

## LLD Speech – June 23, 2015

Let me first talk of a few practical sign-posts in the practise of law.

Do not talk of law in any elevator! Ever! I am flabbergasted by elevator talk by bright people – but a prospective client would be horrified. An elevator is a place for silence.

Blackberries – please, please in the presence of elders, who may become your clients, do not look at your blackberry when someone is talking. In a boardroom of 10 lawyers – one person talking – usually older, 6 lawyers heads down more interested in blackberries than the speaker.

Not wise. Not wise.

Rudeness is rarely forgotten.

It is a rite of passage to be nervous and insecure.

I am still insecure.

I still am not sure of future business – it goes with our life.

As to insecurity – a prospective client or an actual client e-mails you, *I have this problem ...*

You worry – if I don't respond immediately someone else will – and luckily I am smart, very smart. I know the answer to the problem, so quickly in 4 minutes you have efficiently solved it and replied.

Oh what a silly turkey you are! The client may be bright, may have in fact a subtle problem, not expressed in his e-mail.

So – you say, *“I have your e-mail. Let me think about it. Can we talk tomorrow?”*

I guarantee your answer will be different tomorrow. Take it from me.

And if you reply within 4 minutes without discussion, when you bill for it, the client will say, *“Come on – it only took you 5 minutes! How can you possibly charge this much money?”*

When any engagement with an opposing lawyer starts, be measured – it is not a time for fire and thump.

If your opponent asks for an indulgence try your best to give it. If you refuse it enmity will be the path of the future. And sure as sure a little later ‘you’ will be asking for an indulgence.

If possible praise your opponent. Tell someone in their law firm how good they are.

It is wonderful to give a compliment, it is so rare, it makes everyone feel better. Do it!

In my slippery career I’ve even phoned a lawyer’s mother!

Years ago there was a Bencher of the Law Society – Ed Ducharme from Windsor.

Edward Ducharme – he

had a cascade of layered silver grey hair,

never strident,

he always spoke with a smile –

that was a smile for the ages –

creasing his beautiful features.

When he appeared as a Bencher  
of the Law Society he brought with him  
poetry, novelists,  
Montaigne and his essays.

We had never heard anyone like him  
with his gentle cadence,  
a poet, a poet,  
we had never met a poet.

Ohh the joy of it.

When he spoke  
the birds fluttered from  
the trees,  
wooded by the cadence of his thoughts.

He affirmed the spirituality of reading. There is a list of books in your  
program. Look at the list now – I won't mind – it is a moveable feast!

He went to the Court of Appeal but death beckoned too early.

He counselled every lawyer, "*Keep a diary.*"

Start a diary,  
Start one now!  
write of today

do a list of your ambitions –  
describe the support of your family  
the uncertainty of the future

Your diary will improve your writing

You will listen to people

You will need to catch

The quirks of speech

You will look at people,

Really look

Try to translate it to words

Ahhh the FUN of it

And years later your diary

Will be a fixed map

Of the past – marking different

Thoughts and early nuggets

of surprising wisdom

Do one for today – summarize your hopes and reservations.

Ed once wrote of writing  
For a diary  
Keep notes  
Squirrel away random thoughts

W.O. Mitchell, famous Canadian author

Character

Once said according to Ducharme

His desk was full of scraps of

Paper

Of various sizes and colours

Upon which he had written

a sentence or two about

some person

some matter

that had attracted his attention.

When in his writing he would

Experience a block

He would open the desk drawer pull out

a handful of paper scraps

He called the words he had recorded there “sense fragments”

They often served to remove the block and send him on his way!

It is difficult to practise law  
With unfettered imagination. You  
Must always stay close to the  
wind of the legal puzzle.

What reading does is feed the  
Imagination.

So as a diarist you will develop  
The capacity to work in the realm  
Of the imagination.

Law is often tense  
Engrossing  
And draining  
At the end of a day of reading for pay  
You may develop a tendency to  
Escape the written page.

The problem with the law as a profession

Is that it requires you to give  
Exact, accurate opinions. In this  
Process you may develop a sense  
of infallibility  
Your ring of certainty may  
Be the harbinger of mental death

I urge you to read fiction  
Read outside the scope of law  
Hear plays  
See drama  
As if your life depended on it  
Sometimes struggles will sideswipe you  
With your trove of reading you  
Will find a refuge  
A separate strength  
You will have the knowledge  
That you are not alone  
Your developed sensitivity  
Is a passport to a complete life.  
Read as if your life depended on it.

The list of books we have urged upon you  
Have some that are surprisingly easy  
To read. They pave the way to  
Future pleasures. Reading  
fiction is an acquired skill and these  
are good tasters. Keep the list.

I pray you keep the list – POINT OUT 5 FROM THE LIST

At some time you will thank  
we who supplied the list  
Because with this list you become  
more than a lawyer, and move closer  
to a complete life.

You are too well educated to be single dimensional.

This list and your diary will prove to be complementary twins.

Enjoy them.