

May 2006

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Recommended Citation

Fairhurst, Justice Mary E. (2006) "Welcoming Remarks to New Bar Admittees," *Seattle Journal for Social Justice*: Vol. 4: Iss. 2, Article 36.

Available at: <http://digitalcommons.law.seattleu.edu/sjsj/vol4/iss2/36>

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Welcoming Remarks to New Bar Admittees*

Mary E. Fairhurst¹

Congratulations. This is a special day. Today you join our noble profession. We are happy to have you as members of the Washington State Bar Association. You should take pride in all of the accomplishments that have brought you to today. We all know what tremendous effort it takes to complete law school and pass the Washington State Bar exam.

As soon as the Chief Justice and Supreme Court Clerk sign the order of admission, you are licensed to practice law in Washington. With this authority comes responsibility. Some say “law is about fees, fees, fees.” I disagree. Law is about service and the responsibility to serve.

The preamble of the Rules of Professional Conduct reminds us that

the continued existence of a free and democratic society depends upon recognition of the concept that justice is based upon the rule of law grounded in respect for the dignity of the individual and the capacity through reason for enlightened self-government. Law so grounded makes justice possible, for only through such law does dignity of the individual attain respect and protection. Without it, individual rights become subject to unrestrained power, respect for the law is destroyed, and rational self-government is impossible.

Lawyers, as guardians of the law, play a vital role in the preservation of society. The fulfillment of this role requires an understanding by lawyers of their relationship with, and function in, our legal system. A consequent obligation of lawyers is to maintain the highest standards of ethical conduct.²

In his address to the American Bar Association in 1972, Chief Justice Warren Burger said: “Ideas, ideals, and great conceptions are vital to the system of justice, but it must be more than that—there must be delivery and execution.”³

We need efficient means and methods to carry out justice in every case in the shortest possible time and at the lowest possible cost. This is the challenge to every lawyer and judge in America.

Today I challenge you to help us restore confidence in our justice system.

The first step involves listening to the dissent. Dissent has played and plays an important role in our justice system. Our nation was born because of dissent and we have recognized the right and value of listening to those who have views different from our own. We have a responsibility to listen carefully and closely because there may be some ideas worthy of our attention.

The next step is to commit ourselves to be stewards of justice.

How does one be a steward of justice?

First, if you see justice is not being achieved, do something about it. When the public repeatedly sees the justice system fail, the people's confidence in the law will soon decline.

If you see the system fail, propose changes in the laws or changes in the rules. You have the skills, training, and ability to make a difference, to have an impact.

As good stewards of justice, we must be driven to make the law work in the real world. As Justice Stephen Breyer has said, "The law should provide real answers, to help real people, with real problems."⁴

Making the law work requires common sense and good judgment. Stewards of justice don't look for simple yes or no answers. We know they are rare. Stewards of justice give options to their clients and advise them of what is right within the sense of justice.

Rules of Professional Conduct 2.1 says, "In rendering advice, a lawyer may refer not only to the law, but to other considerations such as moral, economic, social, and political factors that may be relevant to the client's situation."⁵

Clients have to be advised about the need to look at the long range and for answers that will serve the test of time, not resolve a political crisis for

today. Our ultimate role is not only to make the law work for the client, but also to ensure justice has been served.

In this highly competitive era, good stewards of justice remember that it is essential to be civil and ethical. This means acting civilly and ethically with clients, in the courtroom, in the bar, and with others in our own offices.

Being stewards of justice means doing what we can to ensure the doors of the justice system are kept open. Our courts must be places where people can come to seek redress without fear that they will be treated unfairly or disrespectfully because of race, religion, sexual orientation, gender, or disability.

Good stewards of justice fight for access to the legal system. People who need legal services, but cannot afford it, must be provided assistance. The courts must not be a place where costs can make redress meaningless.

Ensuring justice and fairness also involves representation for those who may be politically unpopular or may not be very appealing clients. Representing those clients can be very difficult, especially when many non-attorneys see only the unpopular position the individual takes and have trouble understanding the need to represent even unpopular views.

Finally, and maybe most fundamentally, being a good steward of justice means we go back to a basic truth.

The law is a noble calling. Don't forget what our calling is about. It is not about winning or telling a client what he or she wants to hear. It is about making sure justice is done. It is about finding real solutions to real problems with the satisfaction that justice has also been served today and into the future.

We enter this noble profession because we want to help people and solve problems. The justice system is our tool to do that. But we can't expect justice to prevail if we take it for granted.

We have a choice. We have a responsibility. We can be stewards of justice who fight to ensure access, who are professional and civil at all

times, who look for real solutions which will stand the test of time, and who will embrace changes to the practice of law which will enhance justice.

I know the course I have chosen. I am confident you will join me as you enter this noble profession. On behalf of all the members of the Supreme Court, congratulations and welcome.

* Remarks made to new bar admittees at the Washington State Supreme Court Swearing-in, November 3, 2005. A similar version of this speech was given by Attorney General (now Governor) Christine Gregoire at an Attorney General Conference and has since been used with permission. Additionally, a version of this speech was printed in the *Washington State Bar News* in November 1997, and this speech was printed with permission by the Washington State Bar Association *Washington State Bar News*. See Mary Fairhurst, *Stewards for Justice: A Call to Service*, WASHINGTON STATE BAR NEWS 15 (Nov. 1997).

¹ Justice, Washington Supreme Court. Mary E. Fairhurst was elected to the Washington Supreme Court in 2002 after serving the citizens of Washington in the Attorney General's Office for sixteen years. She has served as President of the Washington Bar Association and on the Bar Board of Governors. Justice Fairhurst received her law degree from Gonzaga University, where she graduated *magna cum laude*.

² WASH. R. PROF. CONDUCT, Preamble, available at http://www.courts.wa.gov/court_rules/?fa=court_rules.display&group=ga&set=RPC&ruleid=garpcpreamble.

³ Warren E. Burger, Chief Justice of the Supreme Court of the United States, The Judiciary, Address to the American Bar Association (Aug. 14, 1972) (transcript available in 38 VITAL SPEECHES OF THE DAY 740-43 (1972)).

⁴ [cite]

⁵ WASH. R. PROF. CONDUCT 2.1.