

Why We Are Lawyers After All

All of us have heard the question, “So why did you become a lawyer?” Often this question arises in cocktail banter, tinged with mock astonishment that a person seemingly as nice as you could, in reality, be a lawyer.

If you are like me, most of us have developed stock somewhat superficial answers to such questions at least when posed by strangers, designed to respond politely and keep the conversation moving. I sometimes answer the question, “What kind of lawyer are you?” with “I’m an excellent lawyer!”

This month, after you put down this column, I challenge you to spend a few minutes thinking anew through two questions: “Why did I become a lawyer?” and “Why do I remain one?” Indeed, each of us should revisit these questions periodically, during whatever quiet moments our week permits, to refresh our perspective on why we chose to do what we do for a living. The reasons, after all, have much to do with who we are as people.

A good many reasons why we became lawyers can be seen every day in America: When people get on a bus and can take any seat they choose; when all of our children can attend the same public schools, and can aspire to any job for which they are capable without discrimination; when people can speak their minds about their government without fear of reprisal; and when the police are controlled by the people not the reverse. All these reasons speak daily about what lawyers have done and what they continue to do. If you can get a little misty dwelling on our precious civil rights, it’s probably one reason you became a lawyer.

Lawyers are people who breathe meaning into the words that establish our social contract and our identity as Americans. Lawyers breathe life and action into words like equal protection of the law, due process, probable cause, unreasonable search and seizure and unfair discrimination. Without lawyers, these words are only words. It is lawyers, and lawyers who serve as judges, who imbue these words with power and effect. Respect for these words as more than mere words is one reason we became lawyers. If the meaning of equal protection can stir a passion in your heart, you are in the right job.

Lawyers are people who help set the limits between our individual rights and our overarching responsibilities to the common good; between what we may want, and what we can have. Lawyers grapple with the line between your right to own a gun and my right not to have you point a gun at me. Your right to free speech, vs. my right to privacy. Your right to smoke vs. my right to breath clean air. Your right to breach our contract vs. my right to damages if you do. Lawyers are entrusted to help people balance these competing interests through the process we call the pursuit of justice. A passion for the pursuit of justice is one reason we became lawyers.

To serve as a lawyer is to serve people. To be a lawyer requires a relationship with a client. We help people solve problems they cannot solve on their own. We share burdens they cannot bear alone. Because we deal with people, lawyers have the opportunity to comfort, to teach, and to empower clients to resolve their problems and go on with their life better for having met us. The desire and the opportunity to put people in a better position than when they came to us is another reason we became lawyers.

I suggest that another reason we do what we do is because we enjoy the company of people—by this I mean our fellow lawyers—who appreciate that a person with a different opinion is not necessarily evil; that two people can observe the same event and report it, honestly, from different perspectives; and that people under pressure will sometimes do things they later regret. Lawyers tend to understand the frailties of the human condition, and they can look beyond people’s conflicting opinions for the common ground that offers the opportunity for compromise and mutual respect. Respect for the rights and opinions of others, especially when they differ substantially from our own, is a requirement for enjoying the practice of law.

Finally, I submit that one reason most of us became and remain lawyers, is that the practice of law has many faces; public practice, private practice, big firm, small firm, sole practitioner, in-house counsel, transactional work, litigation, teacher, judge, politician, business person. Moreover, any facet of practice we choose offers the continuing opportunity for personal and professional growth. My experience has been that the longer I practice law, the more fulfilling it becomes, for some of the reasons I have touched on here. I hope that you have the same experience in your professional life. One suggestion for making the most of your legal career is to reflect, now and again, on your own and with your colleagues, why we became lawyers after all. It’s good for your heart.

I encourage you to share any questions or comments you may have about any matter relating to your State Bar of Arizona with me at Don.Bivens@azbar.org.

Note: Two months ago my December column, “To Be a Decent Lawyer, Be a Decent Person” acknowledged a debt to Kurt Vonnegut for what I thought were his remarks at a commencement address at MIT. It turns out that the person I borrowed

from was not Kurt Vonnegut after all, but a writer for the Chicago Tribune named Mary Schmich. The myth that Vonnegut authored the widely distributed "Use Sunscreen" speech apparently arose as an "urban legend" on the Internet, which was how the remarks came to my attention. Accordingly, if you liked the piece, you should be aware that I drew from the talent of Mary Schmich, not Kurt Vonnegut.