

Here is the commencement address that Vincent Foster Jr. gave May 8 at the University of Arkansas School of Law in Fayetteville, where he graduated first in his class in 1971.

Dean Strickman, Dr. Leflar, honored faculty of the University of Arkansas School of Law, class of 1992, family and friends, I cannot tell you what a thrill it is to return to these beautiful hills and celebrate with you the completion of your law school career.

It is humbling for me to deliver this message from a stage shared by so many outstanding teachers, many of whom taught me and taught me well. What a challenge it is for any commencement speaker, let alone this one, to attempt to develop and convey to you an uplifting message with any staying power whatsoever, knowing full well the wide range of emotions which are preoccupying you at this moment: Your senses of achievement, appreciation, satisfaction, relief, survival and perhaps apprehension; and particularly some sense of impatience for this speaker to get on with it, deliver his remarks so that you may receive congratulations from your family and friends.

Governor Cuomo reports that when he was first asked to speak at a graduation he sought advice out from Father Flynn, then the president of St. John's University. Commencement speakers, said Father Flynn, should think of themselves as the body at an old-fashioned Irish wake. They need to have you there in order to have the party but they don't expect you to say much.

When Dean Strickman, in Washington a few weeks ago, conveyed to me the invitation, I protested that I was not only unworthy of the honor but unprepared for the experience.

You see, I skipped my commencement ceremonies some 22 years ago. You see, this is the first law school exercise that I have ever attended.

The law school commencement at that time was a mass joint enterprise with all the other schools on campus, and since I have not been much on ceremony, and since I felt I knew everything there was to know, I rationalized that I should rush to Little Rock to assume my new job and save on the rental gown. My wife, Lisa, who put me through law school with much personal, professional and financial sacrifice, would have been relegated to the balcony and did not object.

Maturity and experience have taught us that we were wrong. We had much to learn and time to spare. We would have benefited from one last celebration with our professors and our friends and families, and we would have profited by pausing one more time to think about where we had come from and where we were going and what roads we should travel.

This invitation has caused me to stop this hectic and challenging adventure I am on in Washington to think about the roads I have traveled to get there and the roads I wish I had traveled. This reflection has focused me on some turmoil on the roads before you. The choices and opportunities and challenges you will face as lawyers of this time and place in history.

I congratulate you on this achievement. You have sacrificed a considerable amount of your time on earth. You have mastered a strange new language. You have postponed the start of your vocation. You've experienced a full measure of peer competition. You've been swept up in rapid rumors in job opportunities and job conditions. You've changed your daily work ethics, and you have forgone many of life's simple pleasures. Some of you have earned special recognition this afternoon, and we all congratulate you.

But, tomorrow, my friends, the slate is wiped clean again. Prospective clients don't inquire about class rank. The local bar association you will join does not have a special class of membership for law review staffs. Judges and jurors will not ask to see your resume.

You will be evaluated instead by your product, your

reputation you develop for intellectual and ethical integrity will be your greatest asset or your worst enemy. You will be judged by your judgment.

The practice of law you've already learned does not lend itself to true-and-false analysis. If the problem is black or white, the client does not need a lawyer.

Instead your challenge will be to use your education and all your life's experiences to exercise good judgment to select from among the shades of gray.

Practice law with excellence, with pride in your product. Treat every pleading, every brief, every contract, every letter, every daily task as if your career will be judged on it.

Each client is entitled to your best effort. Practice law with a heart. The clients you represent will remember you long after you have forgotten their names. While routine for you, what you are doing for them may be the most important thing in their lives. For most, you'll be the only lawyer they will ever come into contact with, and they form their perception of our justice system and your profession on how you treat them as a person and the quality of your work.

Practice law with consideration and courtesy. No matter how righteous the cause or clear your victory, assure that your adversary with his or her client leaves with dignity.

As Judge Perry Whitmore in Little Rock used to tell us, you can disagree without being disagreeable. Besides, your adversary today may be your judge tomorrow.

Following the bar exam, your most difficult test will not be of what you know but what is your character. Some of you will fail.

The class of 1971 had many distinguished members who went on to achieve high public office. But it also had several who forfeited their license to practice law. Blinded by greed, some served time in prison.

I cannot make this point to you too strongly. There is no victory, no advantage, no fee, no favor which is worth even a blemish on your reputation for intellect and integrity.

Nothing travels faster than an accusation that another lawyer's word is no good. A judge who catches you in a disingenuous argument or a mischaracterizing of a case will turn hard of hearing when you next show up to argue.

Dents to the reputation in the legal profession are irreparable. Every lawyer I know carries around a mental black book which is recorded in indelible ink the names of his adversaries who breached the presumption of good-faith dealing.

Each of you, I hope, will strive always to set your professional goals and your personal goals out there just barely at the end of your reach. Stretch your talents, grasp beyond the closest branch, take a risk, stick your neck out, speak your mind, challenge the status quo and conventional wisdom. Do not just accept responsibility. Chase it down.

You will have failures and disappointments. Take comfort in knowing that opinions of those who really matter will never be as forgiving of your failures or as admiring of your victories as they are at this stage of your career.

Sometimes doing the right thing will be very unpopular with your other clients and with the pundits at the local coffee shop. When the heat of controversy swarms around you, the conviction that you did the right thing will be the best salve and the best sleeping medicine.

Listen to each other; listen to older lawyers. If I could have one wish for each of you, it would be to find a mentor who will bring you along, and whose values will be ones you admire and absorb. In my experience, that is the critical key to professional success and happiness.

Even with such a mentor you will go home some nights feeling like you never want to practice again — the way you've done here after an exam or a Moot Court argument went badly.

But you will go home other days anxious to get back again and slay the dragon. In a few short years you will be a mentor to some new lawyer. Start preparing now to be a good one, to be the kind of mentor that

you would want for yourself. Strive to be a lawyer whom other lawyers admire.

Along the way you will receive recognition for achievement, a complimentary newspaper article, an award, a plaque, and if the gods are with you, maybe even a commencement address. When you smile for the camera and bask in the applause and take your bow, pause and reflect and recognize who helped you get there. Your spouse, your law partner, your parents, your friends.

Because there will also be failures, and criticisms and bad press and lies, stormy days and cloudy days, and you will not survive them without the support of those same spouses, law partners and friends. So it is.

I pause: Three weeks ago my wife, Lisa, and I celebrated our 25th anniversary, and it was here in Fayetteville in law school where we celebrated our first. Like many in this audience, she began by putting me through law school. For 22 years she always encouraged me to persevere and aim higher. She has been my editor, my jury consultant and my best friend. I wish for each of you, a Lisa.

A word about family: You have amply demonstrated that you are achievers willing to work hard, long hours, to set aside your personal lives. It reminds me of that observation that no one was ever heard to say on their death bed, I wish I had spent more time at the office.

Balance wisely your professional life and your family life. If you are fortunate to have children, your parents will warn you that your children will grow up and be gone before you know it. I can testify that it is true. God only allows us so many opportunities with our children to read a story, go fishing, play catch, say our prayers together. Try not to miss a one of them. The office can wait. It will still be there when your children are gone.

This ceremony is called a commencement because it's a new journey. Your law school studies are completed, but your education is just under way. Continue to study, but don't limit your studies to the law. If you strive to become a great lawyer, you must be more than a lawyer.

We are defined as persons and lawyers by the depth and variety of our experiences. Continue to broaden your horizons. Read religiously — works other than law.

Travel. By all means travel every chance, everywhere you can. Travel the back roads, not the interstates. Mingle with those of different backgrounds and cultures and ages.

Quietly observe your fellow man. Sit still and listen to those who are different from you. Look and listen for the values that you share, which you have in common. Tolerance does not come naturally to any of us. You must work at it. We all must work harder at it.

Take time out for yourself. Have some fun, go fishing, every once in a while take a walk in the woods by yourself. Learn to relax, watch more sunsets. Those of you who do not have your life planned out, don't worry. It wouldn't turn out the way you planned it in any event.

I know there is a tendency to want a job with the expectation that it will be your sole life's work, but I hope that does not prove to be the case for you.

Having waited 22 years to make my first career change, as satisfying and successful as that first career was, today I would travel a number of different routes instead.

I hope you will consider trying the wide variety of professional opportunities that the practice of law will offer you. Spend some time in public service, whether as an assistant to the prosecutor or a public defender, or a legal service program. Or go to Washington and work for a congressional delegation or one of the federal agencies. Or go to your state capital and work for a state agency or state commission. Or run for the legislature, school board, city council, or teach at your community college.

But whatever you do, choose a professional life that satisfies you and helps others. If you find yourself getting burned out or unfulfilled, unappreciated or the profits become more important than your work, then have the courage to make a change.

Public service, even volunteer service, presents difficult choices for you, I know. Those of you who have student loans, have deferred buying homes, and deferred other material objects, and you are anxious about the debt, you are anxious about the job market, I understand. But there will be ample time and opportunity for you to make a good living.

But it won't be enough for you to make all the money you can. No matter how successful you are financially, your professional lives will be unhappy if you do not devote some measure of your task to improving your profession and your community. You can do good and still do well.

The first lady said it best recently. She said service means you get as well as you give. Your life is changed as you change the life of others. It is the way we find meaning in our lives.

Now, I am not under any illusion about why I was invited here today. I know that 48-year-old commercial trial lawyers are not on the short list of graduation speakers. It must have something to do with my recent job change.

That job change has either added credibility to my voice or made me somewhat of a curiosity. And some would ask what motivates one with a comfortable practice in a prominent law firm, to dislodge his family for a new job with longer hours, with half the pay, in a city that costs twice as much to live.

But the reason I am on this new adventure in Washington is because our country is in transition. The people, the citizens, have demanded a change in our government. They are talking back to it in record numbers. The president receives almost a million letters a month. The White House phone lines are jammed.

Middle-aged Americans all over this country are volunteering to join the administration, to leave lucrative practices and businesses, and to participate in changing our government. Washington is teeming with young people just like you, from all over this country, from all walks of life, who have a sense of a common purpose and desire to be involved.

When we leave work at night, we pull up to a large heavy gate that surrounds the White House complex. While the Secret Service guards slowly open that gate, I always look to my right, and inevitably there are dozens of people aligned along that iron fence that runs along Pennsylvania Avenue, holding on the bars, peering through intently at the White House lit in the background.

When I look into their faces, I can tell that each has hope for something from their government. It is a wonderful reminder of why we are there. I am more encouraged than I have ever been that the pendulum has begun to swing back; that there is a renewed spirit of common purpose; that Americans, particularly your generation, are again acknowledging that it is the duty of all of us to use all that we have been given to make this a better world, not just for ourselves or our families, but for everyone on this earth.

In my job I have now found myself surrounded by young people just like you, who have energized me with their vigor, their optimism, their new ideas. I sense that same spirit in this auditorium today, this auditorium made for optimists and doers.

I have the feeling that you are believers and doers who will make something better of what we have handed you. You are the reason for hope because you can be the agents for change — change of your community and change of your legal profession.

The president last week addressed a group just like you. And he said, "Our country needs you. We need your knowledge, your initiative and your energy. We need you because you are still free of the cynicism that has paralyzed too long your parents and your grandparents who led us to spend too much time talking about what we can't do, instead of seizing what we can do."

Like those people along the iron fence on Pennsylvania Avenue, I look into your faces, and I see you potential to restore responsibility to our profession and to our society. I see your potential to restore a sense of community, to use your talents to help others and to be fulfilled. God bless you and good luck to you.