Remarks to the Graduating Class of 1953

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ADDRESS TO THE GRADUATING CLASS OF 1953*

Honorable Andrew W. Parnell**

My exposure to law and its practical practice since the fall of 1924 may well have caused barnacles of experience to become attached to me, which, perchance, if brought to light, could make some minor contribution to your avoidance of some of the common pitfalls that will confront you as you tread along your chosen professional paths.

You have passed through the scholastic anteroom and stand before the door of an exciting and challenging career. You are at this point upon common ground; you stand on the firm footing of a sound, basic, Christian, legal and philosophic training; you have had the example and guidance of men of great educational technique; you are possessed of the most intimate knowledge of book learning that you will ever again acquire; and you have the youth and vitality from which springs an eagerness and aggressiveness which, if prudently channeled, can bring you to the pinacles of success.

When, capped and gowned, you are handed your diplomas the door through which you have chosen to enter will be opened. You will rush through and chart your courses for the perimeter of the field. Some will travel fast, others slow; some will have the benefit of helping hands, others will battle their way alone; some will go far, others not; some will persevere, others despair. The urge to go forward will exist only with the survival of the ideals that inspired your choice. When one is lost, the other withers.

As you plod along you will see a group of men bound together by a code of the ethics of their profession, marching along a straight but rough road. You will see deviates, unfettered by ethics, seemingly gaining way only to become mired in some bog of scandal. You will see many signposts temptingly urging short-cuts, so placed to advantage as to present the greatest appeal when the going toughens. The low road to your goal will give an illusion of being down-hill, shaded and smoother. These illusions should carry significant forebodings, because the very characteristics that impel the invitation to the road fasten themselves upon those who choose it, thus giving rise to what is known as the fast, smooth and shady lawyer on the down-grade.

Avoid all devious paths, because history records the disgrace, the miseries and oblivion that are visited upon all lawyers beguiled by the mirage of dishonest and dishonorable detours.

You will not lack for direction. The signposts will be on prominent display: honesty, sincerity, integrity, faithfulness, reliability and many others. You will also see the course of those who have attained the

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*Delivered at the Annual Marquette Law Banquet, April 23, 1953.
**Circuit Judge, Tenth Circuit, State of Wisconsin.
high regard of their fellow-men by their professional proficiency; of those, who have attained honorable distinction in life and in law; of those, who have rendered invaluable services to church and state; of those, who have acquired means as an incident and not as an end; of those, who have found inspired relationship between their God, their lives and their law; of those, who have applied their talents for law to the betterment of themselves, their fellow citizens and their country; and of those, who have brought honor to the legal profession, credit to our courts, and enduring faith to our system of jurisprudence. These are the men by which we gauge the standards of success in the law.

You have chosen an affiliation with a venerable and honorable profession. Your choice was conceived in freedom and born of high motives. This choice is not without responsibilities. The profession is rich in tradition and rightly proud of its achievements. For all its hoary age, and its great accomplishments, it has one conspicuous failing, and that is its persistent hesitation to decently propagandize itself into a better status of public relationship. It is still much too common and popular to cast sly, insinuating and calumnious aspersions against the law and those who practice it. We have a right and honest claim to the good will of men, and it is honorable to assert it.

It is now your profession. You will be the lawyers, the Bar members, the judges, the senators and the presidents of tomorrow. As you embrace the law consider what you can bring to it. In the light of its past you will want to be vital, contributing factors to its future betterment.

Your entry into the profession can be a blessing or malediction according to the temper of your attitude towards it. If you will bring to it your best talents, and apply them with morality, you can gloriously enrich it; but if you design to take from the law only the license to pervert it to base and foul ends you will ignobly debase it. If you so glorify the practice of the law, there will be great joy that on this day a good and great lawyer was born; but if you so defile it, there will be much sorrow for the tragedy of another scandal.

Your first thought should be an early and intimate affiliation with the local, state and national Bar Associations. It is a destructive gesture to stand aloof and criticize. It is a constructive action to become a member and work to destroy the mold upon which the evils, that generate criticisms, feed and grow. Generally, we are, and should be, a body of self-disciplinarians. The job is primarily one for us to do. Be loyal to your oath and show no mercy to those who are not.

Advancement in our profession is measured by progressive ascendency. Your dream of an early victorious trial of a major legal battle will soon be shattered on the shoals of an adverse decision by some eminent justice of the peace. I would suggest the handling of small
matters first—but, more important, handle small matters well first. If I am shown a young lawyer who handles a small collection, an eviction or a replevin in a careful and competent manner, I will show you the prospect of a great lawyer. If you learn to marshall your facts, find the pertinent law, apply it properly to your facts, present them fairly and intelligently, you will be doing nothing more than laying the cornerstone of a great and successful legal career.

Waste no time or energy in envying the lawyer who seems to have a corner on the best business. If he has it he has likely earned it. Give proper place to friendship in acquiring business, but do not hope to sustain it by that alone. I suppose it can be said that the principle of atomic energy applied to the development of a law practice long before scientists thought out and recorded its complexities. One small matter handled competently will bring on another, and it another, until the law of "chain reaction" of business development is in full play. It is well to remember, however, that honesty, integrity and fair play are the essential elements of the ethical containment of any fruitful business development.

Do not die a thousand needless deaths by the anticipation of the non-existent. Law is a science. It is practiced by people just like you. Courts are organized to administer the law. They have always been, still are, and, we hope, always will be handled by human beings, casual references to the contrary notwithstanding. So, all lawyers and all judges were young once, and impressionable and fearsome as you now are. The prominence of names and personalities should never alarm you. The good lawyer does not always necessarily have the best case. He just has the best prepared case. If you are fortified with the facts and the law, you are possessed of the implements to do creditable battle to any Goliath of the Bar. Beyond that all you need is the courage to advance them, and the finesse, soon acquired, to present them.

The wise jurist will give you encouragement and help, but only to the point of establishing your confidence. Beyond that his solicitousness can only contribute to a habit of dependency upon courts that stifles self-reliance and progress.

Never lose consciousness of the sacred aspects of your profession. You will not be working with implements of the mechanic, the formulas of the scientists nor the tools of the artist. You will be working for the protection and assertion of the God-given and constitutionally guaranteed, inherent rights of "Life, Liberty and the Pursuit of happiness" of human beings. You will be dealing with the vital affairs that affect the whole pattern of human relationships under a government that derives its "just powers from the consent of the governed."
A reference to Sec. 9 of Art. I of our Constitution will give you an insight into some of the concepts of your obligations:

"Every person is entitled to a certain remedy in the laws for all injuries or wrongs which he may receive in his person, property or character; he ought to obtain justice freely and without being obliged to purchase it, completely and without denial, promptly and without delay, conformably to the laws."

You will assume your rightful place in the matter of service to the individual, among the men of the church and the physicians, who will be concerned with his spiritual welfare and his physical well-being. You will be concerned with the things that may be as important to him as either—his life, his liberty, his rights, his estate and his beneficiaries. To this important task you can do no less, in good conscience, but to pledge your time, your talents and your honor.

When you sign the roll of attorneys and take your oath, you will observe the standards of the law by which the relationships of client and lawyer are governed. You should impose upon yourselves the added norms of patience and frankness. It is not within the reach of any lawyer to win all the causes he espouses. The client will not expect it of you. If you give your best both client and lawyer should be satisfied. There can arise understandable disappointment, but never recrimination, from a loss. Your adversary is entitled to his own point of view. Your ardent advocacy of a cause might well astigmatize your over-all view of a controversy. The judge does not have the handicap of singular and individual viewpoints. Actually and figuratively, he sits above the contest and contestants, concerned with the only result that he has been sworn to uphold—justice.

From this vantage point there has been produced a century of highly commendable judicial administration in our state.

My very recent elevation to the Bench allows me, I trust, in good grace, to make a few, objective remarks about our judiciary.

I have observed that there exists a respect, almost approaching reverence, for our courts and our judges. This is a salutary situation. There is no doubt but that the honor has been honestly earned and that its tender is genuine. It has developed from generations of clean, untainted administrations, rendering just, equitable and humane decisions, without favor or compromise, but with the dignity and humility that should always accompany responsibility. It is being perpetuated by the character and personality of our judges and the reciprocal exemplary conduct of the Bar. With respect comes confidence and assurance, without which courts degenerate into forums of chance and bargaining. As a result, a judgeship in Wisconsin has such a compelling appeal that qualified lawyers are drawn to it without consideration of sacrifices, and with thoughts only of service and contribution to a
great institution. Confronted with this precious precedent, I am sure that every lawyer who ascends the Bench prays that he will be so guided that his work will always be an additional credit to our judiciary.

It has always been the role of the lawyer, assigned or assumed, to give freely of his time and talents and energy to all phases of communal and civic life. It is a trait that has received such general and commendatory recognition as to establish it as an everlasting tribute to the lawyers. Sometimes the motives that inspire these contributions are jealously misinterpreted; but do not let that deter you. The good that comes from it so far outweighs all other considerations that there has been a complete vindication of the Bar, to its glory.

Marquette University faces the dawn of a great development. Be as proud of it as it will be of you. It will share your joys and your sorrows as you go through life. You will honor it by being honored yourself. Your reciprocity toward it can take many forms, monetary and otherwise. Let your sense of common gratitude dictate the course of your beneficence. You must have formed great and lasting attachments to your good Dean who almost saw you to the end. I know that the Honorable Judge Sweitlik will always look upon you as his boys. You will be doing him honor too if you practice as he preached.

It is my wish for you that you will always bless the day that you became a lawyer; that you will assume your rightful place in the professional world; that you will gain for yourself the realization of your dreams; and that you will be visited by such success and honor and glory as you can graciously assimilate.
Chicago Tribune

Frank Shepard of this city has developed a new system of legal research known as SHEPARD'S CITATIONS.

Through this unique method, a lawyer can instantly obtain citations to a case that formerly took days of search to complete.

The citations are printed in sticker form which are sent to subscribers who in turn paste them on the margins of the reports. Although in use only in Illinois at the present time, it is predicted that within a short time the system will be in use in every state.

The year 1873 was a momentous one in many respects as these typical newspaper headlines demonstrate.

For the legal profession it meant the birth of a citation service destined to revolutionize legal research.

Now, eighty years later, tens of thousands of its users term it the lawyer's "indispensable service."