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## A Trustworthy Lawyer

Winnie F. Taylor

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# A Trustworthy Lawyer

Winnie F. Taylor

*Editor's note: This is the text of Winnie F. Taylor's remarks at the final convocation of the Cornell Law School's class of 1992. Professor Taylor was elected, by the popular vote of the class, to speak at the convocation.*

I want to thank the class of 1992 for giving me this honor. I proudly accept it for several reasons. First, I realize my classroom style is not the most popular among students. I require class attendance; I require class participation; and I disallow excuses for lack of preparation. Those "course requirements" rarely provide a foundation for popularity. Yet in spite of the negative feelings many of you have about them, Class of 1992, you chose me as your convocation speaker. I want you to know how much I appreciate that. Second, I know that I am the first African-American, the first minority member, and the first woman in the history of the law school selected to give this address. I proudly step forth as a representative of all those groups who look forward to the day when women and minority members are such regular participants in all law school events that their selection to perform a task will no longer be historically significant because of their race or gender.

Class of 1992, you gave me an assignment. As most of you know, I take assignments seriously. I thought long and hard about what to say to you in my final contact with you as Cornell law students. I must admit I was tempted to bring my Uniform Commercial Code to go over rightful/wrongful rejection just one more time or to give you one last opportunity to understand limited and full warranties under the Magnuson-Moss Warranty Act. However, I decided against that. Instead I decided to share some of my hopes for you as lawyers and to mention a few things I hope we taught you, things I think are worth repeating at this time. I hope we taught you

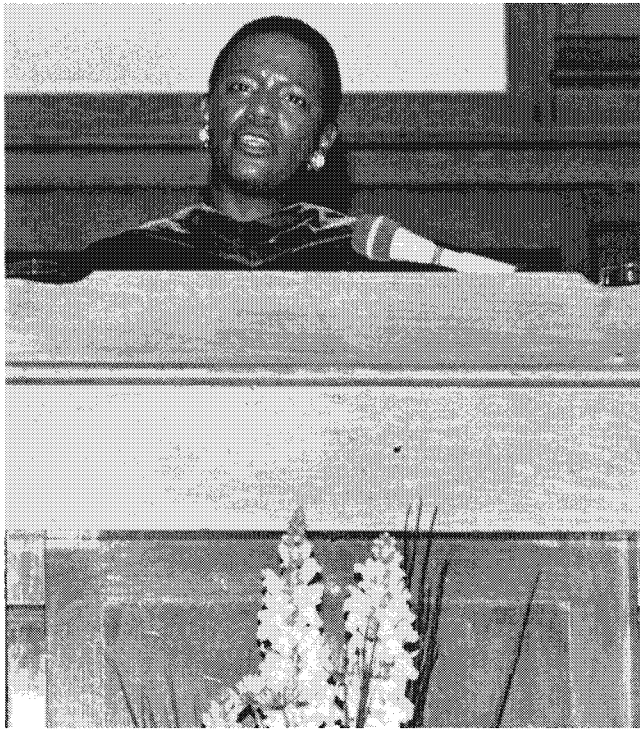
- to use law as a weapon to abolish all exploitation of people by people
- to value people over money

- that your character, not your law degree, is the true criterion of your respectability
- that the practice of law need not be ruthless, dispassionate, or heartless
- that a modest but fair settlement is as respectable as a million-dollar judgment
- that law is about people, real people, with real pain, real scars, crying real tears, who are appealing to lawyers for help

As lawyers you will get to know a lot of clients who are all looking for the same thing—a lawyer they can trust. In my opinion, a trustworthy lawyer is a lawyer with both skill and values. As graduates of the Cornell Law School, you have skill. I do not question that. You are sharp and bright, and we helped make you that way. I am sure it comes as no surprise to you that we will take credit for all your future accomplishments. (Of course, any failures will be your own.)

While I have never questioned your capacity to become excellent legal technicians, Class of 1992, I have sometimes wondered about your values. I wonder what values you as lawyers will bring to the legal profession, and I wonder what effect your values will have on my life and the lives of others if they are sanctioned in law.

You see, I am acutely aware of the fact that law has shaped my life. A law was passed to give me the right to vote. A law was passed to give me equal employment opportunity, and thirty-eight years ago to the day, on May 17, 1954, the United States Supreme Court decided *Brown v. Board of Education*, a decision that gave me the right to equal educational opportunity. Were it not for that decision, history would be altered, and I would not be your speaker today. So pardon me, Class of 1992, if I seem to take law and lawyers very seriously. I want you to know I have always counted on the technical skill and moral vision of lawyers to make us better people and the commit-



*Professor Taylor speaking at the 1992 convocation*

ment of lawyers to the attainment of fairness and equality of opportunity to make this world a better place.

As lawyers and future leaders who will hold the reins of power in this world, you will, I hope, be inspired by your moral vision to take a humanistic approach to the practice of law. What do I mean by that? Let me briefly explain, not in my words, but in the words of Judge A. Leon Higginbotham, Jr., of the U.S. Court of Appeals for the Third Circuit, whose powerful statements are the source and inspiration for my message.

I met Judge Higginbotham many years ago when he delivered the commencement address at the University of Florida College of Law. His words left an indelible impression on my life, and with his permission I share his ideas and these words with you:

Each lawyer's vision of society and his or her dedication to the dignity of individuals will affect the quality of life in our country in ways that mere technical skill

in drafting a document, constructing a statute, writing a brief, or authoring a law review article can never approach. If we lawyers are to play the important social and moral roles that I believe we can and should, we must begin by recognizing that our nation's basic human problems never have arisen because the legal profession misunderstood Blackstone or the Bluebook, the Uniform Commercial Code or the Federal Rules of Evidence. Poverty, hatred, malnutrition, inadequate health care and housing, corruption in government, and the failures of our public school system continue to haunt us today because those in power often have lacked personal morality or have failed to make real the values that they have professed to hold in the abstract. To paraphrase Justice Holmes, the life of the law must not be mere logic; it must also be values. Each lawyer—whether judge or politician, professor or entrepreneur—must make personal judgments. . . . Each lawyer must consciously and constantly assess his or her values and goals in forging rules of law for the future. . . .

Where will each of you stand? Will you be aligned with those forces that expand the horizons of opportunity for the weak, the poor, the powerless, and the many who have not had our options? Or will you become members of the indulgent new majority in our society who seem to feel that the quality of morality in our nation's public life is unimportant as long as they have good salaries and comfortable suburban homes or luxurious condominiums in the city? Will you as a lawyer merely become a technical expert, detached and indifferent? Will you be concerned solely with obtaining the highest fees for the least amount of effort, untroubled by the quality of life in our nation or world? Or will you care enough to make a difference?<sup>1</sup>

Class of 1992, I hope you care enough to make a difference. I hope you will use your technical skill and your moral values to improve the quality of life in this country and in this world. I wish you well.

Winnie F. Taylor is a professor of law at the Cornell Law School. Her major subjects include consumer law, contracts, credit discrimination, and commercial law.

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1. Higginbotham, "The Life of the Lawyer: Values, Commitment, and Craftsmanship," 100 *Harv. L. Rev.* 795, 815 (1987).