

6-13-1981

Class of 1981 Commencement

James C. Hill
U.S. Court of Appeals

Repository Citation

Hill, James C., "Class of 1981 Commencement" (1981). *Graduation Addresses*. 22.
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ADDRESS
DIPLOMA CEREMONIES
UNIVERSITY OF GEORGIA SCHOOL OF LAW
JUNE 13, 1981

JAMES C. HILL
UNITED STATES CIRCUIT JUDGE

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PRESIDENT SWARTZ

MEMBERS OF THE 1981 GRADUATING CLASS OF THE UNIVERSITY OF GEORGIA
LAW SCHOOL.

I ACKNOWLEDGE THE PRESENCE HERE WITH US OF DEAN BEAIRD,
DISTINGUISHED MEMBERS OF THE FACULTY, MEMBERS OF THE ADMINISTRATION,
AND OF FAMILIES AND OTHER VALUED FRIENDS OF YOURS.

THEY ARE WELCOMED HERE, AND MAY LISTEN TO WHAT I HAVE TO
SAY IF THEY WISH. I DO NOT, HOWEVER, ADDRESS THE DEAN, THE FACULTY,
THE STAFF, YOUR FAMILIES AND YOUR FRIENDS.

I AM HONORED BY YOUR INVITATION TO TALK FOR A FEW MINUTES
TO YOU -- TO EACH OF YOU -- WHO ACHIEVES ON THIS DAY A SPECIAL
POSITION IN SOCIETY. TODAY, LIKE IT OR NOT, YOU BECOME A MEMBER
OF THE LEGAL PROFESSION. WITH WHAT I HOPE TO BE A NOTE OF REVERENCE
IN MY DELIVERY, I OBSERVE THAT TODAY YOU BECOME A LAWYER.

WHAT I MEAN BY THAT CAN BE DETERMINED ONLY BY KNOWING WHAT I THINK OF OUR PROFESSION.

I HAVE OFTEN SAID, AND I SAY NOW TO EACH OF YOU -- THE LEGAL PROFESSION IS THE HIGHEST SECULAR CALLING IN THE WORLD.

ITS IMPORTANCE IN AMERICA IS UNIQUE. AMERICA'S LAW -- ITS CONSTITUTION, BILL OF RIGHTS, AND LAWS MADE PURSUANT TO THEM -- IS ITS HEART AND SOUL. I DEFY YOU TO DEFINE AMERICA WITHOUT REFERRING TO ITS LAW. IT CAN'T BE DONE.

SO, I SUBMIT THAT AMERICA IS MORE NEARLY DEFINED BY ITS LAW THAN BY ANY OTHER FEATURE. TODAY YOU BECOME A MEMBER OF THE UNIQUE PROFESSION WHICH HAS BEEN GIVEN THE EXCLUSIVE FRANCHISE -- AND THE AWESOME RESPONSIBILITY -- OF DEALING WITH THAT BODY OF LAW.

IN THE MEDICAL PROFESSION THE NEUROSURGEON HAS THE AWESOME TASK OF HANDLING AND WORKING ON THE CENTRAL NERVOUS SYSTEM AND ITS EXTENSIONS THROUGHOUT THE HUMAN BODY.

YOU AND I MAY BE THE NEUROSURGEONS OF WHAT WE KNOW AS AMERICA.

WE HANDLE THE NERVE FIBRE OF OUR NATION.

DO NOT MISLEAD YOURSELF INTO THINKING THAT ONLY A FEW LAWYERS ARE GIVEN THE OPPORTUNITY OR RESPONSIBILITY OF HAVING

ANYTHING TO DO WITH OUR FUNDAMENTAL FREEDOMS UNDER THE CONSTITUTION. MARK THIS WELL AND REMEMBER IT IF YOU NEVER AGAIN RECALL ANYTHING ELSE SAID TO YOU ON YOUR GRADUATION DAY.

THE RIGHTS OF FREE PEOPLE CANNOT BE PRESERVED BY THE FINEST AND MOST CAPABLE JUSTICES IN A MARBLE HALL IN WASHINGTON. THEY CANNOT DEPEND UPON CIRCUIT JUDGES IN NEW ORLEANS OR FEDERAL JUDGES IN GEORGIA, OR APPELLATE JUDGES IN ATLANTA. THE BILL OF RIGHTS SURVIVES BECAUSE OF THE HARD WORK OF LAWYERS AND JUDGES IN THEIR LAW OFFICES AND IN COUNTY AND CIRCUIT COURTS IN EVERY COUNTY COURTHOUSE IN GEORGIA AND ACROSS THE LENGTH AND BREADTH OF THE LAND. IF IT SHOULD NOT BE DEFENDED, UPHELD AND PROTECTED IN THESE PLACES, IT WILL PERISH.

THERE IS, I BELIEVE, A POPULAR MISCONCEPTION OF THE IMPORTANCE OF THOSE PLAYING DIFFERENT ROLES IN THE ADMINISTRATION OF JUSTICE. OUR PROFESSION IS VIEWED SOMEWHAT TOPSY-TURVEY.

IN OUR MISSION TO ACCOMPLISH JUSTICE UNDER LAW, THE GREATEST IMPORTANCE IS ATTACHED TO THE LEAST IMPORTANT ACTORS AND THOSE WHO HAVE THE MOST IMPORTANT PARTS TO PLAY ARE GIVEN THE LEAST ATTENTION.

SOMEHOW IT IS BELIEVED THAT JUSTICE UNDER LAW IS TO BE REALIZED ONLY IN THE COURTS, DISPENSED BY JUDGES; AND IT IS THOUGHT THAT JUDGES OF THE SO-CALLED "HIGHER COURTS" ARE MORE IMPORTANT TO THE EFFORT THAN THOSE OF MIS-NAMED "LOWER COURTS."

LAWYERS ARE OVERLOOKED ENTIRELY.

YET I MAINTAIN THAT THE PROFESSIONAL MOST IMPORTANT TO THE ADMINISTRATION OF JUSTICE IS THE PRACTICING LAWYER; JUDGES OF TRIAL COURTS ARE NEXT; AND APPELLATE COURT JUDGES AND JUSTICES, WHILE PERFORMING IMPORTANT WORK IN THE SYSTEM, ARE ON THE BOTTOM RUNG OF THE LADDER.

I VENTURE TO SUGGEST THAT CONTROVERSIES AND DISPUTES BETWEEN PEOPLE AND INSTITUTIONS IN THIS COUNTRY ARE RESOLVED, UNDER LAW, BY LAWYERS IN THEIR OFFICES, HUNDREDS OF TIMES FOR EVERY ONE RESOLVED BY A JUDGE OR JURY; THOUSANDS OF TIMES FOR EVERY ONE RESOLVED BY AN APPELLATE COURT; AND HUNDREDS UPON HUNDREDS OF THOUSANDS TIMES FOR EVERY ONE WHICH EVEN AMOUNTS TO A PETITION FOR SUPREME COURT REVIEW.

THIS IS AS IT SHOULD BE. WELL-COUNSELED CLIENTS SELDOM NEED TO REPAIR TO THE COURTHOUSE. IN MEDICINE, THERE IS A NEED FOR SURGERY IN OPERATING ROOMS AND, IN LAW, COURTROOMS ARE NECESSARY. MOST ILLNESSES, HOWEVER, ARE TREATED WITHOUT AN OPERATION AND MOST DISPUTES ARE RESOLVED UNDER LAW WITHOUT LITIGATION.

I PERCEIVE, ALSO, THAT THE IMPORTANCE OF THE LAWYER TO THE SUCCESS OF COURTS IS NOT FULLY APPRECIATED. NOW THAT I AM ON THE BENCH, I KNOW THAT A JUDGE CANNOT FUNCTION WITHOUT THE SERVICE, IF YOU WILL, OF ABLE LAWYERS. ONE NAME GIVEN TO YOU AS A LAWYER IS

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"COUNSELOR." OFTEN THIS IS TAKEN TO DESCRIBE YOUR ROLE IN COUNSELING WITH YOUR CLIENTS. NEVER FORGET YOUR IMPORTANT RESPONSIBILITY AS COUNSELOR TO THE COURT.

WHAT A PLEASURE IT IS TO SIT AS JUDGE IN A PROCEEDING PRESENTED BY ABLE LAWYERS! WHAT A PAIN IT IS TO BE CALLED UPON TO REFEREE A DISPUTE HANDLED BY ATTORNEYS WHO ARE UNSURE OF THEIR KNOWLEDGE AND ABILITIES! THE DECISIONAL PROCESS IS A DIFFICULT ONE, INDEED. WHEN THE MATTER HAS BEEN PROPERLY PRESENTED, HOWEVER, THE JUDGE CAN FEEL CONFIDENT THAT EVERY IMPORTANT BIT OF STATUTORY OR DECISIONAL LAW HAS BEEN CALLED TO HIS OR HER ATTENTION AND EVERY CONSIDERATION WHICH SHOULD BE GIVEN TO THE POSITION OF EACH PARTY HAS BEEN PRESENTED. THE JUDGE KNOWS THAT HE MAY MAKE A MISTAKE, BUT NOT THROUGH OVERSIGHT.

YOU MAY READ THE NAMES OF JUDGES IN THE FRONT OF VOLUMES OF VARIOUS REPORTS. YOU MAY WONDER WHICH OF THESE JUDGES WILL TURN OUT TO BE GREAT JUDGES. SHOULD THAT INTEREST YOU, I GIVE YOU ONE CLUE. FIND OUT SOMETHING ABOUT THE BAR OF THE COURT IN WHICH THE JUDGE WORKS. THE CHANCES OF GREAT JUDICIAL PERFORMANCE MAY BE LARGELY DETERMINED BY THE QUALITY OF THE LAWYERS SERVING IN THAT COURT.

LET ME PUT THAT IN A DIFFERENT WAY. I HAVE WATCHED COURTS OPERATE, AS ADVOCATE AND JUDGE, FOR MORE THAN THREE DECADES. IN A COURT WHERE AN HONEST, SINCERE, BUT MEDIOCRE JUDGE, PRESIDES A CASE PRESENTED BY HIGHLY COMPETENT ADVOCATES IS FAR MORE LIKELY TO

COME TO A PROPER RESULT UNDER LAW THAN IN A COURT PRESIDED OVER BY THE MOST ABLE JURIST IN THE LAND BUT COUNSELED BY INCOMPETENT LAWYERS.

SO, FROM THIS DAY FORWARD, LIKE IT OR NOT, YOUR ROLE IS GREAT. YOU CANNOT PASS THE BUCK FOR THE ADMINISTRATION OF JUSTICE TO FAR AWAY COURTS IN DISTANT PLACES. IF THE SYSTEM IS TO WORK, IT MUST BE BECAUSE YOU HAVE ASSUMED YOUR PROFESSIONAL ROLE IN IT, AND, IN YOUR DAY-TO-DAY WORK AS A LAWYER, YOU HAVE PERFORMED WITH THE EXCELLENCE EXPECTED OF YOU.

YOU FEEL UNDERSTANDABLY ELATED TODAY. YOU ARE DONE WITH CLASSROOMS; YOU ARE FINISHED WITH PROFESSORS GIVING YOU ASSIGNMENTS TO BE COMPLETED THROUGH READING AND STUDYING IN CASEBOOKS AND THE LIBRARY.

BUT I MUST TELL YOU THAT IT ISN'T SO! DEAN BEAIRD, WITH YOUR PERMISSION, I SHALL NOW GIVE THE GRADUATES A FEW SIMPLE ASSIGNMENTS OF WORK I EXPECT THEM TO COMPLETE AND HAND IN BEFORE THEY FINISH THEIR CAREERS. IF THE CLASS IS READY WITH PENCIL AND PAPER, I'LL CALL THEM OUT:

FIRST - YOU ARE TO WORK OUT AND DEVISE A CONSTITUTIONALLY PROPER, PRACTICAL AND WORKABLE RECONCILIATION OF APPARENT CONFLICT BETWEEN THE RIGHT OF AN ACCUSED DEFENDANT TO A FAIR TRIAL BY IMPARTIAL JURORS AS PROVIDED FOR IN THE 6TH AMENDMENT AND THE PROHIBITION AGAINST ABRIDGING THE FREEDOM OF THE PRESS FOUND IN THE 1ST AMENDMENT.

YOU ARE TO CONSIDER THAT, IN CRIMINAL PROCEEDINGS, THE COURT OFTEN CONSIDERS AND EXCLUDES TENDERED

EVIDENCE WHICH, IF COMMUNICATED TO THE JURY,
WOULD BE IMPROPERLY PREJUDICIAL TO THE DEFENDANT.
YOU ARE TO BEAR IN MIND THAT, THOUGH THESE
PROCEEDINGS ARE CONDUCTED OUTSIDE THE PRESENCE
OR HEARING OF THE JURY, THE PUBLIC AND THE PRESS
SHOULD HAVE ADEQUATE ACCESS TO THE OPERATION OF
THE COURTS SO THAT IMPROPER CONDUCT OF JUDGES AND
OTHER OFFICIALS BE NOT CONCEALED.

SECOND- STATED SIMPLY, YOU ARE TO REPORT BACK WITH A PROGRAM UNDER
WHICH JURIES IN CRIMINAL CASES WILL HAVE PRESENTED TO THEM ALL
RELEVANT AND MATERIAL EVIDENCE TO THE END THAT THEIR VERDICTS WILL
SPEAK THE TRUTH. IN SO DOING, YOU WILL SEE TO IT THAT THE PRECIOUS
FREEDOM OF THE PEOPLE FROM UNREASONABLE AND WARRANTLESS SEARCHES
OF THEIR HOMES AND BUSINESSES, GUARANTEED IN THE 4TH AMENDMENT, IS
NOT TRANSGRESSED.

YOU SHOULD KNOW THAT THE ONLY EFFECTIVE MEASURE
THUS FAR DEvised FOR ENFORCING THE 4TH AMENDMENT
IS THE "SUPPRESSION RULE" OR "EXCLUSIONARY
RULE" UNDER WHICH HIGHLY MATERIAL AND CLEARLY
RELEVANT EVIDENCE IS SUPPRESSED AND KEPT FROM
THE JURY IF IT WAS OBTAINED BY THE GOVERNMENT
BY A SEARCH WHICH VIOLATES THE 4TH AMENDMENT.

EXTRA CREDIT - SOME OF YOU WILL COMPLETE THOSE ASSIGNMENTS MORE
PROMPTLY THAN OTHERS. YOU MAY, IF YOU WISH, DO THE FOLLOWING FOR
EXTRA CREDIT:

1. SEE TO IT THAT THE PRECIOUS RIGHT OF FREEDOM TO ASSEMBLE AND PETITION FOR REDRESS OF GRIEVANCES IS PRESERVED WHILE PROTECTING SURVIVORS OF CONCENTRATION CAMPS FROM THE SPECTRE OF NAZI STORM TROOPERS MARCHING THROUGH THEIR NEIGHBORHOODS IN SKOKIE, ILL.
2. ARRANGE OUR LAWS SO THAT OUR ENVIRONMENT AND NATURAL RESOURCES ARE PROTECTED, BUT MAINTAIN THE PRODUCTIVITY OF AMERICAN INDUSTRY SO VITAL TO OUR WELL BEING.
3. SEE THAT THE BAR REMAINS INDEPENDENT AND NOT UNDER THE CONTROL OF GOVERNMENT, AND YET SEE THAT ALL PEOPLE, RICH, POOR, AND MIDDLE INCOME, ARE AFFORDED LEGAL COUNSEL AND REPRESENTATION.

I HAVE ANOTHER ASSIGNMENT -- AND A PREDICTION.

YOU GRADUATE TODAY FROM A UNIVERSITY IN A PART OF THE COUNTRY WHERE LIVE PEOPLE WHO ARE, TRADITIONALLY, THE MOST PATRIOTIC AND LAW-ABIDING OF ALL. THEY ARE, HOWEVER, PEOPLE OF SOME INERTIA. THEY BELIEVE IN ESTABLISHED VALUES AND ARE LESS INCLINED GLIBLY TO STRIKE OFF IN NEW DIRECTIONS AT SOMEONE'S WHIM OR SUGGESTION THAN ARE SOME OTHERS. LAWYERS ARE LIKE THAT. I KNOW THAT I AM. UNDER TRUTH SERUM I'D PROBABLY CONFESS TO SOME RESENTMENT OF THE UNIFORM

COMMERCIAL CODE; WHAT'S WRONG WITH THE GOOD OLD NEGOTIABLE INSTRUMENTS ACT OF 1913? IF YOU PROMISE NOT TO TELL ANYONE, I ADMIT TO SOME ADMIRATION FOR ISSUE PLEADING, SPECIAL DEMURRERS AND THE LIKE.

DON'T LAUGH TOO LOUDLY. YOU ARE GOING TO HAVE SIMILAR TENDENCIES. WHEN SWEEPING CHANGES ARE ENACTED IN YEARS TO COME, REPEALING A LARGE PART OF THE EDUCATION YOU HAVE OBTAINED HERE, YOU, TOO WILL LIKELY FEEL THAT NO ONE RESPECTS THE OLD TRIED AND TRUE VALUES. I FELT THAT WAY ABOUT LEX LOCI DELICTI AND LEX LOCI CONTRACTUS!!

DURING THE LIVES AND CAREERS OF MY GENERATION OF LAWYERS AND OF CITIZENS IN GENERAL, THE MOST SWEEPING CHANGES WERE MANDATED IN A SOCIAL AND LEGAL STRUCTURE IN PLACE LONG BEFORE WE WERE BORN. THE SUPREME COURT'S PERHAPS LONG OVERDUE DECISION IN BROWN V. THE SCHOOL BOARD WAS THE EQUAL OF REVOLUTION. IT CURED THE PARALYSIS WHICH HAD AFFLICTED THE CONGRESS AND THERE FOLLOWED THE CIVIL RIGHTS ACT OF 1965, THE PUBLIC ACCOMMODATIONS ACT, AND A VERITIBLE ARMY OF NEW LAWS AND REGULATIONS AS FOREIGN TO OUR PEOPLE, OUR JUDGES, OUR LAWYERS AND OUR POLITICAL LEADERSHIP AS WOULD HAVE BEEN THE ADOPTION OF THE CODE NAPOLEON!

THE PEOPLE WERE AMAZED AND PERPLEXED. THEY TURNED FOR GUIDANCE TO THEIR LEADERS WHO, IN LARGE NUMBERS, SINCERELY ADVISED THAT THESE THUNDERBOLTS WERE NOT THE LAW AND NEED NOT BE ABIDED. IN A FREE SOCIETY, LEGITIMATE CONSTITUTIONAL DEBATE IS EXPECTED AND IS HEALTHY. IT RAGED. IT CAME, LARGELY, BEFORE THE 5TH CIRCUIT COURT OF APPEALS. LONG BEFORE I JOINED THAT COURT, DEEP SOUTH JUDGES WHO WERE DEEP SOUTH LAWYERS, PROBABLY JUST AS DISCOMFITED

AS ANY OTHERS BY SUDDEN JOLTING CHANGE, LABORED LONG AND HARD OVER FUNDAMENTAL ISSUES THAT PROBED DEEPER THAN EVER BEFORE ENCOUNTERED. SOMEDAY THE NATION WILL FULLY APPRECIATE THE WORK OF THOSE JUDGES.

BUT THE DEBATE OVER THE FUNDAMENTAL ISSUES IS OVER. WHAT EMERGED HAS COME TO YOU, NOT AS A REVOLUTIONARY CHANGE IN YOUR LEARNING, BUT AS ESTABLISHED CONSTITUTIONAL LAW. YOU AND YOUR PEERS NOW SPREAD THROUGH THE APPARATUS FOR THE ADMINISTRATION OF JUSTICES UNDER LAW.

HOW DID I SAY THE CONSTITUTION IS PROTECTED AND DEFENDED? IT IS IN THE HARD WORK OF LAWYERS AND JUDGES IN THEIR OFFICES AND IN COURTHOUSES IN EVERY COUNTY IN GEORGIA AND THROUGHOUT THE NATION. YOU WILL WORK THERE. SOME OF YOU WILL, I AM QUITE CONFIDENT, WEAR THE ROBE AND BE COUNSELED BY OTHERS.

YOUR ASSIGNMENT -- AND MY PREDICTION?

DURING YOUR CAREERS A WELL-COUNSELED LITIGANT WHO FEELS THAT HE OR SHE HAS SUFFERED LOSS FROM ILLEGAL DISCRIMINATION ON ACCOUNT OF RACE, SEX OR OTHERWISE, WILL REPAIR TO THE SUPERIOR COURT OF THE COUNTY HAVING JURISDICTION AND PRESENT HIS OR HER CLAIM IN FULL CONFIDENCE THAT IF THE CASE BE PROVED, REDRESS WILL BE ORDERED AS PROPER AS ANY REMEDY THAT MIGHT BE EXPECTED FROM ANY COURT, STATE OR FEDERAL, ANYWHERE IN THE COUNTRY. THEN THE RIGHTS OF ALL OUR CITIZENS WILL HAVE BEEN SECURED.

LADIES AND GENTLEMEN, THERE'S MUCH TO BE DONE! AS WE REVIEW THE WORK OF THOSE THAT HAVE GONE BEFORE US IN OUR PROFESSION AND CONTEMPLATE THE MARVELOUS SYSTEM OF LAW THEY HAVE PRODUCED FOR AN ORDERLY YET FREE SOCIETY, IT IS PROPER THAT WE MARVEL AT WHAT HAS BEEN ACCOMPLISHED. IT IS FIT AND PROPER THAT YOU TIP YOUR HAT RESPECTFULLY TO YOUR PREDECESSORS.

BUT HAVING DONE SO, IT IS EQUALLY FITTING THAT YOU ROLL UP YOUR SLEEVES AND VIGOROUSLY ADDRESS THE TASKS THAT LIE AHEAD. FROM THIS CLASS MAY WELL COME THE JURIST WHO WRITES THE OPINION THAT SOLVES ONE OR MORE OF THE UNRESOLVED PARADOXES PRESENTLY IN THE LAW. MORE IMPORTANTLY, HOWEVER, IS THAT WHEN SUCH AN OPINION IS WRITTEN, BY WHATEVER JUDGE, IT MAY BE WRITTEN ON THE STRENGTH OF YOUR ARGUMENT OR YOUR BRIEF.

TO EMPHASIZE, AGAIN, YOUR ROLE IN ALL OF THIS I DRAW UPON A REMARK MADE BY A LIFETIME FRIEND OF MINE. MY FRIEND, JOHN P. GARDNER, WAS NAMED TO BE JUDGE OF A NEW APPEALS COURT IN SOUTH CAROLINA. THIS PROMPTED SOME MEDIA FELLOW TO INTERVIEW HIM. IN THE COURSE OF THE INTERVIEW HE WAS ASKED, "WHAT DO YOU CONSIDER THE MOST IMPORTANT SERVICE TO OUR NATION RENDERED BY LAWYERS?" THIS TOOK JACK BY SOME SURPRISE. HE PONDERED A MOMENT AND REPLIED, "BEING WILLING TO GET UP AT 3 O'CLOCK IN THE MORNING AND GO DOWN TO THE POLICE STATION TO LOOK AFTER THE RIGHTS OF SOME FELLOW WHO HAS BEEN ARRESTED AND TAKEN THERE."

THE INTERVIEWER OBVIOUSLY EXPECTED SOMETHING MORE DRAMATIC, AND ASKED WHY HE CONSIDERED THAT SO IMPORTANT.

JACK SAID, "WELL, THERE'S NO WAY I CAN KNOW THIS, BUT I SORT OF BELIEVE THAT IF THE LAWYERS IN GERMANY HAD BEEN MORE WILLING TO DO THAT IN THE 1930'S, THE HOLOCAUST MIGHT NEVER HAVE HAPPENED."

YOU HAVE HEAVY ASSIGNMENTS. OF YOU, MUCH IS EXPECTED. YOU EMBARK UPON A GREAT ADVENTURE.

DON'T LET THE SOMBER, GRAVE IDEAS I'VE TRIED TO TRANSMIT MISLEAD YOU. YOU'RE GOING TO HAVE FUN! THE EXCITEMENT OF THE LAW IS ELECTRIC.

I KNOW A LAWYER IN ANOTHER STATE WHO, SOME DECADES AGO, HAD A CLIENT OF SOME BUSINESS ABILITY BUT WHOSE BUSINESS WAS RATHER SMALL. IT WAS STRAPPED FOR CASH. ITS SALES PRODUCED LITTLE CASH AND VERY GOOD PAPER -- NOTES, MORTGAGES AND THE LIKE. SUPPLIES WERE BOUGHT FROM SOME OF THE OLDEST ESTABLISHED CONSTRUCTION SUPPLIERS IN THE COUNTRY, AND THEY WEREN'T INTERESTED IN LONG TERM PROMISES; THEY HAD TO BE PAID! HE COULD SELL STOCK, BUT HIS EQUITY WOULD BE DILUTED. HE COULD SELL THE MORTGAGES, BUT THE DISCOUNTS WOULD EAT AWAY THE PROFITS AND THE CLIENT WOULD BE WORKING FOR THE MORTGAGE COMPANIES. THE LAWYER TRIED TO CRACK THAT NUT. ONE DAY, AT HIS

OFFICE, OR SHAVING, OR DRIVING TO WORK, THE LIGHT DAWNED AND HE DEvised A PROPER SOLUTION. THE CLIENT IS NO LONGER DUNNED BY THOSE OLD, ESTABLISHED SUPPLIERS. HE BOUGHT THEM ALL AND MERGED THEM INTO HIS COMPANY, NOW ONE OF THE MAJOR CONGLOMERATES IN AMERICA.

THAT'S FUN, FOLKS! IT'S LIKE THE FEELING WHEN YOU HAVE WON YOUR CLIENT'S TOUGH CASE. THERE'S NOTHING LIKE IT! WALKING FROM THE COURTHOUSE YOUR FEET ARE THREE FEET ABOVE THE PAVEMENT! WHEN THE ENVELOPE COMES WITH THE RETURN ADDRESS OF THE APPELLATE COURT ON IT, YOU TEAR IT OPEN AND FLIP THROUGH THE NONSENSE SO PAINSTAKINGLY WRITTEN BY THE JUDGE TO THE LAST LINE OF THE LAST PAGE AND READ, "AFFIRMED." STEPPING ON THE MOON IS PROBABLY EXCITING, MEN AND WOMEN, BUT IT CAN'T COMPARE WITH THAT!

I SHAN'T MENTION THE AGONY OF DEFEAT, BUT IT'S PART OF THE PROCESS. I EVEN SAW JACK NICKLAUS SHANK A TEE SHOT ON No. 12 AT THE MASTERS ONE YEAR!

AND HERE YOU ARE, CONFRONTED ON THE PLATFORM BY THOSE WHO'VE "GOT IT MADE"! A GREAT DEAN OF A MAJOR LAW SCHOOL IS HERE. DISTINGUISHED PROFESSORS WHOSE PUBLISHED WRITINGS ARE CONSIDERED RELIABLE AUTHORITY ON MANY SUBJECTS. SUCCESSFUL LAWYERS IN THE PRACTICE ARE SPRINKLED ABOUT THE HALL. YOUR SPEAKER, OF WHATEVER ABILITY, HAS LIFE TENURE AS A UNITED STATES CIRCUIT JUDGE. HOW YOU MUST ENVY US!

BUT I'LL TELL YOU A SECRET. IT'S THE OTHER WAY AROUND. FIND A WAY FOR RALPH BEAIRD, JIM HILL AND THESE OTHERS TO HAVE YOUR YOUTH. GIVE US A CHANCE, ONCE AGAIN, TO SPRING UPON A PLATFORM, CLASP THE HAND OF A LAW SCHOOL DEAN WITH ONE OF OURS AND, WITH THE OTHER, GRASP A BRAND NEW LAW DEGREE, AND EMBARK UPON THE EXCITING PRACTICE OF LAW IN 1981, AND SEE HOW QUICKLY WE'D TRADE PLACES WITH YOU.

MEN AND WOMEN OF GEORGIA'S 1981 GRADUATING CLASS, I SALUTE YOU FOR WHAT YOU HAVE ACCOMPLISHED THROUGH A HARD COURSE OF STUDY -- AND I SALUTE YOU FOR WHAT YOU'RE GOING TO ACCOMPLISH IN -- AND FOR -- OUR PROFESSION.