

ABA Young Lawyers Division  
8/2/96

CLINTON LIBRARY PHOTOCO-

FIRST LADY HILLARY RODHAM CLINTON  
REMARKS TO THE AMERICAN BAR ASSOCIATION ANNUAL CONVENTION  
YOUNG LAWYERS DIVISION DINNER  
ORLANDO, FLORIDA  
AUGUST 2, 1996

---

Thank you very much. Thank you so much. Bob, I really appreciate that kind introduction. I also appreciate your actually having read my book. That means a lot to me. I am so pleased to be here at the ABA convention and particularly here at what is traditionally one of the highlights of the annual convention, the Young Lawyers Division dinner. And it is a special honor for me to be here with Roberta Ramo, who has done such a terrific job as President of the ABA this year.

I am pleased that Jerry Shestack is here, an up and coming new President of the ABA as well. And Rocky Rodriguez who's done such a good job as the chair of the Young Lawyers Division. You know, I was wondering after I accepted the invitation and I was looking forward to coming, whether I should, after all, show up.

I read just the other day Art Buchwald's syndicated column in which he said that one reason I've gotten a little bit of criticism in the last several years is not because I am married to the President, it's not because I'm a Democrat, it's not because I worked on health care reform, it's not even that I'm a Cubs fan, a truly endangered species if there is one, but Art Buchwald argues that it's because I'm a lawyer. And he goes on to list all the reasons why people might not like the idea of one lawyer living in the White House, let alone two lawyers.

But I thought about that, and I thought back over the years that I have been a lawyer, and all the work that I have done, and I thought particularly about my associations here at the ABA, working with people like Bob or H.T. Moore and others of you in this room working on the Women's Commission, being part of this great association. And I was even more excited about coming because I am proud to be a lawyer. I am glad I am a lawyer.

And I was looking anyway for an excuse to come to the annual meeting. Because I miss the meetings. I miss the fellowship, the stimulation and the information. So to all of the fellows and the members and supporters and the families associated with the Young Lawyers Division, I thank you with great appreciation for this award which means so much to me. And to be counted among such a distinguished group of past recipients.

I also want to thank you for the passion and commitment you bring to serving our country, your communities, to helping

members of the legal profession fulfill our most important purpose -- that of making our society more just, and making justice more accessible to all of our citizens.

Through efforts such as the Affiliate Outreach Project, the Greater Access and Assistance Project, the Disaster Legal Services Committee and so many other efforts, you have helped countless Americans resolve disputes, overcome problems large and small, and in turn, you have helped them gain a greater respect for our nation's system of justice. I want especially to thank you for your continuing commitment to the Center on Children and the Law.

As Bob was saying in the introduction, I have worked for more than twenty-five years on issues affecting children, and I know how important the Center's efforts are. Just this morning I had a meeting at the White House with representatives of private foundations, as we were working together to find solutions to the problems afflicting the foster care and adoption system.

And I know that the work of the Center has helped to focus attention on the persistent and heart-breaking problem of child abuse and neglect and foster care that I think should be addressed by all lawyers. It cannot be left to over-burdened social workers who are trying to do their best under very difficult circumstances. Lawyers can and should be leaders in the effort to develop laws and legal precedents that protect children and strengthen families. And if it were not for the Center, that work would not have progressed as far as it has.

As all of you know who are gathered here tonight, the most valuable reward of a juris doctor degree is not necessarily a big income or a precise knowledge of some aspect of our legal system, but rather the power that comes with the opportunity to serve others -- to help those who have no voice, who do not have the means or the skills to seek justice for themselves and for their families.

"Freedom. Justice. Liberty. Without lawyers, they're only words." That is the theme you're exploring and celebrating at this year's convention. For millions of Americans, "freedom, justice, and liberty" will mean very little if Congress succeeds in its short-sighted crusade to destroy a once bipartisan, twenty-two year old American institution, the Legal Services Corporation.

From its beginning, the Legal Services Corporation has had to weather many challenges to its existence. I know from my own experience. As a law student I worked in the precursor to the Legal Services Corporation in the Yale-New Haven Legal Services office. I was just one year out of law school when President Nixon signed the bipartisan bill creating the Corporation in

1974. My service on the House Judiciary Committee's Impeachment Inquiry into President Nixon was ending and I needed to find a new job.

I decided to call the dean of the law school at the University of Arkansas whom I had met earlier in the year because I knew a young man who was then teaching at the law school. And I asked the dean if he had any jobs left even though it was the middle of August. He said yes, he did. But when I asked him what he would want me to teach, there was a pause, and he said, "Well, I don't know for sure, but I'll tell you when you get here."

Two weeks later I arrived in a place where I had never lived to take a job I knew nothing about. As some of you probably know from personal experience, love can do strange things to a person. When I went in to see the dean after arriving in Fayetteville, Arkansas, he said, "Well I have given this some thought. I want you to teach criminal law. I want you to run the prison projects at the state and federal prisons. I want you to teach trial advocacy, and I want you to set up and run the new legal aid clinic."

I had no experience doing any of that. And I was already feeling a little overwhelmed when I went to the annual reception for law school faculty sponsored by the County Bar Association. The President of the Bar took me around introducing me to everyone, and we got to one of the formidable judges in that part of Arkansas and he said, "Judge, this is the new lady law professor. She's going to teach criminal law and run the legal aid clinic." And this tall distinguished judge looked down at me and he said, "Well, I don't have any use for lady law professors or legal aid clinics, but we're glad to have you here anyway."

You know, it's the story of my life. I move to a new town, and it just takes a while for me and the new town to kind of get in sync. So there I was. I didn't have much time to doubt my new career choice because classes started the next day. So I went to work, desperately trying to stay at least one class ahead of my students, furiously filling out all the paperwork needed to create a legal aid clinic, and recruiting students and volunteers to help. I believed then as I believe now that having the opportunity in law school to represent real live clients with real problems is an important part of any law student's education.

I had certainly felt that way when I was in law school and I had represented a poor foster mother trying to adopt the young child she'd had for several years and being told that she could not because she had signed up to be a foster mother, not an adoptive parent, and because she was a little too old and some other problems. I also had seen very clearly within the first

couple of weeks in the legal aid clinic how important it was to deal with the problems of clients and expose students to what the range of needs that lawyers could meet were.

I particularly remember having a woman come in to see us about a divorce. She actually came in with her father. She told me and the students that I had who were assigned to help that she'd been married for a number of years and she had eight children but she had just finally decided that enough was enough and she needed a divorce and they didn't have any money.

Well, we were very diligent and the students took down all the information and one of the students said to me, "You know, she can't really tell us where she got married. She thinks it was in this neighboring county. I'll go see if I can't find the marriage certificate." Well, it turned out that the woman hadn't gotten legally married, and there wasn't any common law marriage in Arkansas, and we were dreading her return with her father to tell her that.

She came in and the students were very apprehensive. I was a little bit concerned myself. Finally I broke it to her. I said, "You know, I hate to tell you this, ma'am, but it turns out you never were legally married to your husband." She looked shocked but her father slapped his knee and said, "Well, that's just fine. I never liked him anyway."

Now experiences like that make a big difference in how you see the world if you're a lawyer, no matter what you do after you go out of law school into the so-called real world. No experience has been more important to me than my association as a legal aid lawyer and as a member of the board and then Chair of the Legal Services Corporation, because I've met many, many people like that judge whom I met when I first moved to Fayetteville, Arkansas, who didn't think we needed legal aid and didn't think that people really deserved to have lawyers unless they could pay for them. And I've met many people like that woman and her father, who desperately needed help untangling problems they knew they had and some they didn't even dream they had.

Despite opposition, legal aid societies and the Legal Services Corporation have become a part of American life, and last year, Legal Services programs throughout our country helped five million people who otherwise could not have afforded legal assistance. They were helped with evictions and divorces and child support collections.

As most of you know and have first hand experience with, the vast majority of legal aid cases require little more than basic advice, a referral, a patient ear, a letter, maybe a phone call

to help someone untangle a mess they're facing. Very few cases need to be resolved in the courts.

When President Nixon first proposed the Legal Services Corporation, he said something which I wish every member of Congress would remember today. He said, "These are small claims in the nation's eyes, but they loom large in the hearts and lives of poor Americans."

The survival of the Legal Services Corporation hangs in the balance today. Despite strong efforts by the Administration, the ABA, and very good advocates within Congress and countless others around the country, funding for the Legal Services Corporation has been slashed by one third. Congress has also tied the hands of legal aid lawyers by banning them from filing class action suits. And even more troubling, other restrictions are proposed that would prohibit legal aid programs from raising money from private sources.

You know, when I was practicing law in Little Rock toward the end of the 80s and I didn't have what I thought was enough time to give to being on the regular referral list, we had the opportunity to contribute money instead. And so many of us did because we wanted to support the staff lawyers, we wanted to support the infrastructure that's required for Legal Services even though we were not personally able to take on any cases.

If that were prohibited, I would think it would be a violation of the First Amendment rights of lawyers, the rights of Association of Lawyers, but even beyond any Constitutional or legal argument, it just seems wrong to say to lawyers in the private practice that they cannot, through their funds, contribute to lawyers who are legal aid lawyers.

A result of the cut-backs and restrictions on Legal Services have included a quarter of the professional staff having left, more than a hundred offices having closed, and thousands of low-income Americans having been denied access to our legal system.

The magnitude of this problem is especially apparent in the area of domestic abuse. According to Legal Services Corporation, one in every three cases handled is a family law case. Fifty-nine thousand of the cases handled in 1995 alone were attempts by poor women to get legal protection from abusive husbands. About 9,300 of them involved neglected and abused children. As the President said last week in California, "If we want to protect people against domestic violence, we must not destroy the Legal Services Corporation. We ought to let legal aid lawyers do their jobs so they can help the rest of us protect people."

But unfortunately the opponents are looking to abolish what remains of the Legal Services Corporation. The good news is that

members of Congress on both aisles are standing up against that. Just recently the House of Representatives, in a remarkable bipartisan vote, did vote to restore most of the funding that had been slashed from the current budget to \$250 million. And yesterday in a letter to the Senate, the Administration once again strongly urged the Senate to provide \$340 million to Legal Services and the Senate yesterday approved through the Appropriations Committee \$288 million.

So we have held the line. The differences in the House and Senate levels will have to be reconciled and I hope all of you will let your voices be heard so that we can end up on the higher side of that reconciliation. The ABA and its leadership has been critical in this effort to save Legal Services. I want to thank all of the public efforts that have made by private law firms, local bar associations and individual lawyers. And your President, Roberta Ramo, has been very eloquent in carrying the message as her predecessors have before her. We would not today have a Legal Services Corporation were it not for the American Bar Association.

That is important not only for the clients who have been, are being, and will be served, but it is important for our society and our profession. The legal profession becomes truer to its fundamental values when people from every walk of life and every income level have their legal needs met. The thousands of legal aid lawyers and the many more thousands of private lawyers who donate time and money to legal aid are the heart and soul of our profession. They are helping our country uphold the one true contract individuals have with America -- the Constitution, and specifically its promise of justice for all.

In a proclamation for National Legal Services Week, the President said what I think every one of us believes: "The very nature of justice demands that it be available to all. True justice cannot be rationed -- it cannot be accorded to some while others are denied the full benefit of their rights. Our founders understood that privilege and responsibility are inextricably linked. And the words 'Equal Justice Under the Law,' inscribed over the portal of our highest court, represent a solemn promise made to every American."

Now that is a promise that cannot be fulfilled without lawyers. Without lawyers, that promise is only words. With lawyers, a mother can petition for child support, a nursing home can be forced to live up to its obligations to its elderly residents, an eviction that is unlawful can be stopped, domestic violence can be prevented. This is something that means not only a great deal to those directly involved, but to all of us.

I'm not asking that all lawyers go out and become legal aid lawyers. But I think all of us who are lawyers need to consider

more carefully and speak more often about what it means to be a lawyer today and what it would mean to our profession if we did not have among us people who dedicated themselves full-time to an organized national effort to provide justice to all.

And even if we do not choose to become full-time legal aid lawyers, a career in the law should mean a life of service and a commitment to justice whether it is in a legal aid office, a classroom, a courtroom, a law firm, a corporate office, wherever lawyers work and are needed.

As the fellows and former "Young Lawyers" in this room will agree, one of the inevitable but wonderful things about growing older, I'm looking for the wonderful things as I do grow older, is discovering that the struggle for progress is often as important than the end result. At some point, however idealistic we may be or have been, we accept that the principals of fairness, justice and equality often become flawed in their application.

We accept that we will not solve all the problems we see in our professional life or even in our lifetime. But we keep striving, we keep struggling for those ideals that we believe must be kept alive because we want to be committed to the promise of a better future.

The cause of justice is worth a life long struggle. I commend all of you for being willing in times that are not always favorable to lawyers, to play leadership roles in our profession. The legal profession, and lawyers, are essential to the continuing vitality of our country's cherished ideals. Our voices, our efforts, are more needed today than they have been for quite some time. Those without power, those without voices that can be heard, need us to advocate for them. And through the ABA and through the Young Lawyers division, a single voice for justice can be magnified many times over.

So for all of the reasons that bring you here, that make you believe in the importance of your involvement in this Association and this division, I thank you. But I also challenge you to stand up and be counted on the side of freedom, justice, and liberty. And let us all be sure that we don't ever let them be just words. Thank you all very much.

###