

**Commencement Address
Catholic University of America
Columbus School of Law
Washington, DC; May 28, 2010**

President O'Connell, Dean Miles. Faculty, Guests and most especially
Graduates:

What a fine day you all have brought forth-- through learning, studying, teaching, testing, achievement, hope, patience, persistence, travel and expense and encouragement. All of you here have contributed to one or more of these. They are the stuff of everything good and worthy in every setting throughout life, including law. In the drama of legal education, there are many roles. All are important because they work together to create something important, namely professional capability to do good, serve others, settle disputes, right wrongs, and generate joy. So this ceremony honors not only the newly-equipped lawyers, but everyone single soul in this great Basilica. Congratulations to all.

Cathedrals, on the outside as on the inside, reflect the majesty of God as we see God darkly, as through a glass. Courthouses contain symbols of humankind's age-old ambition to see justice done. These places remind us of what is most important in our journey through life—creation, continuity and community in the case of cathedrals and in the case of the courthouse, compensation, correction and coordination. Ceremonies like this commencement represent great passages in one's life. How fitting that we celebrate the graduation of these law students in this cathedral! Today, yesterday's students become tomorrow's lawyers. They will go forth to courthouses and other

venues to practice law, that is: to advise, assist and represent clients. That is what commences.

Standing before those young people, you see an older man, head covered by wispy, white hair, a lawyer since his own graduation 44 years ago, and an appellate judge for the last 22 years. So what did he observe and discern during four decades and four years that may be worth your attention? I have sought to distill it all into six propositions, three to reject, three to embrace.

First, I address the three signposts you will see as your journey through a career in the law that you must ignore and pass by.

One: Lawyering is a way to make big money, get rich, earn a million dollars a year, wear thousand dollar suits, be a big shot.

Two: Law is a tool to compel others to do what you would have them do or make them pay if they refuse, an instrument of coercion in the hands of a lawyer.

Three: If an act is “legal” it should be condoned, proposed, done.

One sees such hints almost everywhere in our culture which is so materialistic, money-crazed, power-mad, media-obsessed, and deeply-divided. First example: legal newspapers now list the annual compensation of partners in nearly every law firm. So young lawyers with job options are encouraged to sell themselves to the highest bidder. That can lead, if one is not careful, to a life of salaried slavery. It is the worst possible criterion for selecting a place to do law. An example of the second signpost is embodied in the lawyerly threat: “If you don’t do X, we will sue you.” The third example: If the law does not proscribe a particular act, it is acceptable in society, presumably appropriate, useful, fair and moral. False! That is a mere rationalization. A friend

defines “to rationalize” as when we tell ourselves “rational” “lies”. Another friend with a slight speech defect pronounced “lawyer” so it came out “liar.” So beware.

What then of signposts to heed and the paths to follow?

One: Law as a learned profession requires life-long study. So graduates: you did not complete your law studies; you completed just the first three years. I am now in year 45. Constant learning will make you a better lawyer and a happier person. Further, to learn law fully, you must also teach law. No, I do not urge everyone to become a full-time law teacher. I do, however, urge each of you to find opportunities-- at conferences, bar associations and law schools-- to learn by part-time teaching. So in choosing where to practice law, seek not salary, but learning opportunity. What office best supports personal professional development? Which place offers the best mentors? Learning beats earning—by miles.

Two: Politics is a power profession, but law is a service profession, like medicine or the religious life. It should be a calling, a vocation. Your highest role is to advise and assist others; you are not the decision- maker, the risk-taker, the reward reaper, but that person’s counselor. Sometimes you advise your client to sue. But as Abraham Lincoln aptly noted, a lawyer’s highest calling may be to dissuade the client from filing an ill-advised suit. So, don’t call yourself “lawyer” or “attorney” but call yourself, “counselor”, and consider the full connotations of that word: a wise and dispassionate, logical, informed advisor attuned to the fundamental long-term best interests of the client.

Service also means working for the community and the poor. So consider pro bono representation as a part of your practice. Contemplate alternating between private and public forms of law practice. Last Saturday, the Associate Attorney General of the

United States was the speaker at an Inn of Court's annual dinner. The Judge who introduced him noted that despite high success in a lucrative practice with a premier law firm, the speaker is now embarked on his sixth public lawyering role. That, my young friends, is a career worth having! Both parts of it.

Such service will mean some sacrifice. But it is readily tolerable, especially when the stints in private practice can replenish family finances. I myself chose a continuing career of public service for all 44 years since my own graduation from law school. That too is tolerable. I may have fewer assets than many lawyers, but I have no regrets and savor many satisfactions.

Three: Life in the law, as elsewhere, is meant to be joyful. So, search for joy, seek satisfaction, sow self-respect, secure the respect of others. Build a career by earning a reputation, a true asset. That is far better than earning big money. But such seeking means changing jobs whenever you encounter the absence of learning, service and joy. I have been fortunate to have loved every job I ever got. And so still today. I cannot wait to go to the office each morning. But many jobs are not so. Know then both where best to start and when to depart. When the job with the firm or company or other entity no longer satisfies, be bold and leave. That is not quitting, but upgrading. You will soon land a new job, and a better one. Believe it.

Now, I am aware that today any law job is difficult to find. Therefore, talk of being selective and advice about leaving sounds oddly impractical. But also consider this: not all fulfilling jobs for the legally-trained are in law itself. For example, many business leaders are recovering lawyers, and America's most famous lawyer was once a community organizer, before becoming Senator, then President.

Sometimes, the most useful jobs are the least obvious. In my own life after law school, one of the richest experiences was undergoing basic combat training as a private in the Army Reserves. Why? Because it intensely involved learning, service, testing, respecting others and self. It yielded the lowest pay but lasting rewards of the highest value. So be alert to look for worthy work in unobvious places.

You graduates from Catholic University's Columbus School of Law, consciously or not, have received one of life's greatest gifts. It actually is not the diploma you receive today, nor the legal knowledge you acquired over the last three years; rather it is the example you witnessed of your law teachers who daily pursue legal learning, service to others and the joy of teaching. I expect that every one of you has been deeply touched, inspired and influenced by a number of faculty members. Remember them, visit them, imitate them. Just last week I dined with my evidence professor from 1965. It was deeply rewarding. The examples you have experienced in school lit the spark that fans into flame that will light and warm your life-long way in the law. Remember that in law, teacher is also student and student, teacher. In the words of the Savior then, "Go forth therefore and do likewise". Pursue learning and teaching, serve human needs, seek to write wrongs and advise clients in the ways of peaceful resolution of disputes. And above all seek joy in your days of lawyering. Godspeed!