



Brooklyn Law School

ESTABLISHED 1901

ONE HUNDRED & THIRTEENTH
COMMENCEMENT CEREMONY

MAY 28, 2014

REMARKS



COMMENCEMENT PROGRAM

Presiding	<i>Stuart Subotnick '68</i> <i>Chairman of the Board of Trustees</i>
The National Anthem	<i>Regina L. Williams</i>
Invocation	<i>Most Rev. Nicholas Dimarzio,</i> <i>Bishop of Brooklyn</i>
Student Graduation Speakers	<i>John David Moore '14</i> <i>Sabrina Margret Bierer '14</i>
Conferring of Honorary Degree	<i>Stuart Subotnick '68</i> <i>Barry Salzberg '77</i> <i>Chief Executive Officer</i> <i>Deloitte Touche Tohmatsu Limited</i>
Address to the Graduating Class	<i>Barry Salzberg '77</i>
Remarks to the Graduating Class	<i>Dean Nicholas W. Allard</i>
Conferring of Degrees	<i>Stuart Subotnick '68</i>
Closing of the Ceremony	<i>Dean Nicholas W. Allard</i>
Music	<i>The Broeklundian Quartet</i> Sandra Schipior, Violin Jennifer Jahn, Cello Naomi Rooks, Viola Susan Lurie, Flute



JOHN MOORE '14

VALEDICTORIAN

Good morning. It is a profound honor to stand before you today and I am truly humbled to be here.

In many ways, it's completely inappropriate for me to be standing up here by myself right now. To tell you the truth, this may be the first thing I've done alone since I came to law school three years ago. That was definitely not my expectation.

When I got to Brooklyn, my expectation of law school was that it would be a grueling, isolating experience where I would be surrounded in class by cutthroat academic mercenaries looking to ruin me at every opportunity. Thank you all for not being like that.

From the very first day, I was surrounded by people I liked and respected, and who weren't out to get me — at least not overtly. What I realized very quickly was that law school was not going to be the lonely slog I'd first imagined. On the contrary, I was going to be working together with fantastic people every step of the way. I had the additional pleasure of belonging to the best study group in the best section in the school. But be it in study groups, sections, classes, or whatever else, law school is something that we have done together.

And together, as a class, we've done a lot. We tried to decipher the shifting rules of privity and figure out why the elevators never seemed to come when we were running late for class. We encountered and had to translate strange Latin phrases like *nulla poena sine lege* — which, for you non-lawyers, of course means “no punishment without legs” — and *res ipsa loquitur* — which I won't bother to translate because I think it speaks for itself.

We fretted over the mysteries of the curve and the Bluebook. We pored over the Federal Rules of Civil Procedure and tried to keep straight faces when our legal writing professor said things like, “IRAC is good for memos, but always use CRAC when you're writing a brief.” Along the way, we even learned the law.

The point is, everything we did, we did together. We worked together in class and ate lunch together in the cafeteria. We studied together and freaked out together when finals season began. We cheered each other up and we stressed each other out. But from the first day, we were never alone. We did it all together. I really can't tell you how much it means to me to have been able to share this law school experience with each one of you.

Even beyond this group, there is a whole network of people who stood behind us. For each of us, there is a person or people who offered support and generally made law school possible. We each had someone. My someone was my wife, Faith.

Faith is the one who encouraged me to go back to school and was willing to work so that we could pay the rent while I spent all day not making money in class and the library. She offered encouragement and love when I came home mentally drained and physically exhausted after long days. She put up with me during finals, which is really more than is fair to ask of anyone. She even listened intently while I excitedly rambled on about some new concept I'd learned, like the degrees of *mens rea* or the state speech doctrine or about how Congress can abrogate state sovereign immunity pursuant to its Fourteenth Amendment powers, but not under Article I . . . except for the bankruptcy clause . . . kind of. She even managed to keep her eyes from glazing over too obviously. Now that is love and support.

Without Faith there to support me every step of the way, there is no way I would be standing in this room with you today. She was my supporting rock and my life raft to sanity. Even though the diploma will only have my name on it, it is something that we earned together. I literally do not have the words to say how incredibly thankful I am to her for everything she did and still does. I really hope each of you had your own Faith.

The fact that this room is so filled today tells me that you did. The people who are here to celebrate with us today are as deserving of recognition as those of us who are going to walk across the stage. It is you — the spouses, partners, parents, siblings, cousins, and remarkably tolerant friends — who made everything we did possible. On behalf of all of us graduating, let me extend our sincere thanks and appreciation. We would not be here without you.

Thank you also to the professors who have taught and shaped us. No matter how much we helped each other and how much support we got from outside the school, we wouldn't know much actual law without you. I especially must thank Professors Tebbe, Trammell, Gora, and Bentele who were great mentors in addition to being great teachers. They are exemplars of the general excellence of the Brooklyn faculty that we as students have been privileged to enjoy together over the last three years. They have literally taught us everything we know.

Oliver Wendell Holmes once wrote that "the life of the law has not been logic; it has been experience." For the last three years, we've filled our brains with logic. Now, as we graduate, it's time to get some experience. As we become real, live lawyers and go out in the world, I know that we will do so, as we have done everything else, together. Congratulations, Class of 2014.





SABRINA BIERER '14

STUDENT GRADUATION SPEAKER

Hello everyone. I am incredibly honored and grateful to speak on behalf of our graduating class, not just because I love to hear myself talk — believe me, I do — but because I recognize how fortunate I am to have spent the last three years with all of you.

For me, the company I keep is very important — which I understand doesn't necessarily sound like an original thought. But three years ago, right before I started law school, I had the grave misfortune of losing my father. The thing about losing someone who is incredibly important to you is that, suddenly, those lessons that they tried to instill in you your whole life actually become unbelievably important.

My father was a wonderful man — probably, due in large part to the fact that he was not a lawyer. He wasn't a lawyer, he wasn't a politician, and he had no academic accolades to speak of — I'm sorry, "of which to speak." But that didn't matter because he gave me a wonderful gift. By way of example, my father taught me one of the most valuable lessons about how to succeed in law school and in life: he taught me to appreciate and learn from the company I keep.

And for me — as I hope is true for each of us sitting here today — the company I kept during law school (I am talking about you guys) has made all the difference.

Now, I feel like this wouldn't be a proper law-school send-off if it didn't at least attempt to bring back memories of our favorite activity as 1Ls — briefing cases. Yes, on our very first day of law school a very wise professor told us to brief every single case. And even though I — as I suspect is true of most of us sitting here today — may have not written a case brief, pretty much since we read *Pennoyer v. Neff* in Civil Procedure, I thought I might give it one last try here today and attempt to analyze our class the way we might have briefed a case not so long ago.

Case Name:

In re Class of 2014

Parties:

The petitioners are a class of Graduates of the best law school in the best borough in the best city in the greatest state in the best country in the world, as Dean Allard will gladly tell you.

Issue:

What kind of company will these graduates be after leaving here today?

Procedural History:

Everything leading up to this day.

Facts:

Most of the members of the Class of 2014 matriculated into school as strangers. The members of the class were divided into small groups of 20, large groups of 80, and were to never see the other 300 members of the class until their second year.

Some students became friends.

Some students became gunners.

And some students became busier than they had ever been before.

Then classes began.

Some students joined clubs.

Some students joined Journals and Moot Court.

And some students even managed to devote time to something that wasn't law school. And no I don't just mean drinking at school functions (though I think one or two students did make time for that).

At present day, most the members of the class still remember the original groups they were divided into in their first year. Many will argue that their group was the best. I would like to set the record straight: All groups, other than my group, group three, are wrong. Group three was, is, and always will be the best.

Analysis:

I was there in the room at our convocation when then-professor, and now Judge Kelly read an extensive list of all the accomplishments that the members of this class had achieved before coming to law school. And I distinctly remember thinking, "Wow. These people are so much cooler than I am." I also remember thinking, "Man, if I can become friends with at least one of these people, I'll feel great about myself."

Fortunately for me, sometimes first impressions really are accurate and the members of this class actually are incredible.

Now, that is not to say that we are not without our faults — as I am sure all of you wonderful people who are sitting here today in support of us could attest. I cannot imagine it has been

easy to love us when we insisted that whatever we had going on for the past three years was far more important than whatever it was that you had going on, or when we thought a fun topic of conversation was how you should draft your will.

Hopefully over these years you all have known how grateful we are to have you. And in case you haven't heard it enough — thank you. Thank you moms — especially my mom — thank you dads, aunts, uncles, less successful siblings, cousins, grandparents, spouses, significant others, professors, staff, children, and friends for all you have done.

My friend John who just spoke, he really hit the nail on the head when he said that we did not do this alone. Without the support of those closest to us, none of us would be half as wonderful as we think we are.

Your support and love have made it possible for those among us to become advocates for refugee asylum, for reproductive justice, and for veterans' rights and to become future clerks for some of the most prestigious judges, associates for some of the most prominent firms, and public servants for some of the most respected offices in this country.

And let us not forget that some among us have even managed to be human beings every now and then over the past three years and have been musicians in bands, trained for and completed half marathons, and raised children all while getting law degrees.

Holding:

The court held that this class has been, is, and likely will remain great company to keep and issued an injunction that the members, through the miracles of social media or otherwise, find a way to stay connected.

Because even though we started school as strangers, that isn't how we should leave here today. I sincerely hope that over the past three years I've made my mother and my father proud and have been good company for you to keep because you've certainly been wonderful company to me, and it really has made all the difference. Thank you.

Congratulations Class of 2014, we did it!





BARRY SALZBERG '77

HONOREE

Thank you, Chairman Subotnick and Dean Allard, for granting me this honor and for the invitation to speak today. Congratulations to the Class of 2014!

I'm very pleased to be here. It's extra special since I was sitting where you are 37 years ago. I remember that day, and I remember that my mother, who had lived in Brooklyn for most of her life, was beaming. And my wife was thinking, "Finally, he's getting a full-time job!"

But I don't remember what the Commencement speaker said. I suspect you won't remember what I said either.

Maybe you'll remember that your speaker was someone who ran some kind of large organization and resembled Dr. Phil. And maybe you'll remember that his nephew was a classmate of yours. He's sitting amongst you today. David, congratulations. We're all very proud of you.

Anyway, I realize that I'm the only obstacle between you and your diploma, so let's get to the speech, which will explore four themes:

First, what Brooklyn — the borough, the college, and the law school — mean to me personally.

Second, how a legal education can benefit you, your career path whatever trajectory it may take, and wider society.

Third, the opportunities presented by Brooklyn's transformation.

And fourth, how your generation can help redefine leadership and problem-solving at a time when traditional approaches aren't working. I'll start with a subject that's near and dear to my heart: Brooklyn!

I'm always happy to be in the borough that's given us luminaries ranging from Jackie Gleason to Jimmy Fallon . . . Jerry Seinfeld to Jay Z.

The common denominator among those of us from Brooklyn is more than an ability to tell a joke or write a song. Consider the borough's official motto, given to it by its Dutch founders, which in English means: "In unity there's strength."

The motto speaks to what's special about Brooklyn. This was the site of a key battle during the Revolutionary War that showcased American resolve and determination. And the anti-slavery activity here in the 1850s helped lay the intellectual groundwork for the Emancipation Proclamation.

It became a place where young couples could buy a home, raise a family, and see to it that their children would have opportunities they never did. That's the story of my parents. My dad was a postal worker and my mom was a bank clerk. We lived in Brownsville, then East Flatbush, and eventually Canarsie.

Brooklyn was, and is, a part of me, a big part. It's where I'm from and it's who I am.

I attended Tilden High School and then chose Brooklyn College. Money was very tight so I lived at home and worked full time. I was only the second person in my family ever to go to college — an older sister was the first.

I had a great experience at college, where I met my wife Evelyn. With great advice and encouragement from her and her family, Brooklyn Law School was a natural next step. I wanted to develop an ability to think through tough problems, to challenge traditions, and to learn to develop and defend a point of view. Law school provided all of that — and a lot more.

I was deeply involved in Moot Court; in fact, I was Chairman for two years and learned how to present cogent and persuasive arguments. I learned how to answer questions on my feet. I learned how the other side thinks.

My law school education gave me a rock-solid foundation for the future. It was one of the factors — maybe even the most important factor — that enabled me to perform at a high level throughout my career at Deloitte. The path to becoming global CEO was much smoother, and faster, as a result of the knowledge and skills I gained from going to law school here.

A lot has changed since I graduated from law school — TVs have gotten bigger and flatter, computers smaller, and lapels narrower.

But one thing hasn't changed: There's still a great need for people in the workforce with skills such as analytical thinking and precise writing, underpinned by a comprehensive understanding of the law.

Anyone who fits that profile will be prepared to enter a wide range of professions, including law, business, government, and the non-profit sector.

Employers also want people who have not only a commitment to ethics and integrity but, an understanding of why they matter. I know lawyers get a lot of ribbing — I do! — but the truth is that there is a strong commitment to professional responsibility among lawyers — focused on serving clients, but also upholding the oath one takes when becoming an attorney.

One element of the legal profession I've always admired is the deep commitment to pro bono work. Attorneys working on pro bono cases have won a number of landmark cases throughout the history of his country, including *Tennessee v. Scopes*,¹ which ruled against statutes that prohibited the teaching of evolution; *Miranda v. Arizona*,² which gave criminal suspects the right to remain silent and to legal counsel; and *Loving v. Virginia*³, which declared that laws prohibiting interracial marriage were unconstitutional.

It's clear that the law can be a powerful tool to help groups, or individuals, correct what are perceived to be — and often are — injustices. As one firm with a proud pro bono history has pointed out, "legal rights often mean little without lawyers to vindicate them."⁴ I hope all of you, whether you practice law or not, will make time to assist those less fortunate.

But as many of you know, the legal profession is changing, driven by new regulations, new technologies, and evolving demographics. Change in the legal market can be unsettling for lawyers who only know one way of practicing law. You have the benefit of not being tethered to the past — use the changing environment to seize emerging opportunities.

You don't have to look far to find opportunity — much of it is right here in Brooklyn.

You've been in law school during the so-called "Brooklyn Renaissance." We all know about the Barclays Center, which brought professional sports back to Brooklyn, as well as 2,000 jobs. Former Borough President Marty Markowitz said of the Nets moving in, "This is redemption. This is Brooklyn getting its respect back."⁵

There's something to that. Some of you here today might remember when the Dodgers played at Ebbetts Field in Flatbush. Well, it was 57 years ago today that the Dodgers were given permission to move to California.⁶ I was three years old, so I failed to recognize the significance at the time. But irrespective of my personal lack of knowledge of today's sports, it feels good to have a pro team back in Brooklyn.

¹ <http://goo.gl/IFvPGI>

² <http://www.cravath.com/proudhistorical/>

³ <http://acluva.org/13299/loving-day-celebrating-the-freedom-to-marry/>

⁴ http://www.arnoldporter.com/about_the_firm_pro_bono_our_program.cfm

⁵ <http://www.newsday.com/opinion/view/day-1.3683911/dolman-barclays-center-signals-a-brooklyn-renaissance-1.4061291>

⁶ <http://www.history.com/this-day-in-history/baseball-owners-allow-dodgers-and-giants-to-move>

The Nets are just one reason there's a cachet attached to Brooklyn that didn't exist when I was going to school here. At the time, Brooklyn was perhaps best known as the setting for a popular television show "Welcome Back, Kotter." It introduced America to a young actor named John Travolta, who said things like, "Up your nose with a rubber hose."

Today, Brooklyn is much more than a hotbed for aspiring comedians, actors, and singers. Consider this: In 2012, there were 19,000 new businesses created in Brooklyn.⁷ Many of these were in the technology sector. In the immortal words of Dean Allard, "Silicon Valley is so yesterday."⁸

The Brooklyn Renaissance isn't just a lofty concept for me; my family has experienced it first-hand. The eldest of my two sons, Matt, joined with two others eighteen months ago to launch a startup in Williamsburg called Blue Apron.⁹ Blue Apron delivers ingredients and recipes for meals to households across the United States. Their operation has grown to 200 employees and now delivers over half a million meals a month.¹⁰ And my younger son Shaun worked for a successful start-up — drop.io — that recently was bought by Facebook.

There are countless other successful start-ups that call Brooklyn home: Etsy, the online social commerce site; Amplify, which puts technology into the hands of teachers; and EnergyHub, which makes "smart" meters that promote efficient energy consumption in homes and offices.

With Brooklyn becoming a hub of start-up activity, it's great to see the Law School getting in on the act with the Center for Urban Business Entrepreneurship. Start-ups always need advice and often need legal help, particularly related to taxes and intellectual property. Brooklyn Law students and graduates can and will provide that trusted counsel.

Your fresh thinking will be a stark contrast to the Brooklyn Law students of my generation. We were pretty conventional. We had different aspirations for a very different time. We just wanted a steady job. And some of us — like me — stayed with the same employer for our entire career. Unheard of today!

But that risk-averse posture has changed. A survey by Deloitte reveals that the millennial generation are more inclined to be entrepreneurial than older generations. Regardless of whether you start a business, I hope you develop the spirit of an entrepreneur. You can be an entrepreneur within any kind of organization. I call it "intrapreneurship." Hustle. Look for unmet needs. Dare to be different when it's called for.

Your generation is also more connected and more collaborative than any who have come before it. Take today as an example: graduation parties organized on Facebook, selfies wearing your cap and gown shared on Instagram, venues for family dinners chosen on Yelp, or adding

⁷ The data point comes from the BLS dean, who is quoted here: <http://goo.gl/xVrQZi>

⁸ <http://tippingthescales.com/2013/11/training-lawyers-for-the-startup-world/>

⁹ <http://www.blueapron.com/>

¹⁰ <http://tech.fortune.cnn.com/2014/03/24/exclusive-blue-apron-serves-up-half-a-million-meals-per-month/>

your classmates on LinkedIn so you can stay in touch. This type of information-sharing and connection breeds fresh thinking and, as Deloitte's research shows, there is a clear need for fresh thinking in public life. Young people have largely lost faith in the ability of government and business to address the key challenges facing us all: economic security, youth unemployment, access to education, the skills gap, and the many social issues, such as access to water, obesity, crime, and personal data privacy.

Millennials see the need to redefine how problems are addressed. But no single sector or organization can solve these issues alone. Governments, businesses, and non-profits must partner together to pool resources, share innovative ideas and generate solutions.

Consider a project pioneered by Dean Kamen, who invented the Segway. He saw that nearly 800 million people did not have access to clean water, which is a leading cause of child mortality in the developing world. He partnered with Coca-Cola to develop a revolutionary water purification system then used the company's global network to distribute it. Different sectors working together to make the most of their collective abilities.

You're perfectly positioned, by virtue of your youth and your outstanding education here at Brooklyn Law School, to help advance these kinds of unorthodox solutions to challenges big and small.

In preparation for today, I reflected on my own graduation from Brooklyn Law in 1977. And what I wish I had known back then. In particular, there are three lessons that took me many years to learn.

Before I leave you I'd like to share these with you . . .

First, never be afraid to ask for help.

I can guarantee that at some point in the next few years, you're going to be overwhelmed with something at work or something at home — and maybe both. Pulling an all-nighter, which may have worked in law school, won't be the answer. There's a simpler solution — reach out and ask for help. No big deal. Just ask. The fact is people are flattered — even senior executives like me if the request is sincere. Because they know all too well how many people helped them.

Second, never be afraid to offer help. In today's multi-disciplinary, multicultural, highly collaborative world, the winner is not the one with the slickest agenda and the sharpest elbows — it's the one who can bring people together and make big things happen. It's about bringing to work what you might call a collaborative mindset.

Never be afraid to help somebody else shine. Today, the very best people are both supremely good at what they do, and supremely good at working with others to help make them successful. Do that and rest assured, sooner or later, it will be your turn.

Third, never be afraid to be yourself, and stick to your principles.

Be yourself. Don't let titles like "partner" change you. I'm still that kid from Brooklyn, even after all this time. Stay close to your roots, to who you are, to the person your family raised you to be. Not only will you be happier but, by having this kind of internal compass, you will be more prone to make the kinds of ethical decisions that keep individuals and companies — and even economies — on track.

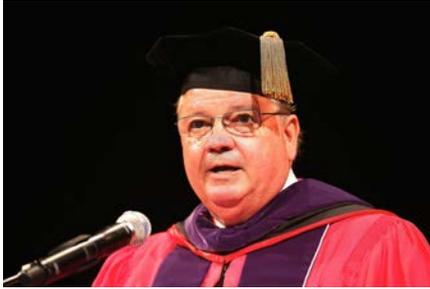
The world has enough go-along, look-the-other-way people. What the world needs, and always needs, are ethically grounded, make-it-happen people — people just like you.

From the attentive looks on your faces and your body language, it seems I'm about to accomplish what I set out to do — I will have stopped speaking before you've stopped listening!

Go forward, then. Go and do great things. And above all, go out and have yourself a great life — you've earned it!

Thanks!





NICHOLAS W. ALLARD

JOSEPH CREA DEAN & PROFESSOR OF LAW

Good morning, everyone: trustees, faculty and staff, alumni, distinguished guests, friends, parents, family and, most importantly, Brooklyn Law School's Class of 2014.

Our return to Brooklyn to celebrate your commencement is our first time back in Brooklyn for this purpose in 45 years when graduation was held in the ballroom of the St. George Hotel. It is the first time we have been back in this magnificent opera house since 1962 — 52 years ago. Our presence here today signifies that your class is at the forefront of this borough's renaissance in education, business, architecture, high technology, entrepreneurship, creative and performing arts, culture, and my personal favorite — food.

Congratulations on earning your degree from the best law school in Brooklyn. And, as you have heard me say, and as you just were reminded by Sabrina Bierer, "It's the best law school in the biggest, most vibrant borough, in the greatest city, in the leading state, in the best country on the planet" — so you have that working for you.

Think of the history of this place. The Brooklyn Academy of Music is the oldest performing arts center and conservatory in America. First Lady Mary Todd Lincoln attended the first opera performance here when it opened in 1861. Booker T. Washington called for full emancipation on this stage, and, where I stand, Mark Twain entertained large audiences with his stories. In 1940 President Franklin Delano Roosevelt appeared to a packed house of 2,200, with 700 more joining him on stage and 6,000 listening outside. The performances here since then range from Rudolf Nureyev's post-defection ballet debut, to appearances by Robert Redford, Paul Simon, Jimmy Kimmel, and last month, Justice Antonin Scalia speaking to 2,000 students, faculty, alumni and community leaders at a Brooklyn Law School constitutional law program.

The list is jaw dropping. Yet your presence on this stage in a few moments is every bit as important and significant. Here's why:

Today, by ending what we call your education, you begin your real education as lawyers. Notwithstanding the joy and pride that you all deservedly feel at this moment, I am compelled to speak to you with a sense of candor and urgency.

You are needed. The truth is that there are too few qualified, motivated new lawyers who can, as lawyers always have done, serve as architects of economic growth and opportunity,

champions of liberty and equal justice under law, and guardians of our incredible cantilevered, self-correcting system of limited government.

Yes, you heard me. I say that there is a shortage of lawyers who are prepared for the new world we live in. Conventional wisdom, and its cheap cousin, popular opinion, tells us there is a glut of lawyers, too many lawyers. In reality, there is a large and exploding unmet demand for lawyers. Already we feel a shortage of lawyers in myriad new fields and it is regrettably, unquestionably evident that our nation suffers an acute shortage of affordable legal services for all but the wealthy. Moreover, there is a growing need for lawyers to advise small businesses and new businesses and to provide legal services in new ways.

Now more than ever — you newly minted lawyers — you are needed to fill the widening breach. Most of all, in answering the question, “what should the law be?”, we need you to bury the complacency of recent years among the body politic and do the hard work to lead us to a better place.

Today, though the state bar examiners may have something to say about it, you are lawyers, and that is a noble profession, proudly independent and connected to the unselfish service of others. Barry Salzberg, the global chief executive officer of Deloitte, your Commencement speaker, is a beacon for all of us, showing what a graduate of our school can do to make a difference and how to serve the public interest from the heart of the private sector. His career proves that doing well and doing good are not at war with each other.

Whether you graduates will serve as judges or public officials, prosecutors, family lawyers, partners in a firm or sole practitioners, or whether you become successful businessmen, advocates for unpopular causes, drum majors for justice, or successful corporate counsels as was Abraham Lincoln — the diploma you soon will receive is not meant to be a mere slip of paper collecting dust with other mementos and tchotchkes.

You have worked hard to sharpen the finest tool ever known to mankind, your mind, and at Brooklyn Law School you learned the skills to use that powerful tool to build bridges between chasms, to create opportunity, to fight vigorously, but peacefully, for what is right, and to help to resolve deeply felt disputes in your communities, the nation, and the world.

There is much work for you to do. Looking out at this impressive crowd I wonder which of you will have a hand in brightening the future by addressing critical issues that relate to the economy, foreign policy, and our political system? Who among you will deal with the fragility and inequality of our economy? Which of you will help shape and redirect foreign policy in a world of shared power, shared problems? Who will make peace in a hostile, dangerous, troubled, borderless sphere where the “rule of law” often sounds like an oxymoron?

Who among you, I wonder, is going to have a hand in overcoming the paralysis that affects our own national dialogue concerning:

- Simmering immigration issues
- Unleashing the power of biomedical research to prevent and treat disease, while improving affordability and maintaining our humanity
- All the rules of the road for proliferating new concepts like driverless cars, pilotless planes, “Uber,” not to mention 3D printing and its revolutionary impact on manufacturing, or online marketing, to list just a few innovations which will stretch the fabric of existing laws and regulations
- Reclaiming and protecting individual privacy
- And who — who at long last — will lead us to end the senseless violence against ourselves, taking on laws relating to guns and mental health that obviously are not working.

If not you, then who?

The good news is that to solve these problems you cannot, must not, work alone. Your valedictorian John Moore, class speaker Sabrina Bierer, and honorary degree winner Barry Salzberg — each was pitch perfect making this point.

Success in tackling the big problems can only be achieved by working cooperatively with others. In fact tactics likely to ensure progress are for you to tap into those who are willing to work in concert but lack leadership. You can be those leaders. You can do it. Your class speakers each noted how connected you all already are to each other. That is a good start. And you have already been standing on the shoulders of many people, perhaps without appreciating it fully. I know that I am, and that none of us are alone in tackling the work ahead.

My message here today and my ideas are not mine or even new. As you can do, I draw from a rich pool of inspiration for guidance: from Lincoln’s second inaugural address, the writings of Learned Hand, Holmes, Cardozo, Senator Bill Bradley, Supreme Justices Sandra Day O’Connor and Sonia Sotomayor, and personal lodestars and mentors like the great educators William G. Bowen, Stephen J. Trachtenberg, and my Australian friend Donald J. Markwell who is a guiding light on leadership and peace, and the great original thinker and ever eloquent Reed E. Hundt, former chairman of the federal communications commission. You too have your own personal library of sages and mentors to draw on for your life’s mission. You of all people know on this day what you learned about the need to dedicate yourself to a higher duty as lawyers during your time spent with the Brooklyn Law School faculty, inspirational mentors who you will long remember.

And do not forget the many other often unsung heroes at the Law School who taught you how to serve by their own example and who have made this day possible. People such as, for example, the best known, most popular figure in the Law School, public safety officer Claude Calendar; or, for example, the lead public safety officer at Feil Hall, Louis Rosario. Both are outstanding ambassadors who constantly go above and beyond their professional responsibilities. I must also mention Mary Lee Bedford who served as secretary to five law school deans and as a guardian angel for thousands upon thousands of students. This saint-like

woman, a former Dominican nun, a pioneering graduate of St. Francis College and for many years before joining us, a parochial school teacher, died three weeks before she was to retire from her decades of service to the law school. But, Mary Lee left an indelible, beautiful impression on our school.

If they can, you can.

If not you, then who?

I believe that as law students you have had a glimpse of a future inhabited by free people in a free world. I know that you can imagine an even better world than the one we inhabit. I know our faculty, and your own proclivities inspired by your families and your upbringing, will motivate you to fight the good fight, to do your best to reclaim the legacy that reflects our best selves.

If not you, then who?

Today, I am honored to acknowledge two retiring faculty members who have had a significant influence on Brooklyn Law School and generations of Brooklyn Law School students. It is a bittersweet moment for all of us to wish them well as they retire and assume the status of professors emeriti.

Professor Marilyn R. Walter

First I acknowledge Professor Marilyn Walter. Professor Walter joined the faculty in 1980 as the founding director of Brooklyn Law School's legal writing program.

Under her leadership, she has developed and honed one of the most highly regarded research and writing programs in the country. In addition to running the writing program, over her career at BLS, Professor Walter taught many other courses through the years, including first-year legal research and writing, employment discrimination, fundamentals of legal drafting, and the law & literature seminar.

Outside of the Law School, her stature in the legal writing community is epic. She served in many important roles: as chair of the American Association of Law Schools' Writing Section, as a member of the board of directors of the Legal Writing Institute, and as member of the American Bar Association's Committee on Communication Skills, to name just a few.

In 2005 she received the Association of American Law Schools Legal Writing Award in recognition of her "pioneering leadership, extraordinary vision, and outstanding service."

Professor Walter's co-authored book (with Helene Shapo and our very own Professor Betsy Fajans) titled *Writing and Analysis in the Law* is considered a classic and one of the most widely used first-year writing text for law students. It is in its fifth edition.

Professor Walter, please come forward so that I can present you with a memento that your colleagues and the board of trustees wanted you to have. We are forever grateful for your many years of dedicated service to the Law School and your influential contributions to legal writing. Thank you for your selfless dedication to generations of Brooklyn Law School students.

Will everyone please give a well-deserved round of applause to Professor Walter.

Professor Richard T. Farrell

The second individual who we acknowledge today has been teaching at Brooklyn Law School for 50 years. Think about that! It's just remarkable. It is a cliché but Professor Richard Farrell truly needs no introduction.

Dick graduated from Brooklyn Law School in 1964, and he celebrated his 50th law school reunion just a few weeks ago. No surprise, he was an outstanding student, and served as the editor-in-chief of the *Brooklyn Law Review*. Following graduation, he joined the Brooklyn Law School faculty and with the exception of a few years clerking for Judge John F. Schilleppi on the New York State Court of Appeals, he has taught for the past 50 years. His courses have included Conflict of Laws, New York Civil Practice, Evidence, and Federal Procedure. He has had a profound influence on literally thousands upon thousands of BLS students. His influence has extended beyond our halls, as a preeminent lecturer to lawyers and judges on matters of evidence and New York civil practice. For at least 30+ years he has traversed the state, lecturing to countless bar associations, actively imparting his wealth of case law and knowledge in this area.

From 1977 to 1992 Professor Farrell served as the reporter for the New York Pattern Jury Instructions Committee. In addition, he won a double jeopardy case in the U.S. Supreme Court in 1990.

But Professor Farrell is most well-known for his scholarship and, in particular, his treatise on evidence. He is the author of *Prince, Richardson on Evidence* (11th ed. and 12th ed.) and annual supplements. This treatise is in virtually every courtroom in this state and it continues to be one of the most cited texts in the New York courts.

Professor Farrell has received numerous honors and recognition for his achievements. The Catholic Lawyers Guild presented him with the President's Award, the New York State Bar Association criminal justice section bestowed on him an outstanding contribution in the field of criminal law award, and in 2005, Brooklyn Law School named him the Wilbur A. Levin Distinguished Service Professor of Law.

It is hard to imagine Brooklyn Law School without the one and only Professor Richard Farrell. Professor Farrell, will you please come forward so that I can present to you a memento from your colleagues and the board of trustees in recognition of your influential contributions to the field of evidence and your selfless dedication to generations of Brooklyn Law School students.

Will everyone please give a well-deserved round of applause to Professor Farrell.

Professor Joseph Crea

Now there is one more member of the faculty who we all honor today. He is not retiring and he honors us by his presence.

As the Joseph Crea dean I couldn't be prouder to be associated with this institution's most memorable individual. Professor Joe Crea, who turned 99 in April and still teaches commercial papers and attends every faculty meeting, truly epitomizes the spirit and vibrancy of Brooklyn Law School. He has taught at the law school for 66 years and counting!

Born on the Lower East Side to immigrant parents, Joe obtained working papers at the age of fourteen. Attending and dropping out of a series of vocational high schools, Joe finally attended Bay Ridge Evening High School, graduating second in his class. He then attended Brooklyn College at night for four years.

Before he enlisted in the Army, Joe attended law school while working as the chief clerk of a Brooklyn draft board. After his discharge as a second lieutenant in 1944, Joe returned to working for the draft board and to studying law. He attended classes four nights a week and, unable to attend on the fifth night, he read law for two hours a week in an administrator's office. In his senior year, Joe was invited to join the *Law Review*, where he so impressed the then-dean Jerome Prince that he was offered a temporary position after graduation as a librarian. When the Law School finally hired a full-time librarian, Dean Prince asked Professor Crea to consider accepting an instructor's position. And so it was that in 1948 — the year that Truman was re-elected and when the United States ratified the Marshall Plan — Joe Crea began his career at BLS.

Early on in his career, Joe broke with the tradition of using older, rather dry cases to teach the case method. Instead, he selected vivid and relevant factual cases to drive home his lessons. At first, he taught torts, legal research, and bailments, and eventually through the years he has taught more than 20 different courses.

Over the past six decades, Crea has been “a mentor to Brooklyn Law School,” the professor everybody would talk to; a man totally lacking in pretense. Today, whenever I meet alumni they always ask me one question: “Is Joe Crea still around?” And when I tell them that indeed he is they begin to regale me with stories about the wisdom he imparted. They can remember in crystal detail some of his many well-known “Crea-isms” like, “Never drop your briefcase and run.” Undoubtedly his style of teaching really got through to his students.

In a cover feature on Joe in our alumni magazine *BLS LawNotes* about 10 years ago, he told the editor that when he graduated from Brooklyn Law School in 1947, he had no idea that he would make a career as a law professor. Joe said that he wanted to become a practicing lawyer “to

change the world.” But, thankfully for all of us, fate conspired to keep him here, pursuing what seems so clear in retrospect to be his true calling: teaching.

For six decades, Professor Crea has used his intelligence, wit, remarkable capacity for ceaseless hard work, and dogged determination and unquenchable spirit to inspire his students. He has also been a sage teacher to half a dozen deans — sometimes operating as a “shadow dean.” I have been lucky enough to be the beneficiary of much of his good advice.

Joe, today we award you the Wilbur A. Levin Distinguished Service Medal. Bill Levin, a member of the board of trustees from 1980 until 2005, like you, contributed so much to the Law School, to our students, and to our profession.

We have only awarded this medal twice before: to Professor Richard Farrell and to Dean Henry Haverstick, who join us on stage today. Please come forward so that I can present you with this highly deserved medal. Your influence on Brooklyn Law School students has been profound and pervasive. There is no greater legacy; there is no one more deserving of this honor.

Please join me in congratulating the one and only Professor Joe Crea.

Closing Remarks

The same month and year I was born the great Learned Hand addressed a large group of education officials in his native Albany, New York. I find it oddly amusing that the famous jurist and philosopher with the unforgettable name — Learned Hand — changed his name. He was born as “Billings Hand,” but took his middle family name of “Learned” as his given name instead, because he thought “Billings” sounded too pompous. His words over six decades ago register with me now and perhaps you will reflect on them a bit:

“Our nation has embarked on a venture as yet unproved; we have set our hopes upon a community in which men [and women] shall be given unchecked control of their own lives. The community is in peril; it is invaded from within, it is threatened from without; it faces a test it may fail to pass. The choice is ours . . . the mutual confidence on which all else depends can be maintained only by an open mind, and a brave reliance upon free discussion.”¹

I know that many, many years from now — long after he turns 100 next April — Professor Joe Crea will seek out and ask the members of the Class of 2014: Have you given it your best?

What will be your answer? (Yes!) Yes, indeed, great Brooklyn Law School Class of 2014. Step up!

If not you, then who?

¹ Learned Hand, “A Plea for the Open Mind and Free Discussion, Chapter 36, pp. 233-84, in Irving Dilliard, The Spirit of Liberty, the papers and addresses of Learned Hand. (1960)

CLOSING OF THE CEREMONY

Today we witness continuity and change. We've gone back to our future by returning to Brooklyn, by celebrating your achievements in the context of the giants who you have known on our faculty and those who have reached out to you through history.

In his second inaugural address President Abraham Lincoln, speaking to a nation torn apart, did not mince words:

"The dogmas of the quiet past are inadequate to the stormy present. The occasion is piled high with difficulty, and we must rise with the occasion . . . we must think anew and act anew. We must disenthrall ourselves and then we shall save the country."²

On behalf of the board of trustees and faculty of Brooklyn Law School, I congratulate you on this milestone day. Go out and live greatly in the law. Make us as proud of you tomorrow as we are today.



² Abraham Lincoln, Second Inaugural Address (Mar. 4, 1865), in 6 A COMPILATION OF THE MESSAGES AND PAPERS OF THE PRESIDENTS 276 (James D. Richardson ed., 1897).