

**Remarks of William C. Hubbard
President-elect, American Bar Association
College of Charleston Commencement
Keynote Speaker
Sunday, May 11, 2014
Charleston, SC**

**Right now I would like everyone to take a deep breath. Ready?
Breathe in. Let it out. Breathe in, let it out. I promise, I won't
ask you to do yoga. Hopefully you are a bit more relaxed now
than you were 10 seconds ago. Every little bit helps, and
you've had quite a load on your shoulders the past three years.
But today, today is a day that you *can* relax, a day to celebrate
and enjoy.**

**Clearing your mind today is important, because law school is a
time of stress. And while sometimes it can be motivating to
work under pressure, if you're constantly stressed out, you
don't always make the best decisions.**

At my son's school when he was younger, the math teacher coached one of the junior varsity football teams. To that coach, math came first, football second.

In one game the Coach sputtered to a young lad who was standing next to him on the sideline, "Get in there for Montgomery."

The boy strapped on his helmet and dashed onto the gridiron.

**Then he stopped abruptly, looked back at the coach and said:
"But coach, I am Montgomery."**

Sometimes the pressures of the moment can cause us not to think clearly.

So keep taking deep breaths. Today is a day to enjoy yourself and to commemorate that you are entering a magnificent profession – the profession of law. In 1953, Dean Roscoe Pound of the Harvard Law School defined a profession in this way:

The term refers to a group...pursuing a learned art as a common calling in the spirit of public service – no less a public service because it may incidentally be a means of livelihood. Pursuit of the learned art in the spirit of a public service is the primary purpose.

In a matter of minutes, you will join the profession and hold the honored degree, "Juris Doctor."

In a matter of months, you will be fully accepted into the profession of law.

You will be a lawyer.

**You will be uniquely qualified to do what lawyers do best –
right a wrong.**

You will be a defender of justice, a protector of liberty.

That is a great opportunity.

It is an even greater responsibility.

**I remember March 26, 2012, very clearly. I was departing the
Russell Senate Office Building in Washington after a meeting. I
heard the noise. It was coming from the Plaza of the U.S.
Supreme Court a block away. It was the first day of oral
arguments to determine the constitutionality of the Patient**

Protection and Affordable Care Act, commonly referred to by many people as ObamaCare. I walked over to the Plaza.

There were people of all colors, all ages. They wore every type of clothing, from T-shirts emblazoned with slogans, to running gear, to suits. There were doctors and medical students in white coats. There were posters and buttons of every size and color. Some people had megaphones, and others tried to out shout their opponents. There was even a trumpeter and a trombonist.

It was a cacophony and a montage all at once. It was America. Above it all, on the west pediment of the Supreme Court are the words we know so well, "Equal Justice Under Law." Those words are the embodiment of the justice that we seek as

Americans . . . justice fairly applied, regardless of class, race, gender, sexual orientation, disability, or station.

Having breathed in the fullness of that moment in March, I sought a quiet place. I walked around the magnificent Supreme Court to the East Side. No one was there. It was eerily calm and quiet. I looked up. I looked up to the pediment on this, the East Side. There above the columns are these words: "Justice the Guardian of Liberty."

All men and women seek liberty and freedom. Liberty and freedom to explore, to learn, to earn, to have a family, to make a difference.

As lawyers, you will observe the montage and hear the cacophony of clients and fellow citizens, just like that day on

the Plaza of the Supreme Court. Whether in your local courtroom, or in the meeting rooms of community organizations, or before government agencies, you will be part of the richness of America.

But you will also have opportunities to walk to the quiet side and think hard about our profession and our justice system.

You, today's graduates of the Charleston School of Law, will be trumpeters and trombonists to the world so you can do what lawyers do best—right a wrong, defend justice, and protect liberty.

Our elegant tradition of justice for all will be defended not by institutions – not by somebody else – but by each of you – each day in the way you conduct yourself. You will be the new face of law to the world.

You will be the trustees of our Constitution.

You will be the stewards charged with the protection and preservation of the magnificent American legal system.

It will be your duty to stand up for the law, for the independence of the judiciary, for access to justice for all persons, and for the right of an accused to have a lawyer, regardless of the crime alleged.

By choosing this school, by committing to pro bono efforts, you have already taken a stand for justice. One of you has even made Justice his name—Brian Justice. Brian has had the truly remarkable honor of having had the highest number of pro bono hours, breaking the school's record with his 1,747.70

hours of pro bono service. Jenny Pittman and Aliecia Bores, who have the second and third highest number of pro bono hours of your class, join Brian, and all of you, in doing what lawyers do best – making the promise of justice real to real people.

There are 14 quotations along the 450-foot crescent-shaped granite wall of the Martin Luther King, Jr. Memorial in Washington.

The first quotation on the far left reads, "We shall overcome because the arc of the moral universe is long, but it bends toward justice."

The last one on the far right reads, "True peace is not merely the absence of tension: it is the presence of justice."

The series of quotations, from left to right, from beginning to end, start with a theme and end with a theme encompassed by one word – justice.

We have a responsibility as lawyers to ensure that the needs of the justice system are met and that justice is served.

In the words of the late Chief Justice Burger, let us fulfill our function as the "healers of society's conflicts."

By doing so, we will honor the Constitution. By doing so, we will establish justice.

The best way for our profession to continue to be healers of society's conflicts is to lead – or as Abraham Lincoln said, "[C]reate the future."

The law is going to fundamentally change. You are entering the profession in a time when a large number of lawyers from the Baby Boom generation are beginning to retire. My generation did not grow up with the technological skills that you have –

The skills that will define the practice of law going forward.

The reason for your future success is that you have technology in your DNA. The average age of your class is 28. Most of you don't remember communicating without a computer or electronic device.

Technology is providing opportunities for innovation that will close the justice gap. You, the graduates of 2014, can

transform this profession through innovation. This transformation is needed so that we can provide justice to all. Reliable studies indicate that 80% of the poor do not have access to our justice system, and that 75% of the poor and middle class combined are essentially left out of our justice system.

In fact, the oath that many of you will take to become South Carolina lawyers requires that you address this need: “I will assist the defenseless or oppressed by ensuring that justice is available to all citizens” With our citizens not accessing the legal system to meet their needs, it is critical to reevaluate how our justice system operates.

You are needed now more than ever to be leaders in this profession. You have a great opportunity to change how

people think about the law, and about lawyers. And to change our way of delivering justice.

We must address structural barriers like cost, delay, and complexity that prevent people from accessing justice.

David Boies of Bush v. Gore fame recently said, "The United States is overlawyered when it comes to the rich and powerful, but under-lawyered when it comes to people who don't have resources. One way the legal profession has got to adapt is to serve not just the people who it has largely served excessively, but develop a business model for people who are underserved."

We must develop a new model to meet the needs of the underserved while enhancing the opportunities for lawyers to thrive.

And, we must put innovation front and center. We need to identify, encourage, and accelerate legal services innovations.

You, the member of the class of 2014, are uniquely positioned to do just that because you have skills both in law and technology to a greater degree than any class in history.

The lawyers who wrote the Constitution put one principle front and center:

We the People of the United States in order to form a more perfect union – establish justice.

We have not established justice if people to do not have access to justice.

We pledge allegiance to a flag and to a country that promises liberty and justice for all.

But we have not provided justice for all if people lose their homes, their businesses, and yes, their freedom, without adequate counsel, or without other effective options to resolve their legal issues.

Take this time in your life to make justice real in someone else's life.

Help a person resolve financial problems that are holding them back.

Protect natural resources.

Help someone adopt a child.

You have a law degree.

The world needs you to right its wrongs. People need you.

For someone who has not known justice, you can make justice real.

One more time—Breathe in, breathe out. Enjoy this day. And enjoy this great and noble profession.