

Foreword:
Live Intentionally, Work Hard, Everything Matters

*Kevin H. Marino**

President Nyre, Dean Boozang, honored guests and, most of all, graduates of the Seton Hall Law School Class of 2021:

As a proud graduate of the unique and wonderful Seton Hall Law School, Class of 1984, I am honored and humbled by the opportunity to address you on this extraordinary first day of your professional lives. As my remarks are one of the only remaining obstacles to a properly raucous celebration of your magnificent accomplishment, I promise to be (somewhat) brief and to give you something meaningful to reflect on as you mark this joyous event.

Let's begin with a moment on the looming bar exam, the elephant 'round the corner for most of you. For openers, you will do well to remember that the bar exam is not a test of whether you've learned the critical skill of applying logic and empathy, reason and fairness, to solve the broad range of problems that confront our world. You have. Neither will it test whether you've come to internalize and respect the rule of law, which in the best of times predominates and even in the worst of times, as we've seen, somehow survives intact. You've done that as well. The law degree you receive today says as much to all the world, and no one can ever take that from you. The bar exam is a rite of passage, a necessary evil you must endure if you choose to practice law. Before you take it, please take a bar review course, stay in touch with your mentors at the law school—they know how to get you through this thing—and study for the test, but don't obsess over it. I'm confident you'll come out fine. And for what it's worth, I have two dear friends who failed the bar exam three times between them before passing. Today they are among the finest and most successful lawyers I have ever met.

* Chairman, Seton Hall University Board of Regents; Partner, Marino, Tortorella & Boyle, P.C.; Editor-in-Chief, *Seton Hall Law Review*, Volume 14, 1983-84. Mr. Marino delivered this commencement address to the graduates of Seton Hall University School of Law on May 26, 2021.

Now for the principles I've come to share with you today. When I reflect honestly on how I managed to build an exciting, engaging, fulfilling life as a lawyer, and how I might help set you on course to do the same, these three principles are the very best I have to offer.

The first is deceptively simple: *live intentionally*. A law degree can be productively employed in countless ways. In traditional law firm practice. In banking and insurance. In prosecutors and public defenders offices. In non-profit corporations. In politics. In writers' rooms. In lobbying firms. In legal services offices. In sports agencies. At film studios. Law pervades every aspect of society, and lawyers work and succeed everywhere. Faced with so broad a range of choices, intentional living—being honest with yourself about what you want and then following your heart, choosing the path that's right for you, however many times you have to change paths until you find the right one—is not an option, it's a necessity. I know this from my own personal experience and from observing those around me. In 1990 I left a small law firm to spend time working for the Public Advocate. In 1996 I withdrew from the partnership of a large firm to form my own firm. I've had an absolute blast practicing law there for more than twenty-five years, most of that time with my partners John Tortorella and John Boyle, two other Seton Hall Law School graduates who are not only top quality human beings but also are among the very best lawyers in the country.

But our path is surely not the only path. I have friends who have chosen far different paths, to wonderful effect. They include law professors and TV commentators, legal scholars and entrepreneurs, U.S. attorneys and politicians, sports agents and in-house lawyers. What they all have in common is that they asked themselves what kind of work would make them happy and had the courage to pursue it. Rather than chase the most money they could have made, they forged lives that suited them and lived within their means. They followed their hearts, and so should you. Don't pursue the work you think will bring prestige. Remember that although today prestige is a goal so many strive to attain, the word has its origin in the Latin word "praestigium," meaning "a delusion" or "an illusion". Don't pursue the appearance of happiness. Pursue the real thing. Don't be seduced by the promise of money or settle for the trappings of wealth. Those are the booby prizes.

Now I give this advice knowing that you have to earn money to survive, and that the first order of business for many of you will be repaying your student loans. You owe that debt, and you must find work that allows you to pay it. But you also owe it to yourself to find

work that fulfills you—to live intentionally. If you choose wisely, subsist within your means, and get your financial house in order, your investment in a law degree will pay dividends that really matter for the rest of your life.

My second principle follows directly from the first: In addition to living intentionally, to choosing work that enlivens and fulfills, a lawyer must *work hard*. It's that simple, and anyone who tells you otherwise is lying. Whether you are clerking for a judge, working at a law firm, representing an author, founding a start-up, a lawyer's work demands care, diligence, attention to detail, and yes, long hours. That comes with the territory. I once heard a highly successful woman sum it up as the five w's: "we who win work weekends." Indeed we do. Lawyers deploy their skills to solve others' problems. That's the lawyer's reason for being. That's where the nobility of our profession has its roots. And of course the hard-work principle goes hand in hand with intentional living. If you are not on the right path, are not truly passionate about your work, if it is not the pursuit your heart leads you to, you will soon tire of working hard at it. But if you've chosen your work intentionally and it truly is your passion, you will adopt the philosophy espoused by Saint Augustine in the fifth century and adopted by St. Benedict as a central tenet of the Rule of Benedict: "laborare est orare" or "work is prayer." By that philosophy, work is a pursuit that fulfills and enlivens, a rewarding spiritual exercise that gives meaning to life. And so at your first job, and at every job you work thereafter for the rest of your life, put in the effort. Work hard to learn, to grow, to contribute. Take initiative. Make yourself indispensable. Be motivated by the desire to be your very best, and act on that motivation. That is the path to success.

I know that in recent years much has been said about the virtue of finding a proper work-life balance. I understand the desire that one's life not consist entirely of work. But the notion that work and life are inherently separate, that "work" is something over here, to be balanced against one's "life" over there, is strange and atonal to me. I can't think of a single successful person—not Bruce Springsteen or Madame Curie, not James Baldwin or Billie Jean King, not Serena Williams or Edward Bennett Williams—who began his or her career looking for a good work-life balance. I assure you, they did not. They pursued their passion and built balanced lives centered on doing great work with the gifts God gave them. To be sure, there are jobs that are unpleasant, even odious, physically draining, soul crushing—jobs that must be done for the world to turn. And there is honor in those jobs as there is honor in all work. But one can understand the desire to do

and be done with such jobs, to compartmentalize, to balance work with life pursuits that fulfill. For people like yourselves, however—people who have been granted the privilege and have made the sacrifices needed to earn a law degree, to join a learned profession—such jobs can and should be avoided. I am not suggesting that you spend every waking hour at work. I am suggesting that rather than pursuing “work-life balance,” where work is somehow separate from life itself, you use your law degree to find work that animates you, and that you strive to lead a balanced life that includes such work. Find work you’re passionate about and you will see how easily it complements your non-work pursuits. For someone on the right path, work is a central component of a life that includes ample time for family and friends, for volunteerism and community service, and for whatever else appeals to the mind and soul, be it music or art, prayer or literature, film or sports, all of the above, or countless other pursuits. Well-rounded, happy lawyers can, and must, have such things in their lives. You really can write the brief, argue the appeal, negotiate the contract, lobby the legislature and still coach your son or daughter’s basketball team. I promise. And if you find that you can’t, if your life consists of nothing more than logging hours to be sold as widgets, of doing work that’s not worth the candle, change course ASAP. Find work that you love, as my late father-in-law once counseled me, and you will never work a day in your life.

The third principle I urge you to adopt and live by as you embark on your legal career is just this: *everything matters*. This means that no matter how large or small a task you undertake, whether you’re arguing a Third Circuit appeal or doing your Aunt Mary’s house closing, negotiating a ballplayer’s multi-million dollar contract or fighting a speeding ticket, preparing your summation or bates-stamping documents—and particularly, whether you’re being paid handsomely or nothing at all to do so—perform that task to the very best of your ability. Lawyers serve others because we are qualified by our training, our specialized knowledge, to take the burden off another’s shoulders and put it on our own. That’s what it means to be part of a noble profession. By virtue of our standing in the world, we owe it to those we serve to do our very best. We also owe it to ourselves. That is what makes being a lawyer more like being an artist or a writer than a salesman or a trader. Walt Whitman didn’t write *Leaves of Grass* because doing so was a job he thought would make him millions. He wrote it because that is what his heart drove him to do. In much the same way, what lawyers do is not a job. It’s a calling. And whether

we're being paid a king's ransom or working for free, we must pursue that calling with passion, with commitment, with love.

Some years ago, I saw a film that drove this point home to me so powerfully that it literally brought me to tears. In that picture, simply called *Chef*, Jon Favreau plays an accomplished chef who quits his job at a prestigious L.A. restaurant and, after struggling to find his path, decides to open a food-truck business with a partner, his ex-wife, and his son. To get the business off the ground, they begin by providing free sandwiches to itinerant workers. In what was for me the most moving scene in the film—one that sums up my approach to the world and goes to the very heart of my message to you today—the chef's son burns a Cuban sandwich. As he's about to serve that sandwich to one of the workers, his father sees the sandwich and says, "Whoa whoa whoa whoa, that's burnt." His son replies, "So? They're not paying for it." To that the chef responds, "Get off the truck." When they get outside he says to his son, "Slow down for a second. Is this boring to you?" "No," his son replies, "I like it." The chef responds:

Yeah, well I love it. Everything that's good that's happened to me in my life came because of that. I might not do everything great in my life. Hey, I'm not perfect. I'm not the best husband, and I'm sorry if I wasn't the best father. But I'm good at this. And I want to share this with you. I want to teach you what I learned. I get to touch people's lives with what I do. And it keeps me going and I love it. And I think if you give it a shot you might love it too.

He pauses and puts the question to his son, "Now should we have served that sandwich?" "No chef," his son replies. "That's my son," he says. "Get back in there. We've got some hungry people." And he calls out to his partner, "He's ready to cook."

I urge you to find and watch that beautiful film, and while you are doing so to reflect on your own approach to life, and particularly to the life you want to build as a lawyer. And when you're done, you'll be ready to cook. For that very short clip from a rather small film encapsulates my entire approach to life and to being a lawyer. That's the reason I am so thrilled to have the chance to share it with you today, as you stand "in limine" or "at the threshold" of your brilliant careers.

I'm good at this. And I want to share this with you. I want to teach you what I learned. I get to touch people's lives with what I do. And it keeps me going and I love it. And I think if you give it a shot you might love it too.

I hope those words and that sentiment ring as true for you as they do for me. As lawyers, you will certainly get to touch people's lives with

what you do. A commitment to quality, to the core notion that everything matters, should animate your approach from the very outset.

One final thought. As you embark on your legal career, please remember that Seton Hall Law School is not a place you're from, not just somebody that you used to know, as the song goes. It's who you are. This is where you learned that service to others lies at the heart of the legal profession. This is where you met mentors, friends, and colleagues who have shaped you and shared your experience. You will bring credit to this great institution if you never forget that you're a Seton Hall lawyer. I've heard a lot about the T-14 law schools lately, those christened as the "best of the best" by the ministers of taste, those arbiters of excellence at U.S. News and World Report. But let me tell you from personal experience, the T-14 has nothing on Seton Hall. Seton Hall lawyers rock the world. That's so because this is more than a law school. It's a community of people who understand that above all else, law is a service profession, and that we are all in this together. Seton Hall not only trains, nurtures, and embraces you while you're here. The Seton Hall family will always be here for you.

We recently had a young man on the Seton Hall University basketball team named Myles Powell. He was one of the best college players in the country, and he was interviewed on television after every game. In every single interview, when asked to explain the team's success, he repeated the same refrain: "We played Seton Hall basketball tonight." By that he wasn't referring to a particular strategy on the court. He meant the team played together as a cohesive unit, that they looked out for one another, that they had each other's backs, that they never gave up. He knew the team's excellence that season was a direct function of those ineffable qualities. In the same way, you are all now Seton Hall lawyers. You play Seton Hall law. As you make your way in the world, never let go of that. Look out for one another and stay close to this wonderful institution. It will return the favor many times over.

So there you have it. Live intentionally. Work hard. Everything matters. And never forget that you are now Seton Hall lawyers, members of the same great family I've been proud to call my own since I entered the old Seton Hall Law Center building on Raymond Boulevard for my first class forty years ago (at the age of three). And never forget all those who got you here, all the moms and dads, grandparents and siblings, aunts and uncles, guardians and friends, who have lifted you up and given you the opportunity of a lifetime. At some point today, at dinner or a party, in quiet conversation or

shouting over loud music, thank those who got you here. And in the future, pay it forward. Support others as you have been supported.

Today is May 26, 2021, and it's the beginning of a great adventure. I wish you all the happiness and fulfillment our wonderful profession can provide. God bless you.

