

American Jewish Committee's Judge Learned Hand Award Dinner

The Ritz-Carlton Washington, DC | October 27, 2011

R. Bruce McLean Comments

When my friend and prior Learned Hand Award winner, Andy Marks, told me that I had been selected to receive the prestigious Learned Hand award, he said, "Oh! You are going to LOVE the dinner. My dinner was like a second Bar Mitzvah". Well this is my first Bar Mitzvah – or as close to it as I am likely to get – so to make it truly authentic, could I get a Mazel Tov?

I would like to take just a moment to introduce the members of my family who are here with me tonight: my wife Rachel, my mother-in-law Helen Adams, my son-in-law Charlie Booth and my son Chris. My daughter Emily and daughter-in-law Lisa are home with my two granddaughters, Maddie and Emma – who is 10 days old today. Max, my younger son, is home doing homework. It is really special for me to share this wonderful evening with my family.

I want to thank my dinner co-chairs Roger Warin, Bob Shearer, Warren Gorrell, Tony Pierce, Mike Mandel, and Howard Jacobson, who worked so diligently to raise awareness of the AJC and this dinner and to make it a complete success. I want to thank my colleagues Robin Chudnovsky and Maggie Sinnott, who have worked so hard on the details of tonight's event. I want to thank Ivy Fields and her colleagues from the AJC who worked tirelessly to bring the dinner off in fine fashion. I want to thank my good friends Barry Chasnoff and Roger Warin for their kind words. I was having lunch yesterday with Barry, who was moaning about having to speak before Vernon Jordan. I told Barry that I had absolutely no sympathy for him. At worst, speaking before Vernon will render you forgettable. When you speak after Vernon, you aspire to be forgettable, and risk being viewed as inarticulate, ill-informed, in need of a public speaking coach, and generally mediocre.

Vernon has been my friend, mentor and partner for 30 years. He returned to DC from Paris this afternoon to be with us tonight, and Vernon, I want you to know that I truly appreciate your effort to be here and for your moving keynote speech. I want to thank all of you for attending this evening – it is important to me to be surrounded by so many friends, clients and colleagues.

Finally, I want to thank the American Jewish Committee for selecting me as the recipient of the prestigious Learned Hand award. This is an evening that I will forever cherish. I am admittedly vain enough to believe that receiving this award is about me and what I have accomplished, but realistic enough to know that it is not. I receive this award tonight with full recognition that the accomplishments that were recognized by the AJC were accomplishments of my firm.

Learned Hand famously said that, quote, "If we are to keep our democracy, there must be one commandment, 'thou shalt not ration justice.'" I am very proud to say that Akin Gump Strauss Hauer & Feld, the firm I have had the extraordinary privilege to lead for the past 18 years, has tried to follow that commandment. It did so before I became its chairman, and I am confident it will do so long after I leave. I am the extraordinary beneficiary of the rich heritage of public service personified by three of my partners who have had a profound influence on my career – Bob Strauss, Vernon Jordan and Alan Feld. I am also the beneficiary of a cohort of partners

across a wide spectrum of political beliefs who not only permit me to lead the effort to serve but who expect it of me.

If you will permit me a moment of self indulgence, I have to brag just a bit about our firm's pro bono accomplishments. True to the principles articulated by Judge Hand, my firm has been actively engaged across a broad spectrum of pro bono activities, ranging from human rights, to civil rights to providing pro bono legal services to those in our communities who would otherwise be locked out of our system of justice because they could not afford a lawyer.

Our firm took an active role in representing the Guantanamo detainees in their case before the Supreme Court. We represent with equal vigor the injured American veterans returning from Iraq and Afghanistan. We have represented citizens sentenced to death as well as citizens with routine claims against their landlords. We have worked tirelessly on behalf of Holocaust victims who were shipped to death camps by the French national railroad; we have, through both the courts and in Congress, worked to defeat the immunity defense claimed by the railroad to avoid answering in U.S. courts for their conduct. Two of our guests here tonight, Steve Ross and Rafi Prober, are the principals in this representation.

Our pro bono clients are battered women, neglected children, the elderly, and immigrants seeking refuge from political persecution. Sometimes we have established precedent with wide ranging implications for the rights of many, but most times we use our skills to improve the lives of our neighbors, one person at a time.

Like the other firms represented in this room, we do not do pro bono work to win awards or to score well on surveys. We do pro bono work because it is our responsibility as members of the bar, officers of the court and guardians of the system of justice. We do pro bone work because the rule of law requires compliance with the principle inscribed above the entrance to the Supreme Court "equal justice under law". We do pro bono work because of our dedication to the principles of the Constitution, which makes our democracy the envy of every free country in the world. We do pro bono work because of our compassion for our neighbors who live in poverty and crisis. We do pro bono work because it is good for our soul. And we do pro bono work because it is the right thing to do.

As Justice Ruth Bader Ginsberg recently said, quote, "Lawyers are sometimes regarded as not the best contributors to the good and welfare of society, but as in it for themselves or as hired guns. But the truth is, that lawyers who regard themselves as professionals and not as mere journeymen have done something beyond the practice that gives them their income. The true professional works not simply for his or her own good, but to make his community, his nation, her world a little better." I think Judge Hand would have agreed with Justice Ginsberg. I am proud to say that at Akin Gump I work with a team of true professionals.

These are troubled times. In our practice we think of the economic crisis in terms of roiling equity markets, credit freezes, the dearth of deals and transactions. We worry about the reduction in client budgets for legal services and the unrelenting pressure on fees. These are the worries of financial and corporate America. To be sure, the ongoing economic crisis has hurt all Americans, and the resolution of that crisis will benefit many. But there is another side of America: the side of America that is invisible to us at the Ritz-Carlton or from the windows of our offices or

conference rooms in our firms. It is the side of America that has experienced the great hardship of the economic crisis, where working people have lost their jobs, their homes and their life savings. It is the side of America where our fellow citizens live in grinding poverty. It is the part of America where essential, life-sustaining services have been eliminated by budget cuts. It is an America where too many of our children go to bed hungry and awaken each morning to attend run down and inadequate schools. It is the side of America where the desperation of poverty blurs the American dream of a better tomorrow.

Perhaps Judge Hand's most famous speech was made to over a million and a half people in New York's Central Park on "I Am An American Day". Judge Hand talked about the spirit of liberty that makes America, quote, "a signal, a beacon, a standard to which the best hopes of mankind will ever turn". He said, quote, "the spirit of liberty remembers that not even a sparrow falls to earth unheeded" and that the "least shall be heard and considered side-by-side with the greatest". He then led the crowd in the pledge of allegiance.

As lawyers we all share a profound responsibility to fulfill that pledge of allegiance, that we are "one nation, under God, with liberty and justice for all."

The need is great, the time is now, and the task of fulfilling the unified dream of liberty and justice for all has never been more urgent.

Thank you very much for sharing this special moment with me, and enjoy the rest of the evening.