

## COMMENCEMENT ADDRESS

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MASSACHUSETTS SCHOOL OF LAW  
2010 GRADUATION CEREMONY  
ANDOVER, MASSACHUSETTS

FRIDAY, JUNE 4, 2010

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It is indeed an honor and a privilege to be here and to participate in this special event. This ceremony marks the culmination of years of study, much hard work and considerable dedication on the part of each student who will be receiving a Juris Doctor degree today. Although many of you have come to Massachusetts School of Law directly from college, I know that many of you are full-time, working professionals with numerous other responsibilities in your lives. Similarly, a number of you are coming to the law later in life or as a second career.

By whatever path you have come here, I take my hat off to each one of you and commend you on this significant accomplishment. Life comes down to a few moments worth remembering, and this is one of those moments. Congratulations, one and all.

Let me also congratulate those of you who have stood by these students not only now, but over the years. It is especially important that you should be here today to share in this event. Whether as parents or spouses, family or friends, this is your day as well and the occasion is made even more meaningful by your presence.

To the members of the Class of 2010, I am especially pleased that I was asked to share this occasion with you. I know that I come here already decades into my career, but I sense that you and I are alike in many ways. Like many of you, I come from a family of immigrants and I have come to know, in a very personal way, that America is the land of opportunity. It is a place where, over the years, people no different from you and me have learned that their fate is not simply to repeat the lives of their parents or of preceding generations. Here they realized that they are not bound either to the profession or the class of those who came before them. And here they faced, perhaps for the first time, the exhilarating prospect of succeeding, and even failing, on their own merits.

Like many of you, I am the first in my immediate family to go to college, the first to go to law school, and from today, I can say that I am the first to speak at a law school commencement ceremony. America is, indeed, the land of opportunity.

Similarly, for each of you Mass. School of Law has been a school of opportunity and of opportunities yet to come. For you see, if Mass. School of Law has provided you an opportunity, the education that you have received here represents an opportunity for others. This school and the degree that you have earned will make a difference in your lives, but through you, they will also make a difference in the lives of others. And this brings us to the heart of the matter, the fact that a lawyer's primary role is not to act on his or her own behalf but to represent the interests of others. Put another way, the foundation of the legal profession is service.

What you have learned, and what you do with that knowledge, will make a difference to those many people you will serve over the course of your legal career. For some it might be starting a new business, or purchasing a new home. For others it might be obtaining just compensation for injuries suffered, while others may require a defense against baseless claims. There will be days when you help a family in crisis, but there will be days that you help give a child a loving home through adoption. You may be asked to represent the victims of crime, but you may also be called upon to defend those charged with the most serious of offenses. In any number of ways you will be asked to assert rights and correct wrongs. As lawyers you will thus serve as gatekeepers, helping to provide those whom you represent access to our legal system and the benefit of our laws.

I have been in the legal profession for going on 35 years, 19 of them as a judge, and I can assure you that there is no accomplishment more meaningful and no attainment more satisfying than knowing that your efforts have made a critical difference in the life of another person. And as lawyers, you will be given that opportunity almost every day.

The law is indeed a majestic thing. But the law is ultimately about people and it is people that lawyers represent. Even when the client is a corporation or some other entity, the issues that you deal with will be about people – their lives, their triumphs and their tragedies. It is service to others in such circumstances that defines the role of the lawyer and makes the legal profession the noble calling that it is.

But lawyers, and the law, do more than serve individual clients. They serve society itself. The law is important because it provides a set of rules that permit society to function in an orderly way. But just as importantly, the law makes justice possible, treating the weak and the strong the same and deciding disputes based on the rule of law rather than the rule of force. In this respect, the law is a great equalizer. The powerful, but also the powerless, are entitled to their day in court, and the first step in achieving that goal is to ensure representation by capable and dedicated professionals, like the degree candidates before us today.

The law also reflects our shared values, the values of fairness, equality and justice for all. And just as importantly, it serves as the bulwark of our most precious liberties. In a society

as diverse as ours, the law is thus an important part of the glue that holds us together as a society. Although there are times when the law may seem to divide us, it is at its best when it brings us together. Of course, it is always important to recognize competing interests and to consider contrary views. A certain amount of contention is basic to our democratic way of life. But the law also provides tools for collaboration. And in the final analysis, it is compromise and cooperation that make possible life in a civilized society.

Your career as lawyers will not always be easy, but I assure you that it will always be challenging and, to the same extent, rewarding. But being a lawyer is not just a way to earn a living or to pay the bills, it is an opportunity to give your life meaning in the service of others. For my own part, I cannot think of a more satisfying way to have passed the last three decades than as a member of the bar. For you see, even in my current position, I consider myself a lawyer, although my role in the profession is to serve as a judge.

The fact that our judges first serve as lawyers is not the case throughout the world. As Dean Velvel mentioned, I was a judge on a war crimes tribunal in East Timor. There I served with judges from around the globe, all of them dedicated men and women doing important work in difficult circumstances. But not one of them had ever been a lawyer. Of course they had law degrees, but in their systems of justice becoming a judge was part of a career path leading directly from law school to the judge's lobby.

Not one had ever had a client or had the experience of taking on the burdens of another by representing him. My colleagues were outstanding scholars of the law, but none had ever held the hand of a person in need or seen how justice is experienced from the other side of the bench. Put another way, for them justice had never been up close and personal the way it is every day for every lawyer in this Commonwealth and as it will soon be for each one of you.

Justice is not only a basic human right. Justice is also a basic human need. We, each of us, need food and water, shelter and safety. But we also need justice to live lives worth living. Our legal system is charged with ensuring that the American creed as expressed in the Pledge of Allegiance is made real, and that we are indeed a nation of "liberty and justice for all." There is no group in our society more aware of that fact and more committed to its accomplishment than our lawyers. Soon, you too will share in that responsibility.

Every day that I come to the Appeals Court, I am caused to remember that the magnificent building in which we are located, the John Adams Courthouse, is named not after a judge, but a lawyer. When John Adams wrote the Massachusetts Constitution, in which he laid the foundation for an independent judiciary, he did so not as a judge defending his turf. Rather, he composed that document as a lawyer who understood in the most profound way the importance of a free, impartial and independent judiciary to the rule of law and the democracy that it supports.

From the very beginning, our system has thus depended on the commitment and service of lawyers. And that is true even today. It is now up to you to decide how you will answer that call.

To guide you on your way I could suggest to you any number of things to remember as you pursue your legal careers: That we expect lawyers to meet the highest standards of professional conduct both inside and outside the courtroom. That the practice of law should never be just about winning, but always about proceeding zealously but fairly, ethically and in a responsible manner. That civility among lawyers is important and that the adversarial process need not make us adversaries. The importance of maintaining one's professional reputation, something that takes years to develop, and in a moment of weakness, only a minute to lose. And always remembering that your word is your bond.

Many of these things you already know, some of them intuitively. What I would like to share with you in closing, however, is something that perhaps you do not know. Or at least something you may not have experienced, because it only comes after years of doing the same thing, day in and day out and the job no longer seems fresh and new and exciting. We must be honest with ourselves. However noble the legal profession may seem at first, the practice of law can, for some, lose its luster and one's routine can easily seem more like a rut.

Much is at risk, when a lawyer reaches the stage of thinking that he or she has seen it all before. The point at which he or she forgets that what may seem to be just another case is, in fact, the most important case in the world, at that moment, to the people involved. The British essayist G.K. Chesterton said it best: "The horrible thing about all legal officials [he said], even the best, about all judges, magistrates [and] barristers . . . is not that they are wicked (some of them are good), not that they are stupid (several of them are quite intelligent), it is simply that they have got used to it. Strictly they do not see the prisoner in the dock; all they see is the usual man in the usual place. They do not see the awful court of judgment; they only see their own workshop."

When a lawyer finds himself in that position - seeing only the usual person standing in the usual place saying the usual thing - he or she has lost the spark. Lost the professional excitement and anticipation that each of you feels today - the spark that brought you to law school and has sustained you over your years of study. It is that spark that your law school education has fanned into a flame, one that must continue to motivate you and inspire you in the years to come.

The poet William Butler Yeats said that "Education is not filling a bucket, but lighting a fire." Over the years, you must never lose that fire. Never let it fade, even if it should flicker upon occasion.

But should you find your inner fire waning, if only slightly, remember this moment and how you feel. Remember today and what you had to overcome to get here. Remember the expectations that you have for yourself and the hopes that have sustained you. Remember your families and all those who helped you along the way, making today possible. Remember this moment.

The knowledge, the commitment and the sense of service that you developed here at Mass. School of Law - that is your fire.

Another son of Massachusetts, Justice Oliver Wendell Holmes, in reflecting on his service as a young soldier in the Civil War said it this way: "[I]n our youth our hearts were touched with fire. It was given to us to learn at the outset that life is a profound and passionate thing."

You who are at the outset of your legal career must always be passionate about your service as lawyers. Never forget why you are sitting here today. And never take any person for granted, including yourselves. You are poised to do great things, if only you will act greatly.

To the members of the Class of 2010, once again I extend my congratulations. I wish you all the very best in the years to come.