

CSOL Commencement, December 11, 2011

By John W. Kittredge

Thank you, Dean Abrams. To the distinguished faculty, special guests of the CSOL, and especially to you—today's graduates and your families and friends, it is a true honor to be with you. To the graduates, I trust you sense the depth of the love and pride of your family in you, and for you, at this special moment in your lives. And when I speak of your family, I include not merely your immediate family, but friends, and all who comprise the Charleston School of Law community and who have supported you and played a key role in bringing you to this day.

Permit me to speak to a few specifics related to the law, and then share what I believe to be some general life lessons.

First, the law is an honorable profession. Be prepared and willing to support the legal profession, including the critical importance of the rule of law and its essential characteristics which

hold society together. This is no easy task, given the public perception that often holds sway. The negative stereotype of the legal profession is nothing new. You see, not everyone is pulling for the lawyer. Everyone is pulling for the physician to heal the patient. Everyone is pulling for the pilot to land the 747 safely. Everyone is pulling for the architect to design the structure in a way that achieves functionality and safety. But not everyone is pulling for the lawyer. The system, as you understand, is by design adversarial, with rules geared to ascertain the truth within a process that promotes and ensures a fair playing field. As was said many years ago about the legal profession, "True, we build no bridges. We raise no towers. We construct no engines. ... There is little of all that we do which the eye of man can see. But we smooth out difficulties; we relieve stress; we correct mistakes; we take up other men's burdens and by our efforts we make possible the peaceful life of men in a peaceful state." I say, be prepared to defend *your* profession.

Most of you, following admission to the Bar, will practice law in some fashion. Yet unlike most on this stage, you will enter the profession in very difficult and uncertain economic times, and some with substantial debt. Even under favorable economic conditions, the pressures of practicing law can, at times, seem overwhelming. The pressures are in place to approach the practice of law as simply a business. The business model, with its central focus on the bottom-line, billable hours and the like, can and do take us from our historic and traditional professionalism model. The business model has to some extent created a win-at-all-costs environment, which has regrettably affected the legal profession in profound ways. If you gage success solely on what material benefits you believe the law will bring you, you may find a measure of material success, but you will miss that greater fulfillment. I urge you to take the CSOL's emphasis on service, through its pro bono efforts and otherwise, and view the legal profession as a license and, indeed, a privilege to serve.

It seems fashionable on occasions as this to share pearls of wisdom. I doubt I am the right person to fill that need, because there are many far wiser. But I will share some thoughts, a “top 10” if you will. Mind you, these are not original thoughts. They are simply principles—perhaps self-evident—I learned along the way that, I believe, contain some helpful lessons. Permit me to share these.

#10. When you are supposed to be somewhere, show up on and be on time. That is a foreign concept to many, especially in this frenetically paced culture that seems constantly striving to increase the speed of life. Yet showing up on time says much about you and your respect for the other person. Do it and you will be ahead of most.

#9. Have a good attitude. Approach people and situations with a positive, good attitude. Approach people with kindness and a smile. And as you join the Bar, the oath you will take has a civility requirement. That's right—you must treat others with civility. Please don't accept the culturally popular notion that an aggressive, mean-spirited approach will bring you success. And

don't confuse civility with weakness. If you are competent, your kindness and civility will not be construed as a weakness. If you want a role model, look no further than leaders in the Charleston School of Law community—names like Sanders, Blatt, Carr, Abrams, McCullough, Westbrook, Wilkins, Gammons, Spitz, Haynes, Saunders, and others. These role models illustrate that a high level of competence combined with a good and kind attitude will serve you well.

#8. Create margin in your life. That is easy to say, yet hard to do, especially for the new professional who wants so very much to get ahead. The idea of creating margin in your life may seem especially foreign to you on the heels of the rigors and demands of law school, and the daunting Bar exam on the horizon. I simply suggest that as you move forward in your careers and in life, be sensitive to the need to take time for yourself.

#7. Whether or not you choose to pursue the active practice of law, find your passion and pursue it. You will find that some people end up in careers and situations that leave them unfulfilled and unhappy. Whether in the legal field or outside of the legal profession, find your passion and pursue it with an insatiable desire.

#6. Be a good listener. So few people today are interested in listening. Most folks look for the first opening in any conversation to talk about themselves, and those in the legal profession are no exception to the rule. A conversation is not a monologue one person inflicts upon another. When you find someone who is genuinely interested in you, with the gift of listening, you have found a real treasure. If you truly listen to others, you will be a better lawyer, but more importantly, you will be a better person. You be that person with the gift of listening. This leads to #5.

#5. An unspoken thought can be a very good thing. We all have a tendency to talk before thinking things through. Sometimes we say things that are hurtful. Think before you speak. There is a verse in the Bible that says, “be swift to listen, slow to speak and slow to anger.” That’s good advice. An unspoken thought can be a good thing.

#4. Be willing to forgive. That is a hard thing to do, yet carrying bitterness and hatred is debilitating. I read once that the world's worst prison is the prison of an unforgiving heart. Those who are able to forgive are much freer.

#3. Don't let things possess you. Many years ago, when I was sentencing a criminal to jail who had pled guilty to possession of drugs, the defendant told me that he had never possessed drugs. Drugs had possessed him. This can be true with essentially all material things. Enjoy things. Possess things. Don't let things control and possess you.

#2. Don't major in the minors. Know and discern those matters which are important. Don't get caught up in the trivial and things that don't really matter. I have learned that most of the things I have worried about were not that important after all. Don't major in the minors.

#1. Understand that your perspective often changes with experience. Let me share a story. I and one of my childhood friends (I will call him Harry) decided years ago we would attend the funerals of our former teachers. Years back, when Harry and I were 48, we learned that our second grade school teacher had passed away. Harry and I were quite fond of this teacher. We noted that, according to her obituary, she was 88. Harry remarked, "88, gosh, she was a dinosaur when she taught us." We quickly did the math. She had been our teacher exactly 40 years earlier, when she was 48. At 48, were Harry and I dinosaurs? I hope not.

My friends, your perspective often changes over time. We live life forward, but meaning and perspective is often best understood looking backward. With an open mind and heart, always be open and receptive to learning.

My story about perspective completes my “top 10” list. May I make a final suggestion: thank your wonderful professors, Dean Abrams and his administration. The CSOL is about many things—yes, it is about you; it's about learning; about service; about inculcating and blending knowledge with an appreciation of and respect for the historic service model of the legal profession. Build on the solid foundation of the CSOL education and experience.

When you began your first year, you may have felt overwhelmed with the seemingly unending demands of your professors. My sense is that as a first year law student you may not have felt an outpouring of affection for your professors. But today, through the lens of hindsight, you better understand the natural transition in the educational process, where you moved to become a willing participant in that process, perhaps to the point

you even embraced and welcomed being pushed beyond your comfort level to reach this special day. The long hours and hard work have brought a sense of accomplishment that is hard to put into words. But it is real and you feel it.

I close by extending my heartfelt congratulations to each of you, as well as your family and friends, whose unconditional love and support has meant so much to you through the years. Enjoy and savor this great accomplishment, as you look forward expectantly and as you better understand the journey that brought you to this moment. Enjoy this day.