27, 1973; in *Addresses at the Ceremony Opening the J. Reuben Clark Law School* (August 27, 1973), 15.
- 3 Oaks, *Addresses at the Ceremony*, 5.
- 4 Kevin J Worthen, quoted in “C. Shane Reese Will Be Brigham Young University’s 14th President,” Church of Jesus Christ, Newsroom, March 21, 2023, [newsroom.churchofjesuschrist.org/article/c-shane-reese-byu-14th-president](https://newsroom.churchofjesuschrist.org/article/c-shane-reese-byu-14th-president).



# A Bar Exam Alternative

BY RACHEL EDWARDS



adapt and innovate in crisis. The success of this temporary program led the Court to establish the Utah Supreme Court Working Group on Attorney Licensure, charged with reviewing and proposing potential reforms to Utah's legal licensing system.

BYU Law associate professor Catherine Bramble, '05, one of 14 legal professionals in the working group, is dedicated to creating a more efficient and effective

path to legal licensure in Utah. "The bar exam was developed and has been perpetuated over decades without a clear foundation in the competencies attorneys truly need," she says. The group considered the entire licensure process through many months of studying the issue, which included meetings with leading scholars in bar reform, the National Conference of Bar Examiners (which administers the current bar exam), law school deans and professors, and legal professionals from across the nation. They also examined findings from the Institute for the Advancement of the American Legal System's 2020 study, *Building a Better Bar: The Twelve Building Blocks of Minimum Competence*, a comprehensive study on attorney minimum competence that highlighted the failure of standardized tests to fully evaluate legal skills.

## Reevaluating Competence

In December 2022 the working group introduced a new licensing proposal, and Bramble is excited about the plan's possibilities: "The proposal is driven by data, focusing on the specific skills attorneys need, some of which the traditional bar exam doesn't assess. Our main question was 'How can we ensure competence?'" The plan includes several prerequisites: graduating from an ABA-accredited law school, passing a non-speeded written essay exam, and completing online training modules. It also requires 240 supervised practice hours after graduation, with at least 50 of those hours dedicated to pro bono work.

Since fall 2023, the group has been presenting the proposal and gathering feedback from judges, attorneys, law professors, and law students. Bramble notes, "Many attorneys are familiar with the bar exam they took long ago; they are less aware of the current bar landscape and the need for change. However, as practitioners become better informed about the current and future state of the bar exam, the changing dynamics of legal education, and the indisputable evidence from these new studies on minimum competence, there is a noticeable shift in perspective."

In recent years, there has been a push for diversity and inclusion in the legal field, leading many states to explore alternative routes to bar licensure. Bramble points out that the bar exam has a well-documented discriminatory impact; for

example, those who prepare without financial worries enjoy higher pass rates than those who work full-time or are unable to pay for prep courses. She sees the exam as overly burdensome for aspiring lawyers. "The exam's artificial nature—with time pressures, massive memorization, and high stakes—takes a toll on mental well-being and hampers students' preparation for real legal practice," she explains. "This is at odds with what should be best practice for actual attorneys, which is careful, thorough analysis of legal issues and opportunities to seek feedback from colleagues and supervisors."

## Collaborative Efforts and Impact

Bramble credits Utah's bold reevaluation of attorney licensure to the collaborative efforts of a forward-thinking Supreme Court and Utah's two law schools. "Former BYU Law dean D. Gordon Smith has supported this cause from the beginning," she says. "His commitment, innovative thinking, and openness to unconventional solutions were crucial. The Utah Supreme Court's thoughtful approach and willingness to innovate, when the evidence justifies doing so, sets it apart."

The Court is expected to decide whether to adopt the proposed alternative path within the year. Even if the proposal isn't adopted in Utah, it is adaptable for other states. Utah's legal community is committed not just to overcoming current challenges but also to actively shaping the future for the next generation of lawyers throughout the country.

**I**s it time to revolutionize attorney licensure? Most states require attorneys to pass the Uniform Bar Exam, a test requiring extensive memorization. Should law school graduates have an alternative path focused on supervised, real-world legal work?

## Crisis Spawns Innovation

In spring 2020, administration of standardized tests including the bar exam was shut down due to COVID-19. The Utah Supreme Court boldly adopted an emergency diploma privilege, allowing more than 170 recent law school graduates to become licensed Utah lawyers by meeting a list of requirements, including 360 hours of legal work supervised by a licensed Utah attorney. These graduates could bypass the bar exam and get to work. This initiative showcased the Court's ability to

# 50 Years of Change at BYU Law

BY J. CLIFTON FLEMING JR., ERNEST L. WILKINSON CHAIR AND PROFESSOR OF LAW

This article is adapted from remarks delivered at *BYU Law School's Founders Day* on August 31, 2023.

People sometimes say to me, “Cliff, you’ve been at *BYU Law* a long time. What’s the most important change you’ve seen?”

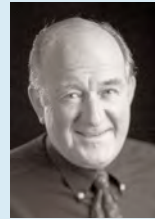
Well, there are many candidates. First of all, the Law School has strengthened its connection to The Church of Jesus Christ of Latter-day Saints during a time when American legal education has become ever more secular. Another change is that the Law School’s reputation has increased exponentially, most recently on Dean Gordon Smith’s watch. In 1973 it was an obscure law school in a flyover state. In 2023 multiple rating organizations recognize *BYU Law* as a leading educational institution.

We have provided an educational program that has produced thousands of well-prepared lawyers across a broad range of legal practice areas who have used critical skills to help clients, become effective public servants at all levels of the bench and bar, served humanitarian needs, provided leadership in governments, and served at all levels of our sponsoring institution, The Church of Jesus Christ of Latter-day Saints. We’ve also figured out how to turn experiential learning from a very expensive exercise with uneven educational benefits into a program that fits within budget and has produced important innovations that are recognized nationally.

Another obvious candidate for the most important change is the law building, which is simply a different place now than it was before. Its footprint was enlarged significantly by the library addition, accomplished on Dean Reese Hansen’s watch. Our beautiful library is one of the best among American law schools. In 2014, Dean James Rasband’s dramatic renovation transformed the central building’s interior from a functional—but, let’s face it, bland—1970s area into an airy, modern space.

Additionally the quantity and quality of Law School scholarly output has increased significantly over the past 50 years. Our faculty has produced a wide-ranging body of scholarly work that is respected for its rigor, thoroughness, and depth. On those occasions when faculty members write in ways that support our sponsoring church’s positions, their work is taken seriously and is not dismissed as mere parochial pronouncements from a de facto hired clergy.

But for me, the most important change has been the increased enrollment of women. Of course, in 1973 there were undeniable cultural obstacles in Latter-day Saint society to the idea of women attending law school. And so it’s no surprise that when I recently went to where the Law School’s graduating class pictures hang on the wall and found the charter class photo, I counted 10 women in a class of 150. Do the math. If we round up, that works out to 7 percent. The percentage of female students has gradually



increased over the years, and for some time now women have accounted for well over 40 percent of each entering class. In some years, we have 11 classes where the percentage of women is over 50 percent.

This progress in female enrollment has been matched by changes in our Law School’s leadership. Both of our current associate deans are women. The number of women in our faculty has gone from zero in 1973 to 13 in 2023. Women now occupy a substantial portion of the leading administrative staff positions in the Law School. Female students are regularly editors-in-chief of our scholarly publications, leaders in our student organizations, and among the top-performing students in our classes.

Another reason that the increased influence of women has been the most important change that I’ve observed over the past 50 years is that it has produced important substantive change. Our students graduate much better prepared to enter the modern legal workplace in which they will work with women who are either professional equals or their superiors. In addition, the interests and influence of women significantly broadened our curriculum and added variety to our teaching approaches, institutional concerns, and service activities. And women bring views and insights to the table that men miss.

Although our law school was really good in 1973, and the charter class got a legal education that was competitive with the very best American law schools at the time, *BYU Law School* in 2023 is a substantively richer place because of the increased presence of women in the faculty, administration, and student body.

As the Law School has progressed and improved over the past 50 years, leadership and faculty constantly revisit President Dallin H. Oaks’s six priorities for the school: to ① “be part of Brigham Young University in all respects,” ② “be worthy of [J. Reuben Clark’s] name,” ③ “promote loyalty and understanding of the Constitution,” ④ “foster an enlightened devotion to the rule of law,” ⑤ “approach the law from a scholarly and objective point of view,” and ⑥ “concentrate on teaching fundamental principles of law.”<sup>1</sup> I believe that we’ve done well and that as J. Reuben Clark and Marion G. Romney, a prime mover in the establishment of the Law School, consider things from their perspective on the other side of the veil, they are pleased with our progress. However, the quest for continual advancement is far from over—and indeed is never-ending.

#### NOTE

- 1 Dallin H. Oaks, untitled address delivered at the opening ceremony of the J. Reuben Clark Law School in Provo, Utah, on August 27, 1973; in *Addresses at the Ceremony Opening the J. Reuben Clark Law School* (August 27, 1973), 7–13.





Dean David H. Moore



## Giving Back

### 50TH ANNIVERSARY SERVICE PROJECTS

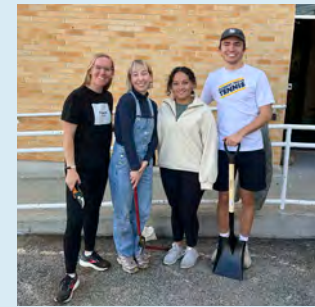
#### Community Action Services and Food Bank

This food pantry plays an essential role in providing for the needy in the Provo area. Ten BYU Law student volunteers helped with many tasks, including restocking shelves and painting donation bins. Ginnie Pace, 2L, organized this uplifting night of service. Pace says the event “prompted students to step away from their studies and be reminded of the Law School’s mission to give back to our community.”



#### Lifting Hands International

BYU Law volunteers learned about Lifting Hands International’s work to help displaced families adapt to living in a new environment. Volunteers got to work assembling hygiene kits and writing uplifting notes and welcome signs. One student taught other volunteers how to write “you are loved” in Russian to give Russian-speaking refugees a kind message in their native language. The event encouraged students to look beyond themselves and use their talents to uplift and serve others.



#### Asian Association of Utah

The Asian Association of Utah’s Trafficking Victim Support Drop-In Center invited BYU Law students for a morning of service. The center provides needed aid—such as clothes, medical services, food, and therapy—to people in crisis within the community. A team of students, along with other members of the community, grabbed gloves and shovels to weed, pick up trash, and improve the landscaping. Participants look forward to maintaining contact with the organization and volunteering again.



Alumni Speaker  
John Kwarm, '13



## BYU Law 50th Anniversary

### CELEBRATING THE LIFE AND EXAMPLE OF REX E. LEE

To kick off BYU Law's 50th anniversary celebration, Professor Thomas R. Lee and Janet Lee Chamberlain told stories about their respective father and husband—BYU Law's first dean, Rex E. Lee. They shared memories from the founding of the Law School and Lee's tenure as dean, as solicitor general of the United States, and as president of Brigham Young University.

Chamberlain recalled Lee's surprise as he was elevated from the search committee to being asked to serve as dean, observing that he was then a young lawyer and adjunct law professor at the University of Arizona. "He wasn't much older than some of the law students," she remembers, yet he successfully recruited faculty and students to an unaccredited law school. "He was so engaging. People wanted to be where he was." Chamberlain attributes Lee's success as dean,

advocate, parent, and friend to his complete engagement. "Whatever he was doing," she says, "he was focused on the present." Lee is remembered for his gusto and for his genuine excitement about others' accomplishments and talents, whether it be a colleague's intellect or his daughter's cheerleading moves.

Professor Thomas Lee expressed admiration for his father's authenticity and integrity and shared excerpts from Lee's last address to BYU students in 1995, titled "Honesty and Integrity." In the speech, he emphasized the importance of ethics and "the distinction between what you have a right to do and what is the right thing to do." Above all, Lee was committed to the eternal truths of the gospel of Jesus Christ, and he admonished students that these truths are more important than anything they learn in law school.



Assistant Dean Lynnett Rands, '93,  
and Hannah Biesinger, 2L



# Generations of Influence

## BYU Law's Founders Day Panel

BYU Law's 2023 Founders Day Dinner featured an alumni panel of family duos including Erin Cranor, '20, and her daughter Erin Cranor, '23; Danny Walker, '05, and his daughter Anna Mae Walker Arner, 3L; and Monte Stewart, '76, and his granddaughter Bonnie Stewart, 2L.



"My experience at BYU Law has helped me emulate Christ's example in my legal practice. Prioritizing Christlike attributes has guided my interactions and has had a material, positive effect on my work."

**Erin Cranor, '20**

*Associate University Counsel,  
BYU Continuing Education*

"My journey at BYU Law has led me to a place where I can comfortably accommodate both certainty and ambiguity. It has allowed me to reach a point where both my faith and intellect can thrive simultaneously."

**Bonnie Stewart, 2L**

"Several months ago, I was studying in one of the Law Library conversation rooms, and my infant daughter rolled over for the first time. I started clapping—and when I looked up, there were five or six people clapping with me! I felt so supported by the BYU Law community, and that moment encapsulated how I am living out two dreams at once."

**Anna Mae Walker Arner, 3L**



"One of my cherished memories from the Law School involves the Achievement Fellowship Program, which provides scholarships to students who have overcome significant adversities on their path to legal education. When a member of the inaugural class of Achievement Fellows became engaged to a fellow classmate, the director of diversity, equity, and belonging at BYU Law, Barbara Melendez, organized an engagement celebration for them. There is genuine camaraderie among BYU Law students and faculty."

**Erin Cranor, '23**

"After his remarks at the graduation ceremony for the class of 2005, President Gordon B. Hinckley and I made eye contact and he winked at me. In our household, a simple wink has become a cherished way for us to convey love, an expression of 'I love you just as you are, right where you stand.' Incorporating this gesture into my life affirms my gratitude for being part of a law school community where such an unexpected connection could transpire."

**Danny Walker, '05**

*Investor, Amoeba Investments LLC*



"I attended the BYU Law School building dedication 48 years ago as a third-year law student. Following the ceremony, I approached President Marion G. Romney, a pivotal figure in the establishment of the Law School, and expressed my gratitude. He responded with seven words, delivered with a gaze that seemed to penetrate right through me: 'See that you do something with it.' I hope every graduate of BYU Law, including my granddaughter, will remember those seven words."

**Monte Stewart, '76**

**Monte Stewart, '76**

*Law Clerk for Chief Justice Warren Burger of the United States Supreme Court (1977-78); Founding President, Marriage Law Foundation; Former US Attorney for Nevada; Former Special Assistant Attorney General and Counsel to the Governor of Utah*



Mike and Elizabeth Mower and their daughter, Grace.

## One Extraordinary Briefcase

J. Reuben Clark Jr.'s leather briefcase, acquired while Clark was serving as the US ambassador to Mexico from 1930 to 1933, is now on display in the BYU Law Library. The briefcase is engraved with Clark's initials, the word "Mexico" on the bottom edge, an image of a golden eagle holding a rattlesnake in its beak (depicted on Mexico's coat of arms) on one side, and an image of the Aztec calendar on the other side. The briefcase is on loan from Clark's great-grandson Michael Mower.

"I used it quite a bit while I was an undergrad at BYU," Mower recalls, "but then I thought, 'This is pretty old. I had better preserve it!'" Mower

is currently senior advisor of community outreach and intergovernmental relations for Utah governor Spencer J. Cox. Defending his decision to attend the University of Utah for law school, Mower insists, "J. Reuben Clark would have approved of my saving two years' worth of housing costs by living with my parents in Salt Lake!" Mower's office at the capitol is chock-full of ephemera from Clark's life. "He was a collector and that's something I inherited from him, but there is only so much room on the bookshelves," he explains. BYU Law is fortunate to lighten his bookshelf load by one extraordinary briefcase.

## The World Needs Doers

**By Steven W. Bennett,**  
'90, BYU Law's 2023  
Honored Alumni

*Delivering BYU Law's  
2023 Honored Alumni  
Lecture on October 19,  
2023, Bennett shared  
wisdom from his 30  
years of law practice,  
including starting his  
own law firm.*

Throughout my life and career, I've learned the importance of the exhortation in the first chapter of James: "Be ye doers of the word, and not hearers only" (James 1:22).

Doers must be decisive. Issue-spotting is one of the first skills law students learn. In the role of counselor, we analyze fact patterns and highlight risks that may have never occurred to our clients. However, attorneys who are very good at issue-spotting are also prone to revisiting problems and decisions repeatedly. Attorneys serve their clients best by moving from counselor to advocate, to help clients make decisions and move forward.

I always encourage future lawyers to build, to create, and to find ways to help others achieve their goals. The same advice applies to all practicing attorneys. Do not give in to your fears and find reasons to stand still. Build your practices and create businesses. Go out and do! You will find satisfaction in your careers, and you will bless many others along the way.



# BYU Law's Vibrant LLM Program

BY RACHEL EDWARDS

**B**uilding on decades of educating lawyers with law degrees from outside the United States, BYU Law continues to expand its LLM program. The eight-month curriculum covers the fundamentals of US law and affords students electives tailored to specific practice areas. LLM graduates exemplify excellence in their legal practices as well as strong ethical and moral principles in their professional and personal lives. When they return to their home countries, graduates improve their communities, broaden BYU's influence, and foster global legal opportunities.

## Enriching the BYU Law Community

LLM candidates face many obstacles when they pause their legal careers and move to the US to study full-time. They uproot their families, navigate cultural differences, and learn sophisticated concepts in a non-native language. BYU Law professor Eric Talbot Jensen, who has LLM degrees from Yale and The Judge Advocate General's School, has directed the LLM program for the last decade. He marvels at these attorneys' courage and resilience.

Aware of the sacrifices LLM candidates make, BYU Law ensures that they are warmly welcomed. Jensen notes, "Our faculty and staff extend their hospitality beyond the classroom, inviting students into their

homes and creating a warm, inclusive atmosphere. This level of care and acceptance from faculty, staff, and fellow students is crucial."

In turn, LLM students enhance the BYU Law community. Jensen observes, "Traditional students have the unique opportunity to learn alongside experienced international attorneys, thereby broadening their perspectives with diverse legal insights and practices."

BYU Law is a natural fit for foreign attorneys: many members of the Law School community have lived outside the United States, and more than 80 percent of the student body speaks two or more languages. Additionally, the Law School is home to the International Center for Law and Religion Studies (ICLRS), which hosts annual conferences for attorneys, government officials, nonprofit organizations, and religious leaders from around the world for the purpose of expanding and deepening religious freedom globally.

## Expanding the Program

The LLM program has attracted practicing attorneys from Europe, Central and South America, and the Middle East. The program's outreach efforts have been highly effective in Jordan, with practicing judges joining the program and then returning home to take on prominent leadership roles. J. Reuben Clark Law Society



(JRCLS) chapters across the globe also promote the LLM program, an effort that has been particularly effective in Mexico and Brazil.

BYU Law is currently expanding its LLM recruiting efforts and JRCLS presence in Paraguay, Uruguay, and Argentina, and Jensen is preparing to focus next on the Philippines, South Korea, and Japan. "We recruit strategically from countries with evolving legal systems and growing Church communities, aiming to elevate the status of Church-affiliated attorneys in those regions," he says. The 2024 LLM class includes attorneys from five countries new to the pro-

*LLM class of 2024 with professors Eric Talbot Jensen and Lily Mott.*

gram: Egypt, Liberia, Nepal, the Philippines, and Tanzania.

In selecting candidates, BYU Law sets high standards. "In our pursuit to expand the LLM class, we emphasize the importance of English proficiency for academic success and overall satisfaction, setting high language standards for a positive educational experience," Jensen explains. "Given that applicants are already qualified, licensed attorneys in their countries, BYU's selection process additionally evaluates their potential to leverage

the prestigious US law school credential.”

BYU Law welcomes applicants from varied backgrounds and legal traditions. While many LLM students are Church members, attracting applicants of other faiths, who add to the program’s cultural and intellectual diversity, is also a priority. Jensen is dedicated to the program’s continued growth, in part because it can “connect exceptional individuals from around the globe,” he says.



#### **Samuel Morales, LLM '20**

Samuel Morales, LLM '20, a corporate attorney from Mexico City, was the BYU LLM program’s first graduate from Mexico. Morales’s early life in Michoacán, Mexico, shaped his career. “I attended a rural school along with many Purépecha Indigenous students who had no shoes and often fainted from malnutrition. I also suffered discrimination and mocking from my teachers for my religious beliefs,” he says. “These early childhood experiences heightened my sensitivity to social injustice. Years after graduating from law school, I came to appreciate that attorneys have great power to curb injustice and effect policy change.”

Morales has done just that, dedicating his practice to

serving nonprofit and religious organizations in Mexico and working on asylum cases for refugees from countries including Nicaragua, Afghanistan, Ukraine, and Venezuela. He is also involved with many initiatives throughout Latin America promoting religious freedom.

“I view this work as both a personal obligation and a moral responsibility,” he says.

As with many of his peers, his decision to pursue an LLM at BYU Law was not made lightly. Balancing a legal career with family responsibilities and the challenges of moving abroad for an additional degree seemed daunting. But a trip to Utah, which included a meeting with Professor Jensen, set Morales on a journey of preparation. “It took me almost three years to improve my English skills and to become mentally and financially prepared to leave my life in Mexico temporarily and come to Provo with my family,” he says.

Morales’s time at BYU Law was transformative, offering him both a valuable perspective on the US legal system and a credential that sets him apart. “Earning an advanced degree from a top US law school has positioned me to compete at a higher professional level, distinguishing me in a country with many legal professionals,” he says. Morales emphasizes the holistic nature of his education at BYU Law, which was not only academically rigorous but also “personally, professionally, and spiritually refining.”

He offers practical advice for future LLM students: “During your time at BYU Law, lean on the program coordinators and embrace the nurturing environment at BYU Law. You’re never alone in your journey there.”



#### **Dana De León, LLM '24**

Dana De León, LLM '24, who has a law degree and a master’s degree in human resource management, is a current LLM candidate from Mexico. While working for a New York-based boutique law firm in Guadalajara specializing in intellectual property, she received a text from Morales’s sister suggesting that she attend an in-person informational event about BYU Law’s LLM program. De León says, “It felt like a sign, pushing me to apply and pursue my dream of expanding my legal knowledge, especially in common law, which is crucial for understanding the foundational principles behind my practice.”

De León got married one month before beginning the LLM program, and she and her husband decided it was best for him to stay in Mexico to continue his career. Although the separation is challenging, De León knows the sacrifice is well worth it, and she is grateful for the ease of international phone calls and video chats. “We dated for nearly six years before we were married—I miss my husband!” she says. “I went home for the holidays for three

weeks to be with him, and it was hard to come back, but he always tells me, ‘I will be here waiting for you.’”

De León is thrilled about her personal growth at BYU Law, not only through coursework but also through interactions with her peers. Most important has been her work with ICLRS, where she regularly researches articles for the newsletter and helps with events such as the annual ICLRS International Law and Religion Symposium. She particularly enjoys meeting delegates from all around the world. “Engaging with these religious leaders has not only broadened my professional network but also enhanced my perspective on how diverse legal systems interact with religious and cultural norms,” she says.

Looking ahead, De León is considering the Optional Practice Training program, which provides LLM graduates an opportunity to work in a US law firm for up to one year to gain further experience in the US before returning to their home countries. She says, “This is optional, but I want to keep learning, so if I have the opportunity, I would like to do it!”



# The Most Educated Man on Campus

## Retiring Professor Dennis S. Sears

BY MAREN HENDRICKS

Well, I'm kind of a degree packrat!" admits Professor

Dennis Sears, '85, who will retire as BYU Law's senior law librarian after 35 years. Sears nonchalantly recounts his stunning accomplishments like a grocery shopping list: ① master of strategic studies from the United States Army War College, ② master of library and information science from BYU, ③ joint JD/MBA from BYU, ④ master of arts in modern European history from BYU, and ⑤ undergraduate degrees in German and psychology from BYU. He and his wife leave in June to serve as military relations missionaries at the US Army and Air Force Joint Base Langley-Eustis in Virginia.

Sears had his eye on a career as a military officer while he was an undergraduate at BYU. But after two years of active duty with the US Army, he settled instead on a master's in European history, intending to become a history professor—only to find upon graduation that universities were flooded with history professors. Pivoting again, he recounts, "I ran into a guy who told me about the JD/MBA program at BYU, and that was more interesting than other things I had thought of. So I took the LSAT and GMAT and did that!" After clerking for Fourth Circuit judge Boyd L. Park, Sears worked as an appeals officer with the Salt Lake County Tax Administration: "I had the MBA background so I could review all of the financials, and then I

could do discounted cash flows and things like that before rendering my decisions."

But one day BYU Law asked if he might be interested in a library faculty position. Apparently, Sears had done a very good job working at the reference desk during law school, and somebody noticed. Always up for a new adventure, he accepted. "It was a lifestyle decision, but this has never been just a 40-hour-a-week job," he says. The next degree in his quiver: a master of library and information science. "Well, I got my MLS because I was here at BYU, and I figured I really needed to learn the ins and outs of things. So, I went and got that." After earning his fourth postgraduate degree, Sears was promoted to full colonel in the Utah National Guard and was presented with the opportunity to add the rarest (and most intimidating) degree yet. "I didn't really want to go to war college," he recalls. "And I just kind of said, 'No, I'm not interested.' And then I had a two-star general put his finger on my chest and he said, 'You need to go to war college.' Well, you know, what do you say?"

BYU Law is fortunate that Sears did not become a history teacher, financial wizard, or military commander. Instead, he chose to focus on maintaining the BYU Law Library's international law materials. This is no small task. After decades steeped in this area, he admits he still feels swamped all the



time. There is an enormous volume of material; just finding the correct materials can be challenging, even for the uber-competent Sears. The task can easily overwhelm students, but Sears, in his soothing manner, explains at the beginning of his International Legal Research classes, "American law is one jurisdiction. Here are about 200 jurisdictions. Just remember your first-year legal research class, because those same skills apply, in most part, to these other jurisdictions."

At the end of the day, Sears's greatest joy is teaching. His exposure to excellent brief writing as a judicial law clerk informs his advice to students: "I always begin the semester emphasizing that first-year research and writing is the most

important class in law school. I don't think any of my students believed me until after their summer internships. I've had students come back and tell me, 'It was exactly like you told me!'" Sears is adamant that students become lawyers who are prepared. "They have to know the cases they cite inside and out in order to argue them. They have to master the materials."

Carly Madsen, 3L, appreciates the impact Sears has had on her education. "Despite his prolific career, Professor Sears conducts his work with a great deal of modesty and is always happy to spend time helping students," she says. "He has always shown a genuine interest in my life and future, which is a trait I think all great teachers have in common."





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