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ARTICLES

REMARKS TO THE SANTA CLARA UNIVERSITY SCHOOL OF LAW GRADUATING CLASS OF 1986*

The Hon. Edward A. Panelli**

Father Rewak, Dean Rykoff, faculty members, parents, friends, and members of the Santa Clara University Law School Graduating Class of 1986.

Good morning. It is both a privilege and a great pleasure to address the distinguished group of people assembled here today. Many of you know I've attended a number of commencement ceremonies here at the University, but I think that this one will always be special to me in the years to come, since it's the first one to follow my own "graduation" last winter. Moreover, this class is also somewhat special in that it includes the largest number of students who externed with me.

As I look out upon you, I see the collective personification of hope; hope not only for our society, which needs your intelligent and innovative minds to address today's legal and social issues, but I also see, more specifically, hope for the renewed dignity of our nation's legal profession. I'm sure you appreciate that for hundreds of years it's been fashionable, not only in this country but around the world, to malign our profession. Shakespeare's butcher in Henry VI declared that, "The first thing we do - let's kill all the lawyers;" the English poet John Keats believed that lawyers should be classed in "the natural history of monsters;" and the French writer Jean Giradoux asserted that "no poet ever interpreted nature as freely as a lawyer interprets truth." Today, lawyers are favorite targets for opinion page cartoonists, television editorials, and disappointed cli-

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ents. Lawyers are also the subject of countless derisive jokes, such as the one about the two cars, one which ran over the lawyer, and the other which ran over the snake. The only way you could tell the difference between the two victims was there were skidmarks in front of the snake.

I'm sure all of you have been to at least one social gathering where, upon learning of your career ambition, someone said, "Just what the world needs, another lawyer." What's curious about this perception that we're all awash in a glut of attorneys, however, is that nationwide, the number of people applying to law schools is actually going down. In fact the number has been going down for several years. But what is the reason for this decline? The answers range from simple demographics (the end of the baby boom), to the lure of other, better-paying professions in today's economy. Another more subtle explanation involves the perception that lawyers are something less than human, something more akin say to snakes, or parasites, or any one of an assortment of other lower members of animal life.

And that's where you and I come in. By far the greatest challenge facing both attorneys and judges in 1986 is to restore some of the lustre to our profession which — Shakespeare, Keats, and Giradoux, notwithstanding — once really was viewed as noble and prestigious. Now how can we do this? Well, we can start with the idea, which unfortunately is often forgotten today, that lawyers and judges exist to serve the public; the public does not exist to serve the lawyers and judges. Next, we need to approach our jobs with diligence and vigor, an energetic "can-do" attitude that will help us to locate constructive and, wherever possible, non-litigious solutions. We must look for such solutions even though for the lawyer they may neither be the most lucrative nor the most expedient.

Perseverance is essential. In the coming weeks, as you study for the Bar Exam, you will most certainly see within yourselves a renewed commitment to the study of law. You will see within yourselves a passion, an inner flame, perhaps unparalleled in its intensity. I admonish you to guard that flame jealously like a candle in the wind, for the winds of time and the breezes of glory — glory attained, and glory never reached — will fight that flame. Keep it burning; it will show you the way to the moments of your greatest professional exhilaration, and it will sustain you during your moments of despair.

Yet vigor, perseverance, and passion will neither help our careers nor improve the quality of our profession unless you and I also

maintain something else: the highest standard of integrity. It's extremely important that we each do our share, both you and I, as Santa Clara graduates, to improve the ethical and intellectual standards of our lawyers and judges. As a member of the same noble profession, and as alumni of the same school, we must be cognizant that each one of our respective professional endeavors reflects upon all of us. Let's do our share to make the term "Santa Clara graduate" synonymous with honesty, commitment, integrity, and a passion for excellence.

Let's also do our share to maintain the continuing vitality of this law school which has given you and me so much. For us, Santa Clara has been the key to unlocking our future, and it merits our enduring gratitude. So although today is the day when you officially leave Santa Clara, let it also be the day on which you renew your commitment to the school, the day on which you promise that you'll do your part to ensure that Santa Clara law students in forthcoming years shall have the same opportunities which were afforded to both you and me. However modest or generous you can be with your time, earnings, or recruiting, the sum of your efforts will go far toward securing Santa Clara's spot on our nation's roster of distinguished law schools.

I hope that you will reserve, as I have, a special place in your hearts for this school, and for the friends and faculty who have shared with you the ups and downs of your legal training. Be grateful for and cherish the friendships which you have made here; they can be an endearing part of your personal and professional lives. At the same time, however, as each of you embarks upon your individual career path, be sure to use as your compass your own definition of success — not that of your classmates — and the course you set will be both true and rewarding. In the words of Guiseppe Mazzini, the 19th Century Italian patriot, "Respect above all things, your conscience."

There is another group of people sitting here today besides our friends and teachers who merit our thanks and our continuing respect. I'm talking about our families. They have weathered the difficult days with us, and today they share in our accomplishments. They are, in their own right, heroines and heroes. We thank them for their faith, their support, and especially their love. We owe it to them, as well as to ourselves, to think hard about what we are going to do now that tomorrow has finally arrived.

I hope that you will agree with me that one of the best things that we can do for them, for ourselves, and for our society is to al-

ways give our best — to our families, to our jobs, and to our communities. Only then will some of that tarnish on our profession's image begin to fade away. To always give our best will be a formidable task, but it also promises to be a richly satisfying one. Like Robert Frost's woods on a snowy evening, the challenge will at times seem "lovely, dark and deep," but you and I must remember that we have "promises to keep, and miles to go before [we] sleep."

As we move forward, let us do so without illusions. We live in a world of painful contrasts: of well-heeled professionals who walk swiftly by the outstretched hands of the homeless; of the human need for privacy in an increasingly computerized and public world; and of the concept of "justice for all," inadequately translated into practice today by a legal system which costs too much, takes too long, and which fails to properly serve the elderly, the disabled, the poor and underprivileged.

But such contrasts needn't be the norm. As attorneys, you not only will have countless opportunities, but a continuing ethical obligation as well to act in the public interest. Volunteer your services regularly to a community organization, a school, or to an indigent who needs your legal counsel. In the years to come, remember that those of you who are graduating today represent some of the very brightest and some of the most fortunate members of a country, which is, as described by Justice Douglas, "in spite of its shortcomings, still the hope of mankind across the globe." With your education, your promise, and your capacity for creative thought, comes an enduring responsibility to those who need your leadership, your foresight, and your compassion.

You, your families, friends and teachers have every reason to be proud today. I wish you all the best in the years to come.

And now I'd like to close with the words from "Our Time," a song written by Stephen Sondheim. If it's all right with you, however, I'll refrain from trying to sing it.

Something is stirring, shifting ground.
 It's just begun.
 Edges are blurring all around,
 And yesterday is done.
 Feel the flow, hear what's happening.
 We're what's happening.
 Don't you know?
 We're the movers and we're the shakers;
 We're the names in tomorrow's papers.

It's our time, breathe it in.
Worlds to change and worlds to win.
Our turn . . . coming through,
Me and you man, me and you!
Feel how it quivers on the brink.
What? Everything!
Gives you the shivers, makes you think,
There's so much stuff to sing.
And you and me, we'll be singing it like the birds,
Me with the music and you with the words,
Tell 'em things they don't know!
Up to us, pal, to show 'em.
Long ago, all we had was that funny feeling;
Saying someday, we'd send them reeling.
Now it looks like we can!
Someday just began.
It's our heads on the block.
Give us room and start the clock.
Our Time coming through,
Me and you pal, Me and you!
Good luck and God bless you all. Thank you.
