

KEYNOTE ADDRESS
PINNING CEREMONY FOR THE HOWARD UNIVERSITY
SCHOOL OF LAW CLASS OF 2011
AUGUST 15, 2008

I. INTRODUCTION

President and Dr. Ribeau, Dean Schmoke, distinguished faculty, alumni, family, friends and members of the Class of 2011, it is a great privilege and honor for having been invited to present a few comments on this very significant occasion. I congratulate our lawyers-to-be both for having been admitted to Howard Law School and for having embarked this week as first-year law students. I suspect that each of you is excited about the privilege of studying law and the prospects of employing legal skills to a plethora of rapidly increasing opportunities. Law [more than any other field] has become linked inter-disciplinarily with so many other industries and professions such as social and biological science, technology, cybernetics, sports and entertainment, intellectual property, media and telecommunications, business, and religion just to name a few. And because of its linkage to other disciplines--what a great time it is to be entering law school.

This Howard, this institution, this tradition of which you are now linked is among America's greatest treasures. I shudder just trying to imagine where this country would be today in terms of civil rights, equal justice, and human rights without Howard Law School. This legacy includes a cadre of men and women across the years (trailblazers) who, as catalysts for change, have contributed mightily to breaking legal barriers and delivering justice, quality education, and enrichment for the disinherited of the world. During your journey here at Howard, you will hear and learn much about Howard's giants of the law who used their lawyering skills to engineer the strategy and made Howard the staging ground and think tank for many of the greatest legal battles of the twentieth century.

This legacy has included an extraordinary teaching from faculty--professors who have captured, transfixed, and stretched minds and imaginations--professors who shaped the thinking of their students, pushed them toward excellence, and prepared and developed them into outstanding lawyers.

Rather than spending what would take hours calling the names of great Howard figures in the law—let me simply invite you to learn of Howard’s rich history. And if you do that you will discover that our graduates have served brilliantly and globally in both the public and private sectors. Our alumni have served in **executive positions** such as governors,¹ lieutenant governors, mayors, county executives, elected district attorneys, appointed U.S. attorneys, state attorney generals,² federal and state cabinet positions, and as members of boards and authorities; in **legislative positions** such as U.S. senator,³ members of congress, state senators and state delegates, commissioners, and city and municipal council members; in **judicial positions** on the supreme court of the United States, the World Court at the Hague, tax courts, chief judges and associate judges on numerous U.S. courts of appeals and U.S. district courts, numerous state supreme courts, state appellate courts, state trial courts, and as federal and state administrative law judges.

There are several well known courthouses named after our graduates. Our graduates have also served as managing partners and partners of major law firms, as general counsels for corporations, companies and business, as public defenders, as presidents of colleges, and as deans and professors at law schools and other academic institutions of higher learning. Our graduates have served as arbitrators, heads of major unions, presidents of bar associations, and have made significant contributions in real estate, finance, and business as successful entrepreneurs. And, our graduates have had a presence not just in this country but globally in the Caribbean islands, in Africa, in Europe, South America and other places around the world. We have a unique mission and powerful history unmatched by any other institution in the world. These are your roots and this is the legacy that you now join. But let us not become complacent with our history and rest solely upon the laurels of past years. As the next generation of Howard lawyers, each of you is charged with moving the legacy to the next level.

Let me lift up a few points which I believe may be helpful for you to consider as you start your matriculation as first year law students.

¹ L. Douglas Wilder (HUSL 1959), Governor of Virginia, (D-VA).

² Roland W. Burris (HUSL 1963), former Attorney General of Illinois, 1991-1995.

³ Harris Wofford, (HUSL 1954), U.S. Senator, 1991-1995 (D-PA).

II. LESSONS

a. LESSON ONE (Work Hard)

My own view is that law school itself is not hard—but, like practicing law, it is hard work (that is the difference). You must discipline yourself to put in the requisite time and hours necessary to prepare for your career. Law school is a terrific experience. The waiting list for admission to law school is replete with so many who would love to be afforded the privilege of studying law. Savor this privilege but be sure to make the necessary sacrifices and put in the required hard work. Law school is like a full-time job—it requires time management, focus, prioritizing, balancing your study time with other commitments, and pacing yourself to go the distance. But in order that you remain well rested, fresh, and alert for the daily grind of law school, it is also necessary that you splice your studies with exercise, some, relaxation, and a healthy diet.

The most important point to remember about lesson one is that **you** will have to put in the time. Study groups are helpful and at some point it is beneficial to get with others to share thoughts and learn the law together, but **you** have to do your own reading first. **You** have to brief your cases and develop the skill of dissecting, marshaling the operative facts, extracting the critical issues, and articulating the reasoning, rules and rationale. Yes, Gilbert and other outlines can brief a case, but the ultimate test is whether **you** can prepare a briefing and outline of the cases without relying exclusively on crutches such as Gilbert. Obtain any old exams you can get your hands on and practice taking those exams. Start preparing your outlines for the December exams in October. These are the things that you must do from day one. During my teaching career here, I always reminded my students that they were preparing for the bar exam even as first-year students. The bottom line is that if you want to prepare yourself for the opportunities to come, you must push yourself, be receptive to being pushed, and work hard.

b. LESSON TWO (Find out what legal opportunities are available)

Find out as early as you can what existing opportunities in law school and in the legal profession are out there and how you can take advantage of whatever is available to supplement your legal education. Don't wait until the end of your first year before thinking about what is available. Take the

time next week to ascertain what law school programs are open or will be open to you—be they computer training programs, law reviews, journals, moot court teams, clinics, clerkships, internships, externships—and find out how you can be considered. Canvass and surface the web to determine what job opportunities are out there with law firms, with the general private sector or with the public sector (federal-state-local), and find out the hiring practices/criteria you must meet in order to position yourself for seizing upon those opportunities. Don't proceed the entire year with blinders on. Yes, hard work is required for your classes but also make periodic inquiries regarding opportunities available for students of the law.

c. LESSON THREE (Networking)

Network. While in law school be sure to forge strong and lasting relationships with your classmates, with your professors, with the administrators, and with staff. Most of your colleagues will be very successful and many will have the opportunity to refer cases to you, or to serve as resources for you, or to be in a position to open various doors of opportunity. Don't be hesitant to get to know your professors—they are not as terrifying as they appear to be—rather, they can be helpful to steer you in the right direction. Your professors possess a wealth of knowledge and expertise, and you will find most of them very willing to share their wisdom with you. Get to know the staff here at the school. They have key positions and are there to help you navigate through law school. While staff (at the law school and at your place of employment) often consists of people who do what can be characterized as the mundane things which we often take for granted, they can be very helpful with advice, suggestions, and often serving as good persons to just talk to and even get encouragement from. You may not initially realize the extent to which these relationships you build with staff are beneficial—but I'll let you in on a little secret. At some point you may be able to cash in on the good will you develop in your law school and in your early legal career. (The largest civil case I settled—wrongful death case—during my years in private practice came from a referral from a lady who cleaned the courthouse where I served as a law clerk. Someone I always spoke to and joked with from time to time as I passed her in the halls.).

d. LESSON FOUR (Reputation and Personal Integrity)

Build and preserve a legacy of integrity. The great and revered figures in the legal profession possess more than a superb and incisive legal mind. They also have a reputation for honesty and personal integrity. As a judge, I have been stunned by the increasing number of attorneys who, in both their pleadings and often in open court, misrepresent the reasons for deficient pleadings, misrepresent why they missed a court appearance, and who blatantly lie to their clients and lie to the court. Becoming barred is not a significant problem for law graduates; it is staying barred which has alarmed the courts and those bodies policing lawyers.

It is never too soon to think about your reputation. Be careful of what you say, what you write, and what you do—even while a law student. During my confirmation process, it was amazing how those investigating me and assessing my fitness for the bench went back to articles I wrote as a law student—trying to get some indication of my perspective or some sense of my leanings. A few of my classmates in law school even told me they were contacted and asked by the investigators about my reputation as a law student and what I was like back in the day. (Did he have a reputation for being prepared in class, late to class, or a hard worker? Was he courteous and civil in his relationship with his fellow students? Did he have a reputation for taking short cuts, getting too close to the moral edge, or doing only enough to get by?). Your reputation as an attorney is your most precious asset, and it does not take but one incident to besmirch what otherwise is an outstanding career.

And speaking of integrity, if you have not yet thought about it let me remind you that as a future attorney, you will be confronted over the course of your career with a variety of opportunities often described as “having a license to steal.” You will be trusted with handling clients’ monies, and in the course of your representation of a client, you will often learn of secrets which could be seized by one with legal knowledge and in a position of trust. Many of these opportunities will pose conflicts of interest and ethical challenges for those who could be tempted and driven by thoughts of opportunism, greed, and a myriad of schemes to concoct legal claims or unethically line their pockets.

I have always approached questions of ethics in this manner: if you have to stop and think whether what you are about to do is ethical, then more than

likely it is wrong and you ought to refrain from doing it. That is what has driven my career and you may want to adhere to that principle. Remember that your integrity as an attorney is very important. Build and maintain a superb reputation for honesty and personal integrity as early as you can—starting in law school.

e. LESSON FIVE (Confidence)

Finally, stay confident that you have what it takes to be successful in the profession. Law school (and its grading system) is vastly different from undergraduate or graduate school. Don't lose confidence or settle for mediocrity if your first-year grades are not what you hoped for, or you do not make law review, or you do not obtain that associate position with that special law firm you coveted, or you do not get that the clerkship appointment you desired, or you did not get selected for the moot court or the mock trial team or the alternate dispute resolution program you sought. While those things are certainly important to strive for, they are not the sole determination of one's success as an attorney. Law students as a whole bring differing backgrounds and a variety of experiences. We all mature at different levels. Some may happen to be at the right place and at the right time. Still, others may possess the fortune of having access to a few more initial contacts to assist in getting placed. Opportunities may come sooner for some than others.

But each of you is talented with unlimited potential. You must not lose confidence in yourself, and you must not emerge from your classes and legal training with a feeling of marginality. Whenever I speak at commencements, I always remind students, and I'll tell you the same thing: that your star is yet in ascension and that your best is yet to come. There are opportunities and possibilities out there that are so far off your radar screen that they may not yet even be within your imagination. As a law student, it never crossed my mind that I would someday be the elected states attorney in the county where I would practice. Nor did I develop a specific plan of action to get the nomination by President Bill Clinton to serve on the federal judiciary. I just worked hard in my various laboratories of life to be the best that I could and opportunities then availed themselves. I can't say for certain because I have never met him, but I would guess that Senator Obama, as a law student at Harvard, had no idea he would today be the presumptive nominee for President of the United States of America and the subject of discussions around the world. None of you here have a clear

vision of all of the things you will accomplish, of all that you will achieve, and of the many places you will travel.

But here is the key. You must never lose confidence and never permit anything (internal nor external roadblocks or excuses) or anyone to undermine your confidence or kill your spirit. If you want to realize your potential, **you** must not limit your passion to “be.” You were not admitted to this law school if you did not have what it takes to succeed. As I struggled the first few months of law school trying to make the adjustment from undergraduate school to law school and trying to write and sound like a lawyer, one of my professors reminded me that I was a diamond in the rough and that I had the potential to glitter like pure gold. And, he told me never to carry myself if I were just bronze or silver, but rather I should believe that I was gold and never limit my passion to be gold. Therefore, I tell each of you this day not to lose your passion to be. But you must do the extraordinary things in order to follow your passion. There are enough impediments out there, enough nay-sayers, and enough competing things out there in the world serving as obstacles without you creating limits on yourself. If you have the passion to want to do it, the mind-set to embrace it, and the strength to persevere—whatever goal you have can be reached.

And so, let me conclude by saying that it is up to each of you to put in the hard work, to stay focused, to persevere, to embrace the Howard tradition and to contribute to taking the Howard legacy to the next level. And wherever you land—trust me when I tell you this—that wherever you land—opportunities will definitely present themselves for those who have prepared. I wish each of you the best as you embark on an exciting new chapter in your life. Welcome to the family and God speed!