

January 2019

Dear Friends and Supporters,

As we begin 2019, Southeast Law Institute will continue to set an example for civil discourse. We expect during this year to engage in a number of legal and political contests. Public and political discourse is at a very low point. Rather than civilly debate, people harangue and demonstrate.

SLI has always practiced respect for its opponents, though we have faced some very difficult circumstances. Most of our opponents are worthy and we respect their efforts. There have been, however, those who do not earn respect because of their disingenuous, disrespectful and deceitful approaches to the issues. This month's Educational Update encourages a respectful approach to debate, regardless of the opponent.

In December we were discouraged to see Supreme Court Justice Brett Kavanaugh side with liberals in not agreeing for SCOTUS to review cases related to defunding Planned Parenthood in their state Medicaid programs. These cases did not directly deal with the right of abortion, but rather the right of patients to sue a state and require it to let the patient have whatever healthcare provider he or she wants. Planned Parenthood sponsored these lawsuits when several states found Planned Parenthood not qualified. Kavanaugh joined with Chief Justice John Roberts and the liberals on the Court to not grant review.

Justice Clarence Thomas took them to task about this and suggested review was rejected simply because Planned Parenthood was involved. The reality of it seems to be a question of federal procedure and the right to sue.

Notwithstanding all of this, we do not want to read too much into it. The case was not really about abortion. Justice Kavanaugh likely had reasons for not wanting to review the case. We continue to believe that four Justices on SCOTUS will agree to review an appropriate case dealing directly with the abortion issue. We cannot predict the outcome, but as we explained in our December 2018 Educational Update, we believe the issue should be revisited.

We look forward to providing you information and analysis during 2019. Please let us know if we can be of any assistance to you. We are always glad to provide legal advice and assistance without charge on the issues to which we are committed. Thank you for your continuing support.

Yours very truly,

A. Eric Johnston