Winter December 19, 2016

Professionalism - A Shining City on a Hill

Beau James Brock
Professionalism
A Shining City on a Hill

MEN WANTED
for hazardous journey, small wages, bitter cold, long months of complete darkness, constant danger, safe return doubtful, honor and recognition in case of success.

Ernest Shackleton 1408 Chaplin man Bldg.

MEN—Near-appearing young men of pleasing personality between the ages of 31 and 38.

Manasseh Gill Knipe Belanger
A Professional Law Corporation
Paul Newman.
- Refuses “the deal.”

Atticus Finch.
- Overcame race.

Clarence Darrow.
- It is the guilty man that needs me.

Professional organizations to provide expertise above politics.

Confidential settlements.

Exploitation of tragedy
- Gun violence
- Racist attacks
- Charitable “fund-raisers”

Indigent w/o counsel.
- Everyone pays.

It’s another PAC, Mable.
Reality Check

- Trial by Ordeal.
  - Destroys all litigants faith in the system
- Leadership from behind (polls & focus groups) rather than in front
- Asked to juggle ethics with advocacy
- What the public reads - never good.
What do People think about “action” vs. expect from us

PEOPLE GOTTA TALK THEMSELVES INTO LAW AND ORDER BEFORE THEY DO ANYTHING ABOUT IT. MAYBE BECAUSE DOWN DEEP THEY DON'T CARE. THEY JUST DON'T CARE.
...it's nice to talk to an audience of working people...
because I can congratulate you on having jobs.
You do have jobs, don't you? How many are out of work?
The unemployment figure for this state is 8%. Think of it!
The biggest, the richest, the most powerful country...
cannot keep its full job force working.
It cannot tend all its sick people. It cannot feed all its hungry people......or decently house its poor people.
It cannot educate everyone who needs an education.
I say there has got to be a better way!
That's what this election is about. Because the time has passed......when you can turn your back on the fundamental needs of the people. And don't think that you can distract them any more......by playing off the young against the old......black against white...
...the poor against the less poor. I think the time has come...
...when the American people realize......that we're in this together......and that we sink or swim together. And I say to you, maybe, just maybe......that's how it should be.
The test of our courage......of our compassion......our faith in ourselves......and our faith in our country.
I think it's important to note what subjects we haven't discussed. We've ignored the fact that this is a society... ...divided by fear, hatred and violence. And until we face what this society really is......I don't know how we'll change it. We haven't discussed the rot that destroys our cities. We have the resources to check it and we don't use them. And we haven't discussed why not. We haven't discussed race or poverty in this country. We haven't discussed any of the sicknesses that may yet......send this country up in flames. And we'd better do it. We'd better get it out in the open and confront it... ...before it's too late.
The Mask of Command

ALEXANDER

Highly theatrical style in which the leader's spectacular armor, dramatic story and self-association with the gods set him apart, meticulous provisioning & close knowledge and concern for his men made him ONE OF THEM. On the battlefield he sought victory by risk-taking and self-exposure.
Wellington

Wellington

Gentlemanny ideal. Disciplined, modest, self-assured, and reticent. Wearing civilian clothes, he avoided all self-dramatization and scorned Napoleon's dramatics. Deliberate antiheroic style
Grant

GRANT
CONSCIOUSLY UN-HEROIC PROFESSIONAL WITH HIS PLAIN AND SIMPLE STYLE CAPTURED THE POPULAR IMAGINATION. RECOGNITION THAT THE VOLUNTEER AND LARGELY UNTRAINED TROOPS OF A PEOPLE'S ARMY MUST BE LED, NOT DRIVEN TO BATTLE.
"FALSE HEROIC," CHIEFLY BECAUSE IT SOUGHT TO ELIMINATE THE DISTANCE BETWEEN COMMANDER AND COMBAT TROOPS. PROPAGANDA PORTRAYED HITLER AS A SUFFERING HERO ALLOWING HIM TO SHARE THE HARDSHIPS OF HIS SOLDIERS.
The Playing Fields of Eton

The Formation of our American Resolve begins on the School Yard – for women & men alike

We can choose our paths by setting a goal or a result

Dr. King preached the “Politics of the Possible” but today, unfortunately, we are dominated by a politics of the impossible. Rather than see what is possible, we get a set of bad choices. Because of globalization, because of technical advances, politicians tell us we must accept a new normal of unsteady jobs and low pay. Yet, our GDP has grown to $50,805 for every man, woman and child in the country. This makes us a nation more than twice as wealthy as when Dr. King lived. So, why are fewer things possible?
Time to Throw Our Hats over the Wall of Class & Racial Divide

AS ATTORNEYS

• WE MUST LEAD POLICY DISCUSSIONS WHICH ARE SOLUTION ORIENTED
• WE MUST ENGAGE EACH OTHER IN FINDING COMMON GROUND REGARDLESS OF AFFILIATION
• WE MUST INVITE ALL STAKEHOLDERS TO THIS CREATIVE PROCESS TO ENSURE ACCEPTANCE OF THE RESULTS AND THEY MUST BEAR THE RESPONSIBILITY OF THE COSTS
Causes of Dissatisfaction...

- The strain put upon law in that it has today to do the work of morals also;
- the putting of our courts into politics;
- the effect of transition to a period of legislation;
- the making the legal profession into a trade, which has superceded the relation of attorney and client by that of employer and employee;
- and public ignorance of the real workings of courts due to ignorant and sensational reports in the press.

*Pound, Lecture to the ABA, 1906.*

- Cubs lose…Cubs lose… & 1st forward pass…
Now, the end of law is the *common good* [not framed for individual cases]...Wherefore law should take account of many things, as to persons, activities and times because the community of the state is composed of many persons and its good procured by many actions, nor is it established to endure for only a short time, but to last for all time by the citizens succeeding one another. *Aquinas.*

The individual attorney...can be a most effective force for positive change. This is done by consciously applying the codes of conduct to each act performed each day in the practice. [T]his person then becomes a role model for all those who come into contact with that person. *Shortess.*
In Missile Lock by the Public...

- Tort “Reform.”
- Term limits
- Victims’ Rights.
- Appointment of Judges.
- Mandatory minimum sentences.
- State & Federal criminalization of walking and chewing gum.
Possible Countermeasures

- Volunteerism.
- Pro Bono.
- Statesmanship.
- Be above *grist for the mill* issues which serve to divide us – Ripples…
- De-Balkanization
- Deregulation
• WE should bridge the differing sections of our society rather than divide it.
• We can disagree as to the road to solutions and view each other as adversaries as much as counselors to adversaries.