

St. John's School of Law - 2013 Commencement Exercises

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ST. JOHN'S SCHOOL OF LAW – 2013 COMMENCEMENT EXERCISES

SUNDAY, JUNE 2, 2013

HON. JONATHAN LIPPMAN*

Reverend President Harrington, Dean Simons, Members of the Board of Trustees, distinguished Faculty and Alumni, graduates and, above all, those of you who have made this special day possible — cherished parents, spouses, family members and friends — good afternoon, and congratulations to every single one of you!

I am deeply honored to be your commencement speaker today and to receive an Honorary Doctor of Laws Degree from this great Law School, whose mission of service to the poor I so greatly value and admire. The honor and joy I feel in being here today are both magnified, and of course made bittersweet, by your bestowal of the University's Medal of Honor on my dear friend, Ted Jones. What a well deserved honor for him and his family, and I am positive that right now he has that wonderful smile on his face that I know so well. I want to talk to you today about the responsibilities you all have on the journey that now begins on the shoulders of Judge Jones and so many others who have preceded you. Let me first say that each one of you can now call yourself a lawyer, a great accomplishment to be sure. Yet, each of you has made or, in the near future, will have to make difficult decisions as to what path to take in your legal career.

When I sat in your chairs some 40 odd years ago at my law school graduation, I honestly had no idea what I would do with my legal degree. I certainly never dreamed of becoming a judge, much less the Chief Judge of

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our state. I can only tell you, at that juncture in my life, I did look for some timeless wisdom.

I found it in a scholarly law journal article called *The Jurisprudence of Lawrence Peter “Yogi” Berra*, who famously said, “When you come to a fork in the road, take it.” Those words have had many interpretations. Probably someone somewhere has even written a thesis on them.

Nevertheless, Prof. Berra’s advice may not really help you in deciding on the nature of your legal career. However, I do think it may be helpful for me to talk to you today about why I think joining the legal ranks is to take part in the noblest of professions, and to convey to you that there is a deeper meaning and a broader purpose associated with the noble tradition of lawyering, regardless of the exact path that you take.

You are part of a long and proud tradition. St. John’s School of Law has a unique mission inspired by the work of St. Vincent de Paul, who entered the priesthood hoping to attain a comfortable lifestyle but spent the rest of his life serving the poor and advocating for the disenfranchised in a 17th century Paris marked by enormous affluence for a few, and dire poverty for the masses. Today, St. John’s keeps the Vincentian vision and spirit alive, fostering academic excellence while emphasizing “respect for the rights and dignity of every person,” engaging students in searching out the “causes of economic and social injustice” and in finding concrete solutions to those problems; in other words, pursuing justice and serving others a mission truly worthy of our great profession, and one that could not resonate more deeply with me as the steward of the justice system in New York.

Pursuing justice is our very reason for being as lawyers. I am not talking about pursuing justice in just a conceptual or abstract sense, but rather making it a part of our day-to-day reality and identity as lawyers. The pursuit of justice is at the very heart of our profession. It is our calling.

Yet, as a result of our weakened economy over the last years, many of our courthouses are filled with vulnerable, frightened litigants unable to obtain justice because they cannot afford a lawyer. Access to justice is not a luxury, affordable only in good times. It cannot be allowed to fluctuate with the ups and downs of financial markets.

With the economy still very much in recovery mode and so many people dealing with the devastation and legal problems caused by Superstorm Sandy, the need for civil legal services in New York for the poor and people of limited means has never been greater. It is a crisis that poses tremendous challenges for the courts and our entire justice system. But it has also been the impetus for some historic efforts of which we are very

proud.

Judiciary funding for civil legal services for the poor in the current budget year in New York is \$55 million, by far the most in the country. We put these monies in the Judiciary Budget because legal services for the most vulnerable in our society is not tangential to the Judiciary, but rather is central to its constitutional mission of fostering equal justice. And the Bar in New York has recognized the need, in these difficult times, to redouble its pro bono efforts to provide legal assistance to the poor, contributing over two and a half million hours of voluntary pro bono work each year.

But even with these positive developments, the reality is that we are barely meeting 20 percent of the civil legal needs of the poor and the working poor in this state. The Legal Aid Society in New York City turns away eight or nine of every ten people that come to them seeking legal assistance.

The entire legal community has an ethical, professional and moral obligation to respond to this crisis, and law schools and law students have a critical part to play. This year, New York became the first state in the country to adopt a pro bono requirement for bar admission. Applicants seeking admission to practice law in New York are now required to perform 50 hours of voluntary legal services for the poor or equivalent public interest work before they can call themselves lawyers in our state. By doing so, they embrace the core values of our noble profession, first and foremost of which is service to others. This culture of service is what being a lawyer is all about and what St. John's Law School is all about.

This initiative has been discussed and debated across the country, but I am very proud of how the St. John's Law School community, with Dean Michael Simons very much in the lead, has rallied to the cause and accepted the challenge. It is no surprise to me that this great law school has risen to the occasion. Public service is part of your DNA at St. John's. It starts with programs like a "Day of Service and Reflection" for incoming first-year students, exposing them to public service needs in the community and providing immediate opportunities to engage in pro bono training and service, including working with children and the elderly. And it continues for all three years, with many public interest centers and clinical opportunities in areas like child advocacy, immigration, and domestic violence and numerous externships and in-house pro bono programs. The graduation class of 2013 has collectively logged over 64,456 hours of pro bono service through the opportunities afforded to you here at St. John's. This represents an incredible contribution by your class and St. John's to

meeting the legal needs of the poor and the disadvantaged. What could be more demonstrative of the Vincentian spirit that is so clearly alive and well at this great law school.

In the new career each of you embark on today, I know you will carry with you that same commitment to service that is so much a part of the fabric of St. John's and that you will make a difference in so many ways. Some of you will represent the indigent and the poor, in criminal or civil matters, as your full-time professional career. I promise you it will make your lives meaningful and fulfilling, as it did for St. Vincent de Paul, who found God and himself in direct service to the poor.

But we know that such a role is not for everyone. Many of you are seeking or have already taken more financially lucrative jobs in law firms, corporations, or government. And good for you. That's great! But as private or public sector attorneys not representing the indigent as part of your everyday jobs, you know from your years here at St. John's that you still have a duty and a very important role to play in pursuing justice by volunteering your skills on behalf of our less fortunate neighbors. This is what lawyers do and must continue to do if we are ever to make the ideal of equal justice a reality, if we are ever to close the justice gap between the tremendous need for legal services for the poor and the finite resources presently available.

And equal justice is so much a part of the ethical and legal underpinnings of our civilization going back to biblical times and the mandate of the Old Testament: "justice, justice shall you pursue for rich and poor and high and low alike." That admonition resonates as strongly today as it did thousands of years ago. And today it surely is the lifeblood of our democracy. If we cannot deliver on the promise of justice for all, we might as well close the doors of our courthouses and our law offices.

And here at St. John's, you know that! I have seen firsthand the spirit of St. John's graduates in action and what a difference they can make for the public good. When I became Chief Judge, I began sitting alongside two St. John's alumni, two of the finest, most dedicated, and happiest public servants I have known: Carmen Beauchamp Ciparick, who I am so delighted is here with us, and Theodore T. Jones, Jr., whom you honor today. The passing of Judge Jones reminds us that we must cherish life and every opportunity we are given to make a difference in this world, as Ted Jones most certainly did. The pursuit of justice was his life. As a legendary defense lawyer and as a judge, he fought for the rights of those wrongfully convicted of crimes and tirelessly worked to ensure that all New Yorkers had the chance that Ted had to be a part of the American dream. He was

passionately committed to equality and justice for each and every person in our society, no matter their background or station in life.

Both Judge Jones and Judge Ciparick are wonderful examples of the St. John's Vincentian tradition of service to others, as are St. John's graduates and former members of the Court of Appeals, Joseph Bellacosa, who was also the Dean of the Law School, and the late Vito Titone. What a great tradition! All of their lives are proof positive of how there are so many different paths that each one of you can take to professional achievement and personal fulfillment. There is a great future for every single one of you who embraces the values of this wonderful law school and of our noble profession.

We are at our best, our noblest, when we are protecting the rights and liberties of our citizens, helping clients with their problems, mending broken lives, challenging systemic injustices. Justice has no real meaning without lawyers to give it life. When we forget that our profession calls us to be of service to others, we lose our direction and our moral compass.

For the legal profession and the Judiciary we can and should be judged by whether we provide meaningful legal representation for the poor, particularly when the essentials of life, the very lives and well being of real human beings, are at stake: the roof over their heads, their physical safety, their livelihoods and the well being of their families. If we fail in this most basic of our obligations, we become easy prey for those who seek to undermine the justice system and the rule of law. The rule of law, the very foundation of our democracy, loses its meaning when the protection of our laws is available only to those who can afford it.

So on this day of great joy and accomplishment, I ask you to remember that we cannot define our existence by billable hours and paychecks alone. Our profession has never been that narrow. Our profession has always had a broader meaning and a higher purpose, one defined by the pursuit of justice and the desire to be of service to others.

I return to the life of St. Vincent de Paul, whose works of charity and advocacy for the disenfranchised and the most vulnerable among us shed light on one of the greatest paradoxes of life: that it is in giving that we receive.

Graduates, whatever you choose to do in the law, heed the call to serve and you will be a force for equal justice and proud to call yourself a lawyer today and every day.

Thank you.

