

The Lawyerly Virtues

Remarks at first-year convocation
Sections C and D
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James Grimmelmann

New York Law School
57 Worth St.
New York, NY 10013
james.grimmelmann@nyls.edu

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Hello. On behalf of the faculty and staff, it's my happy duty to welcome you as you join the New York Law School community, and to welcome you as you prepare to become lawyers. Being a lawyer isn't just a job; it's a profession. The dictionaries say that professionals are distinguished by "prolonged training," "specialized knowledge," and "a formal qualification." That's about right; lawyers go to law school, they need to pass a rigorous multi-day bar exam, and they have a special piece of paper from the government saying they're allowed to practice law. Why all that rigamarole? The work that professionals do is important, important enough that society holds them to high standards. When a client comes to you, you'll be *legally required* to do your work for them well.

Even among professions, law is special. Traditionally, there were three "learned professions": law, medicine, and divinity. They've been joined by others—architecture, veterinary medicine, airplane piloting, and so on—but out of them all, law is the profession that's probably changed the least in the last two thousand years. If, after your graduation, you found yourself transported back in time to first-century Rome, or fifth-century Byzantium, or ninth-century Baghdad, or thirteenth-century England, or seventeenth-century France, it'd take you some time to learn the doctrines and the structure of the legal profession (and, of course, the language), but you'd find the basics of being a lawyer pretty much unchanged.

Your basic day-to-day activities would be pretty much the same as lawyers' always have been. You'd talk to clients to learn about their problems and give them advice. You'd look through written records to learn what the law says. You'd draw up some documents using specialized legal terms. And you'd formulate persuasive legal arguments on behalf of your clients. It's largely the same as it ever was.

Since it's an old-fashioned profession you'll be joining, I'd like to talk to you a bit about an old-fashioned sounding idea: virtue. The next three years—and your entire careers in law after that—are really about cultivating the virtues that make for a good lawyer. There are many, but I'll emphasize five.

First on the list is **wisdom**. Law is a complex system, with many moving parts. For most people, it's intimidating and scary; they turn to lawyers because we're supposed to know something about it. Good lawyers know the law, know how it fits together, and know how to use it effectively. The best lawyers are wise in an even broader sense; they're also wise about the human condition, about all the noble, tragic, and sometimes silly things people do. In law school and beyond, learn everything you can; your clients' cases will turn on what you know — or on what the other side knows that you don't. So hit those books.

Second is **diligence**. As you'll learn soon, as lawyers, lawyers have a professional duty of

diligence. Cross your t's and dot your i's; they'll take away your license if you don't. Now, sometimes this may seem like a cruel joke; "due diligence" means it's the lawyers who stay up all night making sure that everything in the deal papers is in order. Lawyers are worrywarts, always thinking about what could go wrong, and how to make sure that it doesn't. But lawyers' reputation for precision and caution is also a source of justified pride. Lawyers are the ones who prevent million-dollar mistakes; they're the ones who get someone wrongfully convicted out of jail because they spotted a crucial inconsistency in ten thousand pages of transcripts. So sweat the small things.

Third, there's **loyalty**. You'll also learn in professional responsibility about the lawyer's ethical duty of loyalty to the client. In a narrow sense, that means knowing how to spot conflicts of interest and avoid them. But in a richer sense, it means really and honestly working to make your client's life better. There's a deep satisfaction that comes from working a job that is so deeply committed to helping people, that touches so many lives. Think about that phrase you all know, "If you cannot afford a lawyer, one will be appointed for you." Whatever else happens in this crazy world, everyone in society — everyone — is entitled to the undivided attention and support of one other person: a lawyer. So don't disappoint them.

Fourth, there's **discretion**. This is yet another duty imposed on you by the ethical rules of professional conduct. Narrowly, it means keeping client confidences; you can't reveal anything a client tells you without the client's permission. But once again, there's a richer meaning. A good lawyer knows how to keep secrets; she knows when to speak up, and when not to. That takes confidence, that takes self-possession, it takes humility. We live in a blabbermouthed, media-obsessed age; being a lawyer means possessing the dignity to stand aside and watch quietly, seeing everything, saying little. That discretion is a large part of why people trust us. So earn that trust.

And last—but very definitely not least—there's **justice**. This is the big one, the distinctly lawyerly virtue, the one that defines what it means to be a lawyer. Seeking justice means obtaining for your clients what they deserve; it also means making society a better, fairer place. Here in law school, we'll be talking about justice constantly. In every case, we'll be asking, is this result just? Could it be better? How? At the end of every day in your professional career as a lawyer, you should be able to think back and feel the satisfaction of having made the world a little better than it was. So do good.

Wisdom, diligence, loyalty, discretion, and justice—these are both professional virtues and personal virtues. There's a close connection between being a good lawyer and being a good person; many of the virtues are exactly the same. That may be one reason why some of the best lawyers I know are also some of the happiest people I know.

So I say to you, welcome. Congratulations on your decision to take up the heavy burden of becoming the best lawyers, and the most virtuous people, you can be. The road ahead is long and hard, but I'm confident that you're more than equal to its challenges. We here on the faculty and staff of New York Law School stand ready to help you in any way that we can. Even more importantly, look around you at your fellow students. Learn with them, share with them, help them, let them help you. Because the other thing about joining a profession is that you're never in it alone. Your classmates here will be your colleagues and your friends, joined together with you in the great and honorable work of seeking justice for all. Congratulations again, and welcome to law school.