

12-16-2009

WESTERN NEW ENGLAND COLLEGE SCHOOL OF LAW CONVOCATION SPEECH

Michael S. Greco

Follow this and additional works at: <http://digitalcommons.law.wne.edu/lawreview>

Recommended Citation

Michael S. Greco, *WESTERN NEW ENGLAND COLLEGE SCHOOL OF LAW CONVOCATION SPEECH*, 28 W. New Eng. L. Rev. 1 (2005), <http://digitalcommons.law.wne.edu/lawreview/vol28/iss1/1>

This Speech is brought to you for free and open access by the Law Review & Student Publications at Digital Commons @ Western New England University School of Law. It has been accepted for inclusion in Western New England Law Review by an authorized administrator of Digital Commons @ Western New England University School of Law. For more information, please contact pnewcombe@law.wne.edu.

Volume 28
Issue 1
2005

WESTERN NEW ENGLAND LAW REVIEW

SPEECH

WESTERN NEW ENGLAND COLLEGE SCHOOL OF LAW CONVOCATION SPEECH†

MICHAEL S. GRECO*

President Caprio and Dean Gaudio, you have honored me greatly by bestowing on me the President's Medallion. I am deeply touched and moved. Thank you. And thank you for your very gracious and warm and introduction.

I am delighted to be here with you, the students of Western New England College School of Law, and to be surrounded by so much energy. And you should be energetic: you are embarking upon a new school year and laying the foundation for a productive career in the law.

I remember how I felt as a law student, more than three de-

† Michael S. Greco gave this speech at the Western New England College School of Law convocation ceremony on August 23, 2005 at Western New England College in Springfield, Massachusetts. This speech is © 2005 by the American Bar Association. Reprinted with permission.

* Michael S. Greco is the President of the American Bar Association and a past president of the Massachusetts Bar Association. He is a former member of the American Bar Association House of Delegates, and a former Massachusetts State Delegate. He was a partner with the law firm of Hill & Barlow for thirty years before he joined the law firm of Kirkpatrick & Lockhart Nicholson Graham LLP in 2003. He is a graduate of Princeton University and Boston College Law School.

cares ago. I was energized and fascinated, as you are, by the study of law and the possibilities I saw before me. I was also anxious about the next stage of my life, knowing that I loved the law, but not sure where it would lead me. I remember that worry, and I imagine that some of you feel it now. But standing here on this side of the lectern, I see things a bit differently. I see the hope, and the promise, and the joy, of your future.

You have reasons to be joyful. You are preparing yourselves for a profession that, depending on the choices you make, can give you great fulfillment and satisfaction. Without a doubt, you will be in a position to influence the lives of countless people, and the direction of your country.

Those of you who go on to become practicing attorneys will work on hundreds of cases. They will earn money for you. For some of you, a great deal of money. And that will give you a certain power and freedom.

But if affluence and power are all you seek, and all you gain, I believe that you will not find much joy in our profession.

Seventeen hundred years before Christ, in the opening paragraph of the first written code of the law in the world, Hammurabi wrote: "The purpose of the law is to protect the powerless from the powerful."

I believe that the purpose of being a lawyer today—almost 4000 years after Hammurabi's code—continues to be protecting the powerless from the powerful. The joy of being a lawyer comes from using your legal training to help human beings in need, and to help improve society for the benefit of all, regardless of their economic or social status. The joy comes from doing well, but also from doing good.

As you heard in President Caprio's introduction, I became President of the world's largest professional organization, the American Bar Association, at our annual meeting two weeks ago in Chicago. The ABA is comprised of more than 405,000 members from all across the country and around the world. We represent all aspects of the legal profession: business and trial lawyers, prosecutors and defense attorneys, judges, law professors and law students.

I am very pleased that law student membership in the ABA is at an all-time high: more than 50,000 law students and recent graduates across the country belong to the ABA. Many of them are active in the Law Student Division, which offers a wide range of leadership opportunities and benefits for students, including the

award-winning *Student Lawyer* magazine. I encourage you to speak with your ABA representative, Julia Lentini, about opportunities to participate in the Law Student Division.

The members of the ABA have a responsibility—one that we take very seriously—to uphold the rule of law, to ensure the fair administration of justice, and to serve the public by improving the legal system. The ABA's motto is "Defending Liberty and Pursuing Justice."

One of our greatest responsibilities is to educate people about the law and the importance of an independent judiciary and legal profession. At a time when most people get their information about lawyers and judges from television dramas, staged courtroom shows, or high profile celebrity trials, it is especially important that lawyers explain how our legal system operates to defend the rights and liberties of all.

Unfortunately, lawyers and judges are under renewed attack from politicians, pundits and opportunists—on the left and the right—who would tear down our courts and the legal profession for short-term gain. Your knowledge of these institutions, along with your commitment to equal justice under law, will help you defend and strengthen them.

Today, the stated mission of the ABA is "to be the national representative of the legal profession, serving the public and the profession by promoting justice, professional excellence and respect for the law." Goal X of the ABA specifically is to "preserve and enhance the ideals of the legal profession . . . and its dedication to public service."

Let me step back for a moment and tell you a little about my own journey.

I was born in Europe, came to this country at the age of seven from a small village in southern Italy, and grew up in a small town just west of Chicago, near my mother's birthplace, where I received an excellent public school education. After graduating from high school, I attended Princeton University on an academic scholarship.

After Princeton, I was a high school English teacher for several enjoyable years, including two years at Phillips Exeter Academy in New Hampshire, and then came to Boston thirty-six years ago, to Boston College Law School, for my legal education. Following a clerkship on the Second Circuit Court of Appeals in New York, and a Fellowship in Italy at the University of Florence Law School, I have practiced and lived in Boston ever since.

I became a trial lawyer thirty-three years ago, spending the first thirty years with the outstanding, former Boston firm of Hill & Barlow, and now with the great firm of Kirkpatrick & Lockhart—firms that I joined not only because of their commitment to excellence, but because of their commitment to public service.

I tell you these things for a reason: As someone born in Europe, as an immigrant to this country, I know first-hand the true meaning of that eloquent promise, “equal opportunity for all in America,” and I have deeply cherished the opportunities for growth and freedom that I’ve been afforded.

From personal experience, I can tell you how important it is that *every* young person in America be given the opportunity to work hard, to develop his or her abilities, and to contribute to this great nation. And as a lawyer I will continue to do—and ask you to join me in doing—all in our power to help ensure that the promise of “equal opportunity for all” is a promise kept, for everyone in America, regardless of color, gender, race, national origin, religion, disability, or sexual orientation.

I’m proud to be a lawyer. I have found great joy and satisfaction in being a trial lawyer. The true joy has come from the sense of fulfillment that I’ve had from representing those who cannot protect themselves, and from taking on just causes.

One of the first cases I worked on as a first-year associate was a pro bono class action lawsuit brought against the Commonwealth of Massachusetts by my firm on behalf of hundreds of mentally retarded young people living in substandard and even inhumane conditions in state-operated institutions. I came to know many of those young people, and their families, and to feel their suffering.

It took many years to conclude that case, but the result was substantial. In the end the Commonwealth entered into a consent decree requiring it to expend millions of dollars vastly to upgrade the living conditions in those institutions, and to provide a higher standard of care and attention to the residents.

The successful conclusion was a great victory for the people we represented. But it was also a great victory for the legal team I served on—one that was as memorable and rewarding as any large verdict secured on behalf of a paying client. For me that was the first of numerous public interest causes that I have been involved with during the past thirty-three years. Those cases have been an important counterbalance in my very busy trial practice on behalf of paying clients of the firm.

You and I are fortunate, because being a lawyer is not just a job. It is a noble calling, a way of life. To know the law is to understand how to make our communities, our country and our world better through its proper application. To practice law properly is to engage in public service of the highest order.

President Woodrow Wilson reminded us that there is “No higher religion than human service. To work for the common good is the greatest creed.”

International public service is also central to the mission of the American Bar Association and to the legal profession at large. The American Bar Association’s activities to promote the rule of law internationally are among the most important functions of the Association.

We believe that society should be ruled by law, not by the passions of the mob or the strongman of the moment. Transparent government institutions and a legal system based on the rule of law are fundamental prerequisites to creating vibrant democracies and market-based economies.

Let me tell you an anecdote that speaks to the great respect for what American lawyers do for society, both in our country and abroad. During a recent trip to the Republic of Georgia, I met with the brand new Chairman of the Supreme Court, Konstantin Kublashvili, who had been appointed to his position three days before my arrival. He began our ninety minute meeting by telling me that when he heard that I would be in his country he decided to hold his schedule open so that his first official meeting would be with the incoming president of the American Bar Association, in deep gratitude for all that the ABA and its member lawyers, judges and professors have done and are doing in helping his country establish a democratic and stable legal system following the Rose Revolution in 2003.

I responded by saying that I accepted his most gracious compliment on behalf of the ABA and all its members, and all American lawyers, and that we would continue to stand shoulder to shoulder with our colleagues in Georgia and assist in any way that we can.

The strong pride that I have for our profession, and for the wonderful contributions of lawyers to our own society and around the world, was reinforced by what Chairman Kublashvili said to me.

But let me also share with you what a recent graduate of George Washington University National Law Center wrote about the mindset today on the part of many in our law schools:

Throughout history, ‘lawyers’ have not solely been mouthpieces who stand up in court and argue for anyone who will pay them to do so. Lawyers have been writers and politicians, entrepreneurs and activists, teachers and parents. Yet we do not learn about these lawyers’ lives in law school. In law school, we learn that in order to be worthwhile, we have to try to make it into the biggest, highest paying, and most ‘prestigious’ firm that will take us. To do anything else is to fail. We buy into this myth and structure our lives around it. In doing this, we perpetuate the public image of lawyers as money-hungry slobs. We fail to serve those who need our bright minds. Most importantly we betray ourselves, our true dreams, talents, and interests.

I believe it is time that we change that mindset, and that we celebrate, and nourish, and preserve, the idealism that leads us to choose law as a career.

I am implementing a number of initiatives and programs as ABA President. One of my primary initiatives, which I believe is now the most pressing priority for our profession, particularly for the young lawyers of America, is what I call the need for a “Renaissance of Idealism” in our profession.

You may find several years from now, as other recent law school graduates have found, that law firm demands on your time and economic pressures may make it difficult for you to engage in public service. If that comes to pass I want you to recall what I say to you today: the lawyer who contributes to the public good is a fulfilled, complete lawyer, and one who is truly a “professional.”

A healthy society is made up of people who care about fellow human beings, and about the future, who contribute to society’s development for the common good, who reject the “me” culture in favor of President John F. Kennedy’s “ask what *you* can do for your country” philosophy. As lawyers, we are in a better position than anyone else to do just that.

Lawyers are in a position—especially in this post-9/11 era—to protect the ideals that have defined America to the freedom-loving nations of the world.

Lawyers are the true guardians of the Bill of Rights, and of civil liberties, and the American people look to us to protect their constitutional rights. If we do not do so, no one else will.

I believe that public service—which can take many different forms—offers the possibility of making each of us a better lawyer as well as a better person. By offering our time and talent to an organization or to an individual whose path we may not regularly

cross, we not only improve our legal skills, but more importantly, we expand our own horizons.

We all know of great lawyers who were public servants on a grand scale: Thomas Jefferson, Abraham Lincoln, Franklin Roosevelt, Thurgood Marshall, and the list goes on.

But, think of those great lawyers about whom we don't often hear. For example:

1. Lawyers who are public servants, and who, through considerable risk and sacrifice, have changed the world—such as the brave lawyers who travel to some of the most dangerous spots on earth to help people defend their basic rights and build stable societies based on the rule of law;
2. Labor and union lawyers who won victories for workers in this country; and
3. The tens of thousands of lawyers who work every day, every hour, in every community in America, without recognition or fanfare as they protect those in society who are most in need.

Yes, it is harder these days for lawyers to find time to engage in public service than it was when I became a lawyer. Requirements for billable hours in law offices have increased, and so has the debt that now heavily burdens law school graduates. These are pressing issues that I am addressing as President of the American Bar Association.

Those of us in a position of influence—such as the leaders of the bar, of universities, law schools, and business—are helping me make the case to the management committees of law firms throughout the country that we need to change the way we now practice law—for the greater fulfillment of lawyers, for the good of the profession, and for the benefit of the American people.

We are also working to help solo practitioners and small firm lawyers devote more time to public service and pro bono work. It can be especially challenging for lawyers outside of large firms to devote time to these pursuits. They do not have the same level of support staff and assistance from colleagues that large firm lawyers enjoy. So we are devising strategies to enable solo, small firm—who still make up the vast majority of practicing attorneys in America today—to fulfill their desires to give back to their communities and to lend a hand to those in need.

I have appointed the ABA Commission on the Renaissance of Idealism in the Legal Profession to implement this initiative. It is led by two outstanding individuals who embody the ideal of lawyer

as Public Citizen: Justice Ruth Bader Ginsburg and Theodore Sorensen, Special Counsel to President John F. Kennedy. With their guidance, the commission is developing practical solutions that can be implemented in our law firms, businesses, universities and law schools. This is a dialogue that all of us must engage in.

I hope that in time you will be part of the renaissance of idealism in our profession that I am asking the ABA and its 405,000 members, particularly the young lawyers, to lead.

In the past two weeks I have also launched an initiative to address the need for greater public understanding and appreciation of the fundamental tenets of our Constitution and our democratic form of government.

Citizens who do not understand or value their rights are easy prey to those who would abuse or steal those rights. Regrettably, too many of our citizens now lack such basic understanding. In a Harris poll commissioned by the Association, conducted two weeks ago, 40% of the respondents could not correctly identify our three branches of government; 48% did not know what "separation of powers" means; and 29% did not know the definition of "checks and balances." Perhaps most troubling is that 44% did not know the core responsibilities of the judicial branch.

That is why a major initiative of my term as ABA president will focus on the need to enhance the civic education of all Americans on the roles and responsibilities of our three branches of government, with a particular focus on the vital importance of an independent judiciary. I have just appointed the ABA Commission on Civic Education and the Separation of Powers to spearhead this initiative. U.S. Supreme Court Justice Sandra Day O'Connor and former U.S. Senator Bill Bradley, my Princeton classmate, will serve as honorary Co-Chairs of the Commission. I thank attorney Robert H. Rawson Jr., of Cleveland, Ohio, for serving as working chair of this important initiative.

To be sure, a healthy tension among our three branches of government is inherent in the genius of the Founders' design. But the branches must work together with mutual respect, as they have done for two centuries, for our democracy to work. When that tension turns into mistrust or outright hostility, as it has in recent times, our republic is endangered.

The American Bar Association and America's lawyers must oppose extremist attacks on our judiciary, whether they come from the right or the left. The greatest democracy the world has ever

known has survived only because of the rule of law. And make no mistake about it—without an independent judiciary there is no rule of law. If we do not protect our courts, our courts cannot protect us.

As you embark on—or continue—your wonderful journey in the law, I ask that you never abandon your idealism. Reach out with your legal skills to those who are less fortunate. Help them. Protect them. Never forget why you became a lawyer. Your career, your development as a human being, and our country depend on it.

As you prepare for the next phase of your journey, I ask you to always remember what inspired you to pursue the law in the first place. You are acquiring the skills and knowledge you need to become a lawyer, but they are only part of the equation. In the words of Justice Benjamin Cardozo: “Method is much, technique is much, but inspiration is even more.”

I leave you with this advice:

1. Check out and join the ABA Law Student Division by visiting the ABA website—abanet.org—and get involved in ABA policy-making that has a direct impact on you, such as the law student loan forgiveness program.
2. Participate in the work of a legal aid clinic during your law school years.
3. Consider a career in public service employment.
4. And most important: work hard in law school, but also find time to enjoy yourself. Leading a balanced life will make you a better lawyer and a happier person.

You have my very best wishes.