

## ***THE MAGNIFICENT PROFESSION***

The 2000 Annual Meeting at the Omni Hotel at Yale in New Haven, our 125<sup>th</sup> Anniversary, will feature two themes: celebrating 125 years of partnership and progress; and the positive side of a lawyer's role. I want to address the latter in this column.

As President of the Association I have had occasion to hear, and respond to, all manner of complaints about lawyers. Lawyer bashing seems to be regarded as a virtue by corporate America. Some have refined it to an extraordinary level of sophistication. I suppose this is to be expected, as we are the ones responsible for holding them accountable when they step over the line.

But listening to the bashing brought me to focus on the positive side of lawyering, and in what manner could we all focus on it at the Annual Meeting. I am delighted to report to you that my efforts have succeeded. We will have at the Annual Luncheon at the Omni as featured speaker Professor Forest J. Bowman, The Hale J. Posten Professor of Law at the West Virginia University College of Law, and a former President of the West Virginia Bar Association.

Professor Bowman has given his talk on the positive side of a lawyer's role, which he calls "The Magnificent Profession," to the Georgia, Missouri, Pennsylvania, Wisconsin, and Wyoming Bars. He has told me, "If you believe, as I do, that the law is a 'great and noble profession,' and that it is essential for lawyers to understand this, you will want your lawyers to hear from me."

Maybe some of you, like me, are weary of shopworn lawyer jokes, and get fed up with the presumption that we're all rich, shady and greedy. Come to the Annual Luncheon to hear Professor Bowman. It will renew your commitment to the profession.

I would be remiss in a column about the positive side of a lawyer's role if I did not mention one of our own, Ted Koskoff, who wrote what it meant to him to be a lawyer. It has been repeated many times in many different settings. He wrote:

If you are a lawyer, you stand between the abuse of governmental power and the individual. If you are a lawyer, you stand between the abuse of corporate power and the individual. If you are a lawyer, you stand between the abuse of judicial power and the individual. If you are a lawyer, you are a hair shirt to the smugness and complacency of society. If you are a lawyer, you help mold the rights of individuals for generations to come. In short, if you are a lawyer, you are the trustee of our liberties. That is the lawyer's commitment.

Let me tell you about some of the lawyers that I have seen who have performed that role.

I saw him so long ago, a Philadelphian in New York, the Philadelphia lawyer at the nation's first political trial, upholding John Peter Zenger's right to publish what he chose, free from censorship or interference. His name was Andrew Hamilton, and he was a lawyer.

I saw him at the trial of British Captain Preston, another political trial of an unpopular cause and client, rising out of the Boston Massacre. His name was John Adams, and he was a lawyer.

I saw him at that miracle in Philadelphia, the Constitutional Convention of 1787, fighting for the Bill of Rights, the credo of American freedom that was not adopted until 1789. His name was James Madison, and he was a lawyer.

I saw him presiding over the Supreme Court of our land, the architect of the real powers of the Supreme Court. His name was John Marshall, and he was a lawyer.

I saw him exhorting the battle cry of the Republic, "Give me liberty or give me death." His name was Patrick Henry, and he was a lawyer.

I saw him at Gettysburg with tears in his eyes, gaunt, morose, rededicating our country to the principles of equal justice for all. His name was Abraham Lincoln, and he was a lawyer.

And I saw him, an elemental man, fighting for a cause, in Dayton, Tennessee, preaching the legitimacy of evolution. His name was Clarence Darrow, and he was a lawyer.

I saw him speaking to us from his wheelchair, lifting our spirits, making us stronger with his inspirational philosophy. "The only thing we have to fear is fear itself." His name - Franklin Delano Roosevelt. He was a lawyer.

I saw him in that Senate hearing room in Washington, uttering his anguished cry for decency. His name was Joseph Welch, and he was a lawyer.