

Dean Raymond,
new graduates and their proud guests

I start today with rousing congratulations to the new graduates.

I realize that some of you may be thinking that condolences are more in order, but I don't agree. Yes, the market is not great for new lawyers. Yes, many of you have large student loans to worry about. But you are the holders of a degree many people can only dream of acquiring. And that degree is more than a piece of paper. It is evidence that you think differently today—you've been taught to do so critically and analytically. You attack problems differently because you have new tools for doing so. You demand proof of propositions you used to take for granted. Best of all, you understand that every complicated problem will, when properly studied, turn out to be even more complicated.

You've had three years of study with some great teachers. They've opened your minds to new possibilities. They've forced you to think harder than you thought you ever could. You may have worked on a law review. You may have taken part in moot

court competitions. You've had opportunities for clinical work that exposed you to legal problems you might never have imagined. You may have had internships—some of which were in federal court, which has given me a chance to get to know you— and those have enabled you to put into practice your classroom learning. And now, after what loomed as an eternity three years ago, you're joining the ranks of the legal profession.

Many people have contributed to make this day a reality: parents, spouses, partners, teachers, professors, friends, the taxpayers of the state of Wisconsin. All of them believe that their investment in you is a valuable one.

Yes, the future is uncertain. But uncertainty is a fact of life. I can assure you that you are not the first or the last class to graduate into uncertainty. I always keep in mind that Nathan Heffernan, who was chief justice of the Wisconsin Supreme Court from 1983 to 1995, started his career in the only job he could find at the time of his law school graduation, which was as an insurance claims adjuster.

What is certain is that the world as we know it today will not be the world of tomorrow.

Fifty years ago, people graduating from law school were worried about the war in

Vietnam and nuclear weapons. They were beginning to acknowledge the distance between the words of the Constitution and the reality of life for so many of the nation's citizens, but they had no idea of the protests that would take place in a few years as more people began to claim their rightful place in American society. In 1963, those graduates were mostly unaware of the civil rights movement that was simmering in Nashville and that would eventually change our country forever.

The world you are entering is in its usual and fractious state, although the causes and the disagreements are different. It seems possible that governmental functions will reach a permanent condition of stasis unless courageous and enlightened people can find areas in which they can cooperate and compromise. The middle east poses a multitude of threats and opportunities, as do many other areas of the world. The widening income gap in the United States is worrisome, as is the diminution of personal privacy.

The point is that life is never settled or determinable in advance. The next fifty years are as unknowable to you as the last fifty were in 1963 to those, like me, who graduated from law school then. None of us graduates with a script; we all improvise and adjust as we perform our roles in a play in which there are no rehearsals, often finding

ourselves on the stage of life with no knowledge about what the production is even about.

But it is this very uncertainty for which lawyers are trained. Big challenges, seemingly insoluble problems, conflict of all kinds, confrontations—they're all grist for the lawyer's mill. Mediating disagreements, finding common ground, defending the rights of minorities, holding those in power accountable when they abuse their power, finding solutions to problems, helping businesses grow, expand and create jobs, advising nonprofit corporations, defending the Constitution—that's what your training has prepared you to do.

It is wholly improbable that lawyers will be underemployed for long, given the need for them in every area. With your law degree, you have skills too valuable to go unused for long. Some of you will find those skills indispensable in a job outside the legal profession; some of you will take the more traditional routes of working for a firm, or the government or a nonprofit organization providing legal services. Some of you will end up teaching. Some of you will make your contribution in politics, a field perennially in need of smart, well educated lawyers who understand the world and the Constitution

and know how to bring people together. But some of you will have to be less mainstream about finding work.

You may have to be innovators and the inventors of your own jobs, as the media keeps predicting. That seems to be part of the future: the stars of the future will be those who can invent not just new products but whole new ways of working.

For those of you with these skills, I challenge you. Imagine a way of integrating technology with legal skills and information. Think about providing legal help to the hundreds of thousands, even millions, of people in our country who need lawyers and cannot afford them. It is a daunting challenge, especially because the only way to make it work is to make it profitable. But it is enormously important.

How can it be good for a democracy to have the kind of mismatch between legal needs and underutilized lawyers that we do? Consider these realities:

The vast majority of people seeking a divorce are unrepresented.

Parents who face the loss of their children in court actions to terminate parental rights have no right to appointed counsel.

Few persons facing foreclosure have counsel, including members of the armed

services deployed to Iraq or Afghanistan, who are covered by laws protecting them from foreclosure while they are deployed.

Legal aid agencies are overworked and lack the funding to add lawyers.

It is clear that the present fee-for-service model isn't working for these people. It is also clear that reliance on governmental or philanthropic funding is not an answer. We know how untreated medical problems can drag people down; unfilled legal needs can have the same effect. This country needs to learn how to help the millions of people whose lives could be improved and who could be contributors to society if their legal problems were resolved.

Perhaps it's time to rethink the assumption that legal services always have to be individualized. Maybe ideas like LegalZoom.com are an answer—or at least a marker on the road to something better. Are there other, better ways of delivering and paying for legal services?

I challenge you to come up with new ideas for other problems and to question everything. Does law school have to be three years long? Should lawyers continue to

charge by the hour? Can law firms endure in their present configurations or are there better ways to organize and provide legal services? Can courts be more effective and productive? Are the prison and probation systems doing as good a job as they could of reducing crime rates and turning out offenders ready to take their proper place in the community?

You are in the position to take a fresh look at what is not working as well as it could be in our country. You can help effect change. You can do your part in making the words of the Constitution a reality for more people. You have the legal education and you have a big advantage most of us older lawyers do not, which is an innate awareness of the possibilities of electronic media.

On a personal note, my wish for each of you is to find work to do that will engage all of your talents, provide you challenges and satisfaction, free you from the shadow of debt—and even give you time for a life.

The law has given me unimaginable opportunities. From the vantage point of the judge's bench, I have seen drama more exciting than any movie; I have seen lawyers of amazing talent. I have had fascinating cases to decide (along with many not so

fascinating); some of these cases have been of great interest to the public; others have been important only to the parties. I have learned more about our society than I would have thought possible, about criminal schemes to defraud, about drug conspiracies, about family feuds over money and property, about patent litigation and about all forms of discrimination. I have had a glimpse into the unimaginable misery of the lives of some of the poorest and most deprived members of our society and have seen as well bits of the lives of some of the most fortunate and prominent members. I have seen firsthand how important the law is to people at every level of society and how every person values fairness and a chance to be vindicated. I have seen how lawyers have given them that chance and how hard the lawyers have worked in doing so.

I still believe that the law is an honorable profession and that those who practice it are among the luckiest people I know. Even with its flaws and shortcomings, it remains the bulwark of our society. I hope that you, too, will find your careers rewarding. I hope you will continue the work of your predecessors in improving the profession and in making legal services more accessible to more people. Good luck and congratulations.

