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DIPLOMA CEREMONY SPEAKER

JUNE, 1976

HAMILTON LOKEY

GEORGIA LAW SCHOOL GRADUATION - 1976

What can I say to you graduates in this Bicentennial Year? Will one of you fire a legal shot heard 'round the world? Who knows? You may well do so. We are living in exciting and rapidly changing times.

You have had a superb legal education. My class of 1933 had nothing like it. You have a far better set of legal tools - but your goal is no different from what ours was - To carve out successful legal careers for yourselves.

So what can I say to you?

Perhaps you have read Judge Arthur T. Vanderbilt's advice to those who aspire to be Great Lawyers.

First, he said, you must be a great advocate. You must be a dedicated, articulate, effective champion of your client's cause.

Next, he said you should be a good counselor. You must be able to advise, and have significant conversations with, persons who need, not a good advocate, but some one to tell them what to do.

Then, Vanderbilt says, you must be dedicated to the organized bar of which you are a member, to make it a better bar because you were a part of it. Take part in its activities and make it's influence felt.

Fourth, because of your special training you should help mould public opinion. You have been trained in the law, in legal

principles, in equity, in fair play and in analytical approaches. Use these talents for the good of your community. This means such things as PTA, Civic Associations and the like.

Finally, Vanderbilt says that somewhere in your career you should represent some public interest and not restrict yourself solely to the private interests of your clients. Be a legislator, represent your county, be on the school board, where of necessity you will have to exercise judgment for the public weal.

These are the things Vanderbilt said should be necessary to the making of a great lawyer. I would not disagree in the slightest. On the contrary, I would commend each of these hallmarks to you. Follow them and your chances of being classified as a Great Lawyer are good indeed.

But what I want to suggest to you briefly this morning are some things that won't make you a Great Lawyer, but which I would hope will make you a better lawyer. They may even help you to be a successful lawyer, not only financially, but more important, a contented member of a great profession.

First, know the English language, and how to use it. We lawyers live by the use of words, whether in oral argument, by briefs, or in the drafting of documents. If you can neither speak nor write the English language effectively you will not be a good lawyer. If I had the choice between a whiz in torts, or one who can effectively articulate the English language I'd choose the latter every time. If you feel deficient in the English language, go back to school. Twenty-five years ago I knew a young lawyer of great promise in Atlanta,

although he had never been beyond the eighth grade. He was on the school board (A Vanderbilt guide post); his children teased him about his bad grammar. For several years he went to Emory University Night School, taking basic English courses. Today you'd never guess he was not a college graduate. And today he is a member of The American College of Trial Lawyers, which limits its membership to one per cent of the Bar of the State.

Second - Be a good listener. Many people who come to you do not want to hear your long and learned dissertation on the law. They want you to hear their long and to them interesting - (although perhaps to you quite boring) - accounts of their problems. Many have no one else to turn to. They need you as their listener - so be a good one. Besides, you yourself learn very little when you are doing the talking.

Third - Take the time and show an interest in your clients beyond their law problems. Learn something about their families, their home towns, their desires and ambitions, and how they got into the businesses they are in. Call this a lawyer's "bedside manner" if you will. It will surprise you how helpful it can be in a proper analysis of a client's problem.

Fourth - Abraham Lincoln once said "A lawyer's time is his only stock in trade". The corollary to that is "A lawyer's character and integrity are never for sale to anybody." As a fee-hungry young lawyer you may be tempted to file that uncontested divorce suit for that pretty young client when you know she does not have the necessary residential requirements. Don't try to drown out the voice of your

conscience by such siren thoughts as: "If she's willing to swear to the residential requirements, what business is it of mine?" Or worse still - "What harm is there in it, and besides, who is to know?"

Let me give you the answer -

The harm is that it is a fraud upon the Court, and you are an officer of the Court.

Who is to know? You will know, and you'll never forget your mistake - if you have the decency you should have, to have become a lawyer in the first place.

Fifth, and Close Kin to Number Four - Never mislead The Court or opposing counsel. Never knowingly urge upon the Court an authority that you know is no longer the controlling law, even if the latest authority is not yet in the Advance Sheets. Winning is never that important.

And nothing is as pathetic as the picture of a judge carefully reading every word of an ex parte order presented by a lawyer, looking for the "hooker" he has learned to expect from that particular lawyer. Ours is a profession, an honorable profession. It is not a trade, where "caveat emptor" constitutes the canon of ethics.

Next, I would suggest that you be as accomodating to opposing counsel as you can, and trust them all until some individual lawyer proves himself untrustworthy. Then deal with that lawyer "by the book". I regret to say there are a few bad apples in our barrel. When you get taken by one of these it will make you mad, but just remember, it isn't the end of the world.

And take my word for it, as for that occasional practitioner

who deals with you as though he will never see you again, sooner than you think the Lord will deliver him into your hands. And O, how sweet that is.

And then, there's the old maxim that "The Law Is a Jealous Mistress". Take it from one who has partaken of her charms - The statement is true.

Now, there is an old rhyme that goes -

"Lives of great men oft remind us

We can make our lives sublime

And with Papa's push behind us

We will get there every time."

To those favored few to whom that rhyme applies, you can forget what I'm about to say. For the rest of you -

The Road to Success in the Practice of Law

Begins with Work,

It continues with Work,

It ends with Work!

Forget wages and hours. If you watch the clock you're dead. Be prepared to work on Saturdays, Sundays, Holidays, to work at nights, and on occasions all night. If you do this the wages will take care of themselves. And the hours won't seem too long.

Once again I tell you true, there is always a lot of satisfaction, from a professional point of view, in a job well done - but there is a very important by-product of such labor. It produces good fees. And that, Brother, at least in part, is the name of the game.

So what do I say to you, the Graduating Class of the Georgia

Law School in this Bicentennial Year?

To you who have survived the rocks and shoals of the February Bar Exam - Welcome Aboard, Brother Lawyers and Sister Lawyers.

The law is a great profession. Serve it well and it will serve you well.

I never knew a lawyer to get really rich from the fees derived from the practice, but the Law is an interesting and challenging way to earn your bread and support your children.

And there is an independence that comes with the practice of law that is found hardly anywhere else. I am more than 65 years old. Yet no one can involuntarily retire me tomorrow and make me a pensioner. No one can take me out of the practice overnight but me.

I can die.

I can quit.

I can violate the law or the canons of ethics and get myself disbarred.

But though I may show signs of slowing down mentally, though I should fall into the bottle, though I should become increasingly lazy and shiftless, no one can take all my clients from me overnight but me.

I like that independence. I'm glad I took up, back in 1933, with that jealous mistress, The Law.

And if the Lord will pardon my lifting a line from His Bible, let me urge you -

"Go Thou and Do Likewise."

June 10, 1976

By HAMILTON LOKEY