

On Becoming a Lawyer

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What a time to begin your legal career. Who could have thought, when you began the admissions process, that much of your law school experience would be online?

While the circumstances were not *entirely* the same, nearly 12 years ago I was at my law school orientation with a mix of emotions. I remember sitting and listening to a number of people speak while a voice was going through my head: (1) Is this for me? (2) Am I ready for this? (3) Why is everything going so fast? (4) Why does everyone keep saying the word profession? (5) Why am I nervous? (6) Am I a little bit afraid? (7) Perhaps even, why did I do this?

I remember thinking law school was going to be more challenging than anything I had faced in school. Then there was the fact that the economy had just cratered, a political election was on the horizon, race and civil rights were national issues, and the H1N1 flu appeared only a few months later. My orientation promised that studying the law would be a challenge from day one. There was excitement and tension. I was overwhelmed with all the hope, wonder, and awe that come with a new beginning.

What should we make of these mixed emotions? Amidst the demands of law school, these truly unprecedented times, the pressures of this moment, and this age of distraction, what can you grab onto? I like to use moments like this to reflect—something I encourage you to do frequently in your careers and lives. The task of *becoming a lawyer* starts with giving full *attention* to where you have been and the moment you are now in.

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Reflecting often involves thinking about the past. Think about springtime. Where do you find yourself most springs? In a park? In an office? On one particular spring day, right before leaving for class, I did what so many of us do over fifty times a day: I checked my phone. I don't know why I did it. I saw a message from my brother. There was a crisis. People all over the world were watching and talking about it over social media. People were scared.

You might be tempted to think I am talking about the pandemic—the one we have been living in for over a year now, the one that has changed our lives, relegating us to screen-based relationships while we yearn for the handshakes, hugs, and smiles we once took for granted. But I am not.

On that day, my brother, who is an architect, sent me an image. A picture of a building with smoke around the roof, possibly on fire. His message was brief: *Notre Dame Cathedral is on fire*. News reports simply said smoke was seen above the historic Church.¹ Social media, like always, was full of first-hand videos and misinformation.² There was little time to ponder what was happening; my section of criminal law couldn't wait. I ran to class.

After class, I checked the news again. The roof was ablaze. The world watched, with a sense of immense powerlessness, as one of the greatest architectural and artistic achievements known to humankind was falling apart. In the words of Doc Brown from *Back to the Future*, we were all watching as it was potentially “erased from existence.”³ That building took two hundred years to build in the 12th and 13th centuries and hundreds more to maintain.⁴ Think of the blood, sweat, and tears put into that building with human hands. Imagine you had built it. Imagine your grandparents had. Imagine generations of your family, perhaps imperfect in their own lives, had paid devotion to it. Imagine, for a minute, what losing something like that might mean to you. All about to be gone, and on a random afternoon in April. What a

¹ Adam Nossiter and Aurelien Breeden, *Fire Mauls Beloved Notre-Dame Cathedral in Paris*, N.Y. TIMES, April 15, 2019, <https://www.nytimes.com/2019/04/15/world/europe/notre-dame-fire.html>.

² ABC7 News Bay Area, *Notre Dame Cathedral Fire Captured in Social Media Videos*, YOUTUBE (Apr. 15, 2019), <https://www.youtube.com/watch?v=uSX8EoTUZo8>.

³ This line occurs when Doc, when viewing a picture of Marty McFly and his siblings, realizes that Marty's actions in 1955 could very well lead to the erasure of his life as he knows it in 1985. The realization comes when Marty sees his brother's body disappearing. *BACK TO THE FUTURE* (Universal Pictures 1985).

⁴ Karen Zraick & Heather Murphy, *Notre-Dame Cathedral: Facts and a Brief History*, N.Y. TIMES (Apr. 15, 2019), <https://www.nytimes.com/2019/04/15/world/europe/notre-dame-cathedral-facts.html>.

2021]

DESKTOP PUBLISHING EXAMPLE

iii

world we live in! Majestic beauty built for the ages, perhaps gone in a few minutes.

We now know the damage was not nearly as bad as originally feared. While the world watched, hundreds of daring firefighters and others on the ground did not.⁵ They saved the structure and its many interior monuments by doing all sorts of things.⁶ In the words of Mr. Rogers, we all looked for the “helpers,”⁷ and oh did they ever come. Some were Catholic, others Muslim, others atheists. Women and men, the elderly and the young, many risked their lives. For what? A building? History? A museum?

Or was it something more?

That moment, like the current one, encapsulated the magnificence and fragility of human intellect, will, and spirit, crystallized for all to see. Emotions were raw. There was temptation to despair. But upon further reflection, that magnificence and fragility are present in *every moment in time*—including *this one*—and it will exist in every single moment in the legal career in front of you. *Becoming* a lawyer means appreciating that and how it manifests paradoxically in the law.

My experience *after* my time in law school sheds light on what to be mindful of *during* law school. After graduation, I headed to work for a legal aid firm in Philadelphia. I was only there for two weeks when I inherited a caseload of nearly one hundred files. Talk about being overwhelmed.

One of our responsibilities—due to the lack of resources—was to participate in something called intake. Attorneys would meet with potential clients to see whether the firm could take the case. These encounters tended to be relatively short—ten or fifteen minutes, unless

⁵ Saphora Smith, *Firefighter Reflects on Battle to save Notre Dame Cathedral, 'France's Heritage'*, NBC NEWS, April 16, 2019, <https://www.nbcnews.com/news/world/fireman-reflects-battle-save-notre-dame-cathedral-france-s-heritage-n995056>.

⁶ Elian Peltier, et. al., *Notre-Dame Came Far Closer to Collapsing Than People Knew. This is how it was saved.*, N.Y. TIMES, July 18, 2019, <https://www.nytimes.com/interactive/2019/07/16/world/europe/notre-dame.html>.

⁷ *Mr. Rogers Post Goes Viral*, PBSNEWSHOUR (Dec. 18, 2012, 5:30 PM) <https://www.pbs.org/newshour/nation/fred-rogers-post-goes-viral> (quoting Fred Rogers, from Mister Rogers' Neighborhood, as saying, “When I was a boy and I would see scary things in the news, my mother would say to me, ‘Look for the helpers. You will always find people who are helping.’”).

something was particularly complicated. Many of them went too quickly.

One day I met a man in his sixties who needed help finding employment. His story is all too common. He was trying to work as a telemarketing customer service representative but had been turned away by multiple companies. While he was personable and gentle in conversation, those companies had only known him as a piece of paper. His troubles puzzled me. During our conversation, he revealed the real reason for his plight—he had been convicted of simple assault as a twenty-something civil rights protestor in the 1960s. The companies, after interviewing him, rejected him upon learning about his background. He owned responsibility for the conviction, chalking it up to his younger days. But he could not understand why it prevented him from getting a job where the only human contact he would be having would be over the phone. Given our pleasant conversation, during which I learned he was an inventor in his spare time, I had to agree.

Another time, I met an immigrant from the Middle East. He had been in this country for nearly five years, working dutifully as a chef for that time. He worked hard—five to six days a week, shifts at all hours, and overtime. He came to our office because he decided to leave the job for a better opportunity, one that would help him support his family. When he left, the restaurant owner would not give him his last paycheck of about \$600. That is all he wanted because it would help with some other financial issues straining his family. He wanted nothing else. I asked him some questions and took detailed notes, trying to capture everything he said. As we talked, it dawned on me that this man was owed much more than he realized. His boss had not paid him overtime for five years. Sitting back in disbelief, I realized he was owed over \$60,000.

These intake conversations would always end in a similar fashion. We slowly walked to the elevator. I explained that I needed to do some research before following up regarding next steps. To be honest, it was standard conversation. Many lawyers are trained not to overpromise. But you should never forget the promise your skillset projects to those you can help.

But as these conversations ended and the elevator door opened, the same thing happened again and again. My future clients would carry out some papers I had given to them; they were *something to hold onto*, perhaps even a glimmer of hope until our next meeting. Then, after turning around, we would make eye contact one more time. Then, after a brief pause, as I would begin to move on with my day, I would hear the same five words, over and over again: “But, can you help me?”

2021]

DESKTOP PUBLISHING EXAMPLE

v

I think reflecting on those five words taught me as much as all of the legal books I have read, probably more. They encapsulate the journey that you have now undertaken: *becoming a lawyer*. It is a path of learning *and* empathy because a lawyer is a scholar *and* an advocate. I encourage you to constantly heed the depth of the experience you are about to have.

How are these stories connected? How do a burning cathedral and my encounters with clients capture this moment? Your moment?

You have been told that you are joining a *profession*. That word has connotations. A profession bespeaks honor and nobility. It imposes responsibilities. It requires discipline. It demands attention to detail and persistence in developing your craft. At root, you are accepting a calling. A calling with a history and a future.

But it also implies something else. It implies that you must constantly reflect throughout your career on why you are where you are and what you should be doing. It demands that you think about where you fit into a tradition that aspires to achieve justice. It begs three things: (1) that you protect all that is good in what has been handed to you; (2) that you prune and uproot when necessary, paying careful attention to when one or the other is necessary and praying you are wise and humble enough to discern the difference; and (3) that you think about what you need to build. In a few words, you—today—have become the *architect* of your legal career.

Whether you fully realize it or not, you are now part of a legal tradition that predates your existence for centuries. Millennia, in fact. Souls you never heard of, but who studied the questions you will encounter, poured their entire lives into the law. Those questions have been the muse of many of the sharpest minds to walk this earth, across generations, races, and classes: philosophers from the West and the East; political figures in this country like Abigail Adams, Abraham Lincoln, Frederick Douglass, and Martin Luther King, Jr.; social critics like de Tocqueville and W.E.B DuBois; literary giants like Dostoevsky, Edgar Allen Poe, Maya Angelou, and Nathaniel Hawthorne; and religious thinkers like Augustine, Maimonides, and Confucius. All have reflected on the law. Pause for a second. You are part of that intellectual club. You, like all of them, have been *called* to practice the law and *study* its place in society. Its past, its present, its future.

In doing so, your *mind* will be challenged. But to paraphrase JFK, do not let the comfort of *opinion* prevent the discomfort of *thought* from

helping you learn.⁸ You will struggle with concepts. You will grapple with doctrines. You will get frustrated with how application of the law sometimes seems to lead to unconscionable or unjust results and does not account for certain aspects of human experience. Its limits will become apparent. Its logic, while maybe persuasively capturing your *mind*, might make your *heart* feel cold. But despite all of that, if you so choose, you will tap into a body of knowledge *few* have had access to in our country. You will have the skills to laud and critique the legal realm, getting lost in opinions, briefs, and memos. As you should.

But do not stop there. Yes, you are joining a profession, one with an intellectual tradition of great achievement. After all, attorneys have worked to accomplish some of the greatest advancements in the modern age. Legal theories have inspired positive changes in countless fields: educational opportunity for the marginalized, exonerations for the wrongfully convicted, civil rights for many. The list could include many more.

Learning the history that inspired the principle on which our legal system rests—the notion that justice should be pursued equally for all—would be education enough—as would learning about the hope embedded in that principle, and the hurt and despair caused by the failure to live up to it in our legal system. You will feel that. It will be raw sometimes. All of that will be part of the journey toward learning whether you can understand the law. Whether you are able to practice it. Whether you can *help* someone.

But while the cultivation of the mind is a beautiful thing—and a beautiful thing you should not waste—it is only, at most, *half* of your vocation. Knowledge and understanding will only take you so far in this profession. The logic and the law will show their limits. Because you are more than bright, you will perceive them. Because you are people, you will *feel* them. Certainly, that was the case for many of us over the past year when the law seemed ill-equipped to handle the fraying of our social fabric amidst one crisis after another. Those feelings might even lead some of you to despair. You might begin to not like the law.

But you must rise! Rise to the occasion! If you think you were made to be comfortable, you are wrong; instead, you were made for

⁸ President John F. Kennedy, Commencement Address at Yale University (June 11, 1962).

2021]

DESKTOP PUBLISHING EXAMPLE

vii

greatness.⁹ Part of being in a profession is realizing that the other words in that question posed by my clients—the “you” and the “me”—must be intertwined with any book knowledge you obtain. Those words are the wellspring of hope that underlies any project of law. The limits of the law must meet the magnificence and fragility of the human heart, where hope spurs the action that can move mountains. In short, you must *pay attention to human beings*. You may not *like* the law at times, but you can always *love* the law’s *potential* to serve.

In other words, in addition to joining an intellectual tradition, you are now becoming part of a bigger *story*. A story bigger than yourself, one that demands more than just your mind’s attention. One that demands your *heart*. One that demands your grit, as our motto says, to *Hazard Zet Forward*.¹⁰ One that others, with all of their joys and disappointments, will invite you to join. You are an architect now. But an architect does not and should not get lost in just the math and angles and raw materials. Those spires on that cathedral pointed to something, and those knaves and pews were a place for community. Similarly, lawyers should not get lost in the logic and the papers and the oral arguments, of which there will be many. Remember that those papers and arguments serve *someone* and, in many instances, *something* greater.

The key to that often-repeated question from my clients is that the nobility of the legal profession rests in the idea that the law is designed for human *flourishing*. Flourishing does not just come in the form of clerkships or partnerships, million-dollar damages awards, Supreme Court cases won, or convictions or acquittals achieved. Behind the validity of every legal claim or defense, doctrine or Restatement, there is a *story*—a human story worth discovering. A *story* that enriches the law and reminds all of us—when we pause and reflect—*why* we are doing this in the first place.

Attorney is another word for advocate. To advocate effectively requires knowledge *and* the ability to *plead*. And to *plead* for someone else requires a connection with that person—a relationship. The best advocates listen before speaking, ask questions before guiding, reflect before counseling, and empathize before strategizing.

In other words, the best attorneys recognize their *role* in a bigger story. Sometimes that story is your own. Most often, it is someone else’s. Practicing the law demands recognizing its connection to human

⁹ Pope Benedict XVI has been quoted as saying, “You were not made for comfort; you were made for greatness.” In *Spe Salvi*, he says, “Man was created for greatness...”.

¹⁰ “Whatever the peril, ever forward.” *Hazard Zet Forward* is thought to be the motto of Elizabeth Ann Seton’s ancestors.

relationships. You can prepare for that moment I had as a young lawyer. You can be ready to answer the call.

You are an architect. You are called to comprehend how the law unleashes the capacity for human creativity, ingenuity, and brilliance and how its limits demand charity, humility, and forgiveness. There is wonder for you to explore and awe to be felt, humility to be experienced and joy to be chased, mercy to dispense, and justice to serve. Build relationships. Donate yourself to all of those endeavors, and you will not be disappointed.

You have begun your legal career in a remarkable place—at Seton Hall Law. This institution takes the law—in all its grandeur, with all of its past and existing warts, seriously. You have acquired knowledge and hopefully learned it is often accompanied by the splendor and tragedy of human drama.

Your legal education has prepared you to *appreciate* the question that my clients asked me, to appreciate the existential responsibility you chose to embrace. Through integrity, loyalty, and engagement—the law school’s motto—you can tackle this challenge. You can succeed and, in the process, appreciate the awesome power and duty that comes with being a lawyer: to protect and strengthen the parts of the law that help us to flourish, like those rescuing the Cathedral, and to rebuild and reshape the law in light of present circumstances and injustices so that it can pursue good today. You must rise to the occasion.

Here is my challenge to you, in list form: Develop your mind. Diligently prepare. Engage the minds *and* hearts of your peers. Look into the eyes of your classmates when discussing difficult and controversial topics. Recognize, as Martin Luther King Jr. once said, that even when you *vehemently* disagree, there is still good in the discussion and in that *person*.¹¹ In a few words: Reach. Strive. Share. Explore. Read. Practice. Prepare. Ask. Listen. Pray. Hope. Serve.

And take time, frequently, to pause and reflect on the fact that you must cultivate not only the mind but also the *soul* of an advocate. Pay attention to that endeavor with full force. The legal profession and the law are waiting for you because you are *called* to great things in the law, to *become* exceptional lawyers. Now is the time for you to answer that call and write your stories as the next ensemble of Seton Hall Lawyers.

¹¹ Martin Luther King, Jr., “Loving Your Enemies,” Sermon Delivered at Dexter Avenue Baptist Church (November 17, 1957).