## PRESIDENT'S MESSAGE



By Dona Kay Renegar

## Judges, Lawyers and the Legal System: Unity of Purpose and Vision

recently made a decision as president of the Louisiana State Bar Association (LSBA) that disappointed a few people. When I ran into one of those individuals for the first time since making the decision, I inquired as to how he was dealing with my decision and whether I made his life more difficult. His response struck a chord with me. He said he looked at my decision just as he would a decision from a judge while he respectfully disagreed with my decision, he respects me and the position I hold.

Judges are required to issue written rulings to record the legal and factual basis of their decisions. They sit ready and willing to have their decisions reviewed by higher courts. The losing side in a dispute has every right to appeal a decision if the party believes it was not based on solid legal ground. However, personally attacking the judge for rendering a decision against you erodes the integrity of our legal system. Judges are ethically prohibited from responding to personal attacks, and, thus, it falls to those of us in the legal system to defend them.

On Sept. 12, 2005, U.S. Supreme Court Chief Justice John Roberts in his opening remarks during his nomination hearing before the Senate Judiciary Committee said:

President Ronald Reagan used to speak of the Soviet constitution, and he noted that it purported to grant wonderful rights of all sorts to people. But those rights were empty promises, because that system did not have an independent judiciary to uphold the rule of law and enforce those rights. We do, because of the wisdom of our founders and the sacrifices of our heroes over the generations to make their vision a reality.

We, as judges and lawyers, safeguard the rights granted to our citizens by our Declaration of Independence, United States Constitution, and the laws of our land. The granting of rights means nothing to a country's citizens without a fair and impartial system of protecting those rights.

I have heard much debate over the presidential appointment of our most recent Supreme Court Associate Justice, Neil Gorsuch, by President Donald Trump. Some have expressed the feeling that Justice Gorsuch lacks legitimacy as his appointment followed the unsuccessful appointment of Merrick Garland by former President Barack Obama. Regardless of your political affiliation or feeling on the procedures used in appointing either Justice Gorsuch or not holding a hearing on the appointment of Merrick Garland, Justice Gorsuch is an associate justice of the U.S. Supreme Court and deserves the respect that position holds on the bench and in our civilized society. The same holds true for every judge sitting on every state or federal bench, in every state, whether appointed or elected. Because when we deride a judge or judges, we slowly but surely erode the legitimacy of the decisions of the court, and ultimately the legitimacy of the institution of the judiciary and the legal system as a whole.

As our justice system is comprised of humans, so it necessarily involves human frailties. While mistakes are made and corruption occasionally creeps into our system, we have rules of ethics and professionalism to address those lawyers and judges who do not abide by our high standards. My message is by no means meant to defend judges or lawyers who behave unethically or criminally. I believe that the American legal justice system is the fairest in the world, and I will wholeheartedly defend her — and the judges and lawyers of whom she is comprised.

While I have always been proud to be a lawyer, very early in my career I was hesitant to admit my vocation publicly. I believe my early response to hiding my profession may have arisen from a family member jokingly telling me that "I don't know whether to be proud or ashamed to have a lawyer in the family" and a fear of being judged by society's preconceived notion of what a lawyer is. About five years into my practice, I was leaving the deposition of a doctor, who was also my doctor and a friend. Upon leaving, he told me a lawyer joke in front of his staff members. I was disappointed and reminded of the times I had given some of his staff members legal advice for their personal matters so I decided to speak up. This is my first recollection of defending my profession, a job I have wanted since I was 12 years old. The doctor apologized and has not told a lawyer joke in front of me since then. I found it empowering to defend my profession and believe I found my voice that day in that doctor's office.

Early in my practice, I laughed at lawyer jokes out of fear of being thought of as not being able to take a joke or not having a sense of humor. I now realize that my job is to defend the legal system, my colleagues, and the judiciary in one of the most respected legal systems in the world. Lawyers were critical in the formation of our democracy and the drafting of the revered documents on which our legal system is based and by which our society lives and operates every day. We continue to be a vital part of society and, more specifically, legal justice in every town in Louisiana and across America.

We continually strive to assess our laws and justice system to ensure access to justice for all and the administration of the rule of law in a fair and impartial manner. At times we may fall short of this goal, but it is our duty to fairly evaluate our efforts and address the changes in society and technology and help the law grow to accommodate those changes. The vast majority of our members and judges practice law every day with the highest ethical and professional standards. Attorneys advocate for their clients be they citizens, the United States government, the State of Louisiana, or corporations, and they do so with honesty, integrity, and compassion. I am proud to be a member of the LSBA, and I am privileged to advocate in our courts of law. I firmly believe lawyers, be they advocates or judges, ensure the administration of justice in our courtrooms every day.

We are all honored to have the opportunity to advocate for our fellow citizens, civilly or criminally, or sit in judgment of the laws of our fine state in our courtrooms. As members of the American legal system, we must respect our adversaries in the courtroom and the judges on the benches. Society depends upon us to ensure that the rule of law is upheld in a fair and impartial way. Our legal system is based upon an independent judiciary that is not subject to the powers of the other two branches of government, private interest, or partisan interests. We should not hesitate to defend our fellow attorneys and judges from unjust attacks. It is our duty to ourselves, to our profession, and to the public to maintain respect for and confidence in our legal system.

The motto of the LSBA is "Serving the Public. Serving the Profession." One of the ways we serve the public is by administering the Louisiana Board of Legal Specialization and ensuring that specialists earn and maintain their credentials. Recently, the Louisiana Supreme Court ordered that the LSBA resume the administration of Mandatory Continuing Legal Education which ensures that lawyers remain abreast of changes and developments in the law. In addition to these regulatory functions, we as the LSBA must defend our attorneys and judges from unwarranted attacks to maintain the public's confidence in our legal system and champion our roles in the administration of justice.

The LSBA and you, its members, are critical to maintaining the public's respect for the legal system and rule of law in Louisiana. As the last self-regulated profession, we are required to police our members to ensure all are meeting the highest ethical and professionalism standards which we have set for ourselves. We must also commit to defending our judges, who are prohibited from responding to unjust attacks, as well as our colleagues, whether those colleagues are our opponents in court or not. We are united as a profession and united we will stand or fall.

Dona Lenigar

## #yourLSBA: A Pro Bono Hero Providing Justice for ALL

Doing Pro Bono work is an indispensable aspect of evidencing my commitment to the legal profession and to professionalism. I think that being in the legal profession and being professional within the profession means appreciating how my thoughts and actions can add value to other peoples' lives, especially people who often receive little respect and/or no consideration, because of their limited means and challenged circumstances.

To me there is power in serving others with no expectation of receiving anything in return materially. When I do pro bono work, the return on the investment I make in helping someone who is truly in need is, more often than not, as valuable as any amount of money the person could have paid me, because I cannot put a price on the appreciation

my pro bono clients express. 77

Nghana Lewis Gauff Nghana Lewis Gauff, LLC LaPlace, LA

