

University of Georgia School of Law Graduation
May 19, 2012

Thank you Micah for that kind introduction. And thank you also for not asking Dean Kurtz or Professor Ellington to introduce me. You see, they both taught me when I was here, and I am confident that they are both still in a state of shock that with all of the outstanding scholars in the Class of 78, somehow I was the person from that class who was asked to return and deliver a graduation address. While I join them in that shock, I am also honored and humbled by the opportunity. To be asked to return to my alma mater and address the new graduates is indeed a high honor for me.

Congratulations to you, the members of the Law School Class of 2012. Just over three years ago you received a letter from the University of Georgia Law School telling you that you had been accepted into this class. When you got that letter, you were not really sure what was ahead of you. You knew that you had reached a goal by simply getting in the class. You had worked hard during your college career to earn the grades and build the record that would let you have this opportunity. But the day you got that letter, you could not really know what was ahead.

Then you came to Athens ready to start your classes and before your first class ever even met, you received your assignments. When you first saw the

assignments, you probably thought, “This won’t be so bad. I only have to read 10-15 pages per class. How long can that take?” But then you started to read and could not believe it. You would read a page and then think, “What did I just read? This stuff is so dense! Who wrote these opinions? I thought all lawyers wrote like John Grisham. Where did these judges learn to write?” It began to dawn on you that law school would probably be unlike anything you had ever done before. Maybe this wasn’t going to be as much fun as you had thought.

But you were not deterred. I am sure you were discouraged at times. All of you were accustomed to being in the top of your class—B’s were not a part of your world. All of a sudden, a B didn’t look so bad. You realized that you just had to keep working. You figured out that law school was not a sprint, it was an endurance race.

You stayed the course and now you find yourself here today about to receive your degree. Three years ago, you were not really sure what it was going to take to reach this point, but you believed this day would arrive for you. You set a goal, kept going, and today is a sweet victory.

The kind of perseverance required to survive law school reminds me of a favorite story about my Father as he was growing up on a farm in rural Georgia in the mid-1930's. When he was 5 years old, his sister, Vera, received a new lunch

box at the beginning of the school year. On the first day of school, she boarded the school bus with her new lunch box, but when she returned home that afternoon, it turned out that she had left her lunch box at school. As you can imagine, there were many tears and much anguish about having left the lunch box. However, after a time, she calmed down and went about the business of her day.

As evening approached, my Grandmother told Vera to go out and call her brother in for supper. She went out and called my Dad, but got no response. She walked down to the scuppernong vine by the well, thinking he was probably playing in his little fort there, but she couldn't find him. She walked out to the fields and called to him, but got no response. She walked down past the fields to the woods and called time and again, but got no answer. She returned to the house and told my Grandmother she couldn't find her little brother. My Grandmother joined her in calling to my Dad, but still no response. Then my Grandfather became involved, and he, too, went out calling for my Dad as darkness began to approach, but still no response.

Finally, one of them noticed far down the dirt road that ran in front of their house, a small cloud of dust that seemed to be moving toward them. They walked down to the road and looked in the distance. There they saw my Dad, pedaling as hard as he could on his little tricycle. Hanging on the handlebar was that shiny,

new lunch box of Vera's. Now that is certainly a sweet story, but when you fully understand the sacrifice my Dad made, it has even more meaning.

When my Grandmother first told me that story, I was impressed, but the more details I acquired, the more I appreciated the power of absolute commitment. It turns out that when our little hero saw his sister in distress, he gave no consideration to the obstacles he might face in retrieving the prized lunch box. He simply got on his tricycle and began to pedal. At the age of five, he did not take into account that the entire route would be on a dirt road. He did not take into account that the distance each way was approximately four miles.

Now, in my experience as a judge, I have learned that most people are terrible judges of both distance and time. So let me help you understand what four miles really means. If you headed toward town on Lumpkin Street below the hill from the law school and went up to Broad Street and turned left when you got to the Varsity, you would have traveled 1 mile. You would reach the half-way mark when you got to Alps Road. You would not arrive at the school until you reached Target. Of course, you would then have to turn around and pedal back.

As I became more and more fascinated with this story, I even calculated the approximate number of times he had to pedal that tricycle to get to the school. By my calculations, he had to pedal that tricycle 8,448 just to get to the school and

another 8,448 to return.

Several years ago, I recounted this story in a speech when my Father was present. After the speech, he came to me and said, “Rick, there’s a part of this story your Grandmother never knew.” It turns out that after all that pedaling to get to the school, when he arrived, the school was locked. Not to be deterred in his quest, he was able to jimmy open one of the windows and climb in to retrieve the lunch box. Trusting the statute of limitations has now passed, I share that part of the story with you. Not to indict my Father, but to tell you that when you set your sights on your goal, you can not let what seem to be even large obstacles get in your way. For my Dad, his goal was clear. He knew what he wanted, and he would not be deterred. The goal was worth it. The look on his sister’s face when he handed her that lunch box was worth every pedal of that little tricycle. You are present here today because of that same kind of resolve. You set a goal, you persevered (you have been pedaling like crazy for the last 3 years), and now you will receive your degree.

I am not so naive as to believe that today represents the completion of your ultimate goal. The reality is that today is actually only a step toward your ultimate professional goal, albeit an essential step.

We all know there is more work to be done. We won’t even talk about that

nasty little test you have to take this summer. Beyond that, you must find your way into the profession. In the present economic times, I know that seems like a daunting task. Jobs are not plentiful. It will be easy to become discouraged. It will be easy to question whether it is even worth it to continue your quest.

My message to you today is two-fold. First, do not give up. You have shown your tenacity by earning the right to be here today. You are not quitters. Second, going the distance will not only be worth it, it is essential to all of us that you take your place in this honorable profession we call the practice of law.

Why is it essential that you, as we like to say here at Georgia, “finish the drill?” Because the health of our system of justice is critical to the health of our nation. From the founding of this democracy, the importance of the role of courts to our system of governance has been recognized.

Alexander Hamilton, in the Federalist Papers, wrote that independent courts of justice are essential because of their duty “to guard the Constitution and the rights of individuals,” especially against “serious oppressions of the minor party in the community.”

Through the years, writers have extolled the role of the courts, for example, William Faulkner reflects the prominence of the court in his description of a simple

county courthouse,

“ . . . a Square, the courthouse in its grove the center;
quadrangular around it, the stores. . . school and church and tavern and
bank and jail each in its ordered place. . .

But, above all, the courthouse: the center, the focus, the hub;
sitting looming in the center of the county’s circumference like a
single cloud. . . musing, brooding, symbolic and ponderable, tall as
cloud, solid as rock, dominating all: protector of the weak, judiciate
and curb of the passions and lusts, repository and guardian of the
aspirations and hopes. . .”

The high calling of the courts was beautifully described by Atticus Finch in
his closing argument in Harper Lee’s *To Kill a Mockingbird*, when he said:

In this year of Grace 1935, we are beginning to hear more and
more about Thomas Jefferson’s phrase about all men being created
equal, but we know that all men are not created equal in the sense that
some people are smarter than others, some people make more money,
some people have more opportunity because they are born with it, and
some people are born gifted beyond the normal scope, but there is one

way in which all men are created equal. There is one human institution that makes the pauper the equal of a Rockefeller, that makes the stupid man the equal of an Einstein, and the ignorant man the equal of any college president. That institution is a court of law. Our courts are the great levelers, and in our courts, all men are created equal. I am no idealist to believe so firmly in the integrity of our courts and the jury system. That is no ideal to me, it is a living, working reality.

You are joining a profession today that has a unique role in our democracy. People love to disparage lawyers and our entire system of justice. Yet, they often fail to see that it is the very system that preserves and protects their most basic freedoms. In this democracy that we enjoy, the courts are the final defense when government seeks to abridge the rights of individuals. Now, I recognize the courts have not always stepped up to the challenge, but we usually, finally get there. The degree you are receiving makes you an integral part of that system.

The role of courts in our democracy has never been more important than it is today. In difficult times our resolve sometimes weakens. We are willing to consider the relinquishment of our rights in the name of safety or security. The courts assume the responsibility of protecting those individual rights and freedoms,

even in hard times. These rights and freedoms are at the core of our democracy. As Dr. Martin Luther King said, “When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir. This note was a promise that all men. . . would be guaranteed the unalienable rights of life, liberty, and the pursuit of happiness.”

The only way courts can function is through lawyers. Many graduation speakers will tell young graduates that those of us who have gone before them have messed up the world, and thus, we are looking to the new, young graduates to set things right. That is not my message. I tell you that while we have had our shortcomings, the lawyers and courts of this land have struggled mightily to honor the promise about which Dr. King spoke. And now, you have been equipped over these last three years to take up the mantle of this profession and to assure that the dream lives for generations to come. And, that is my challenge to you today. Pursue your professional dream by whatever means you choose. You may choose to defend the accused or to prosecute the guilty or to advise businesses on commercial matters, but never forget that you have a professional responsibility to protect the freedoms and rights of all people in this great land. You have a duty to keep the dream alive. Borrowing from Atticus Finch one last time, “In the name of

God, do your duty.”

Good luck to you all and thank you for letting me be with you today.