



Are We Now Tradesmen?

In my October column, I wrote of our devotion to replacing law firm identities with those of members of the animal kingdom. Since that time, I've been chased by eagles, horses, et al., all arguing that I am opposed to providing access to legal services to the poor.

In response to my column, I've also been called animal names or, to be more accurate, animal part names that are, surprisingly, sometimes appropriate. In time, I'm sure I'll hear from the poor's cartel that poverty doesn't equate with stupidity:

One of my goals is to ask people to picture lawyers in a different light.

Poor people can learn lawyer's names, telephone numbers and addresses just like other Arizonans. Then, of course, I will probably hear from the animal lobby concerned about disparaging lawyers' commercials that make their species look more predatory or less intelligent than the Almighty intended. Oh well, you can't please everyone.

But let's be clear: I do not oppose advertising. In most cases, it has opened up working-class access to lawyers. However, I respectfully suggest that it should be more dignified. But the debate brought forth the question: Are we a "trade" or a "profession"?

A dissenter (I'll only identify him as a mammal-based advertiser) wrote that *Bates & O'Steen v. State Bar of Arizona* and its progeny have long since permitted lawyers

the same rights as other "trades." Are we "tradesmen"? (Of course, Van O'Steen himself advertises sans an animal alter ego and does so in a professional way—Bravo!)

Bear (no ursine reference intended) with me. I come from a long line of tradesman, all of them as honest and as hard-working as your families. Carpenters, painters, welders, cooks, etc., are my lineage. But, as defined by my parents, they wanted "more" for me. They wanted me to practice a profession. To have a name that carried some dignity, not to be known as "the beagle" or some other name.

According to *Webster's* dictionary, a *pro-*

fession is "a calling requiring specialized knowledge and often requiring long and intensive academic preparation." To *profess* is also defined as openly proclaiming

adherence to a particular belief. A *trade* is defined as "an occupation requiring manual or mechanical skill." When we are admitted to practice law, we "solemnly swear" to support and maintain certain behaviors. This "profession" of adhering to public service and ethical aspirations doesn't make us any "better" than a tradesman, but it does impose more duties and obligations.

Each month, I speak to civic groups and listen to their frustrations about our profession. I also share with them what you do in your practice. For example, I mention that lawyer (and priest) David Myers only charges his clients the same hourly rate that they earn in their work; David is the genesis of the "discount lawyer." I tell them how retired judge and former Arizona attorney general Robert

Pickrell is being honored for more than 50 years of service to the poor through his work for Community Legal Services. Frank Gordon is known to many of us for his superb presiding over the Mecham impeachment trial in the Arizona Senate; but I also tell them of his volunteer work for the homeless in Maricopa County (this isn't even his home county—he was a Mohave County lawyer and judge). I talk about our discipline system, although imperfect, and how we are one of the very few professions that constantly works to improve its self-regulation. I highlight the public service component of law students' studies at our two fine Arizona law schools.

In short, one of my goals is to ask people to picture lawyers in a different light. It's part of my job to tell them of your good works.

In October I spoke to our new admittees. I had 120 seconds to impart some meaningful message to them. I told them that they have answered the "call" to service and that they "profess" to higher ethical practices. I welcomed them to a "profession" where reflection, knowledge and skill are applied to their clients' needs. I asked them not to "mechanically" advise. If our profession is to gain public confidence, we must counsel with the greater good in mind. I thanked the admittees' parents and loved ones for sending them to answer the "call."

I am thankful that my parents had the aspiration that I might enter a public service-based life ... a profession ... not just another way to make a buck (a non-deer reference).

¡Adelante! ▀