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GREETINGS AND REMARKS OF STANLEY H. FULD

CHIEF JUDGE OF THE STATE
OF NEW YORK
DEDICATION CEREMONIES
ST. JOHN'S UNIVERSITY
SCHOOL OF LAW
OCTOBER 20, 1972

It is a privilege and a pleasure for me, personally and as Chief Judge of the State, to join with you in dedicating this beautiful and imposing structure, Fromkes Hall, the new home of the Law School of St. John's University. As an honorary alumnus of the University, I share with particular delight your joy in the ceremonies we celebrate today.

The contributions of St. John's Law School have been significant and influential in their impact upon legal training in this state and across the nation. Its faculty consists of able, dedicated teachers; its law review, as well as *The Catholic Lawyer*, published by the St. Thomas More Institute for Legal Research, is exceedingly well regarded. Over the years, large numbers of St. John's graduates have become leading members of the bar, captains of industry and business and distinguished public servants. In fact, some 152 judges in this State and more than a dozen in our sister states are alumni of St. John's. In short, as I had occasion to observe when I was privileged to address you two and one-half years ago, St. John's Law School has a record of scholastic and public achievement of which all associated with the University may well be proud.

The happy occasion, which brings us together, should, however, be more than a time for recording past accomplishments, for the ultimate value of this magnificent new building—indeed, of this law school—will depend on what is done here. In the years to come, the measure of the school will be assessed not in terms of its architectural grandeur

or the decor of its facilities but, rather, on the basis of the ideas it generates, the contributions it makes to the development and growth of the law and the quality and dimension of the training it provides for its students.

Today, perhaps more than ever before, the very foundations of our democratic institutions and our system of law are being put to the test by seismic tremors of social ferment and demands for immediate, drastic change. The sources of unrest—the ominous and growing economic and political isolation of the poor, the inadequacy of remedies for their needs, the alarming increase in crime and drug addiction, the creeping malaise and the growing divisiveness which pits group against group and generation against generation—call for new ideas, fresh approaches and courageous experimentation.

These problems and the demands for change they provoke pose a challenge to the ingenuity and creativity of the law, the great mediating force in our society, and it is incumbent on the legal profession and the law schools—which prepare young men and women to take their place in that profession—to play an active and meaningful role in meeting that challenge.

The law school's role is a particularly important one for it is the law school which provides our legal system with a ready-made laboratory, a crucible in which new and fresh concepts may be tried, tested and modified. Our law schools must, of course, continue to provide excellence in technical legal training, in case synthesis and analysis. But they must do more than merely furnish a classroom approach to

legal education. It is clear, I believe, that legal training today must instill in the student an acute awareness of the economic, social and political forces at work in our country if it is to satisfactorily train the men and women who choose the law as a life's career.

Law is a living process, and it must ever be responsive and responsible to human needs—not merely a dry compendium of statutes, decisions and other data. Accordingly, our law schools must plan and establish curricula that will enable and encourage the student to understand and deal constructively with the complexities and ever-changing demands of 20th century life. There are no easy answers to the troublesome problems confronting us, and students as well as faculty would do well to bear in mind the admonition of Professor Paul Freund:

For the ultimate issues veiled by time and mystery, in law as in life, the most meaningful answer may be the question. Beyond curriculum, beyond casebooks, beyond even the library of learning . . . education depends on putting and pondering the most searching questions. . . . Sometimes the practical-minded need to be reminded that we hit the target by aiming above it.

The challenges facing us are the greater because of the critical need to find solutions for our current ills within the framework of our system of law. One of our primary concerns is to maintain the rule of law, for without it we can fairly anticipate only disorder and chaos. Unquestionably, then, we must safeguard the individual's right of dissent but there is a vast difference between responsible individual dissent and deliberate, wilful defiance of the law,

between rational debate and incitement to violence and interference with the rights of others. We must, therefore, set our face against any effort to substitute for the rule of law, applicable to all alike, a personal—perhaps quixotic—self-made code which would exempt particular individuals or groups from the application of the rules governing society as a whole.

One of our major problems, and one necessarily of special concern to the legal profession, is reflected in the complaint voiced by large segments of our population that there is a different measure of justice, a different quality of legal representation, for the poor than there is for the rich. Obviously, our legal system itself would never consciously or deliberately countenance such discrimination but there is no gainsaying the critical need of so many of our fellow citizens for more adequate and effective legal assistance.

I have spoken in the past about the ever-increasing need to provide counsel at public expense for poor persons in both criminal and civil cases. Private organizations, such as the Legal Aid Society, are hampered by lack of funds and personnel and government-sponsored programs have provided only partial relief. The law schools are in a unique position to help meet these problems by adding clinical programs to their curricula, and many of them have already moved forward in that direction. Indeed, just a few months ago, Supreme Court Justice Brennan noted in the course of his concurring opinion in *Argersinger v. Hamlin* that “more than 125 of the country’s 147 accredited law schools have established [such] clinical programs in which faculty-supervised stu-

dents aid clients in a variety of civil and criminal matters.”¹ His observation bears repeating: “I think it plain,” he wrote, “that law students can be [expected] to make a significant contribution, quantitatively and qualitatively, to the representation of the poor in many areas. . . .”² In line with the nation-wide trend in the direction of clinical education, our Court of Appeals has just recently amended its Rules for the Admission of Attorneys and Counselors at Law, so as to give provisional approval, to a specified extent, to the use of faculty-supervised clinical programs in place of standard classroom instruction.³

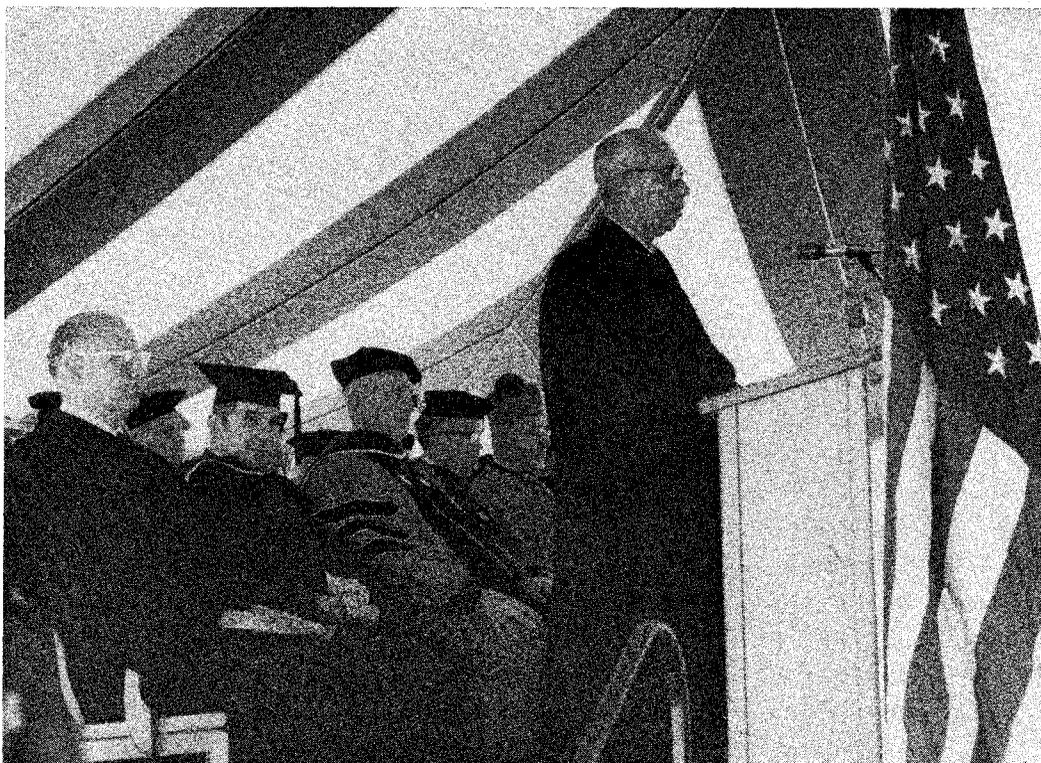
In view of these developments, I was interested to learn that St. John’s is again offering, for the second year, a clinical program of this type. Under it, the students work outside of the school for 12 hours each week, rendering assistance to lawyers engaged in legal representation of the poor in various areas of civil litigation. And, in conjunction with this work, the students attend seminars held in the school during which they discuss the experiences and problems they have encountered.

There are, of course, other major problems—such as the blight of our ghettos, our antique bail system, court congestion and crime and drug addiction—which should be the subject of attack by faculty-supervised law students working pursuant to thoughtfully conceived, educationally-

¹ 407 U.S. 25, 40 (1972).

² *Id.* at 41.

³ 22 N.Y.C. R.R. § 520.4(c).



Chief Judge Fuld Addressing Friends of St. John's Law School at the Dedication Ceremony

oriented law school projects. The law schools may also make a significant contribution—as is St. John's—by helping to train more lawyers drawn from minority groups and by encouraging and preparing more students to pursue careers in the field of criminal law. Capturing the spirit of our law schools' boundless opportunities for service are these words of former Chief Justice Warren: "If every law school in America would select a good cause—any good cause—and pursue it diligently, our profession would be greatly enriched; opportunities for a better life would be available to all of us; our cities would be more livable, and the majesty of the law would be enhanced."⁴

In dedicating this magnificent structure, let us reaffirm our commitment to the ideals of justice which it symbolizes. If we live up to those ideals and, indeed, proclaim new and loftier ones as justice and the needs of society require, then, in the years to come, those who follow in our place can say of us—as we say of those who contributed their time, their imagination and their energies to the construction of this new edifice—they built well.

It is truly a delight to be here and, in congratulating St. John's Law School and those associated with it on achieving this milestone in its growth, I extend my best wishes for the future.

⁴ Warren, *Dedication of the Spessard E. Hollard*

Law Center, 21 U. OF FLA. L. REV. 285, 289 (1969).