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LAW DAY  
1997

U.S. ATTORNEY GENERAL  
JANET RENO

MAY 1, 1997  
CAPITAL UNIVERSITY

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ATTORNEY GENERAL RENO: Thank you so  
very much, Chief Justice Moyer.

And in many respects my remarks  
today reflect a lot of what you taught me; and  
in some respects are dedicated to you for the  
great work that you have done in forging a  
real alliance between the State and Federal

9 Governments, and addressing the problems and  
10 concerns of lawyers and judges across this  
11 country.

12 To you all, it is a wonderful  
13 privilege for me to be here today with you.  
14 And I am particularly grateful for the  
15 opportunity to hear in one concise statement  
16 the history of this remarkable law school.

17 Kent Marcus and his wife Susan have  
18 been telling me about Capital Law School. I  
19 had a sense of it, but I had a really  
20 wonderful opportunity this morning to hear  
21 from the students and to have their feel about  
22 this law school and its commitment to service  
23 in the community.

24 From this extraordinary law school,  
25 you will take memories and learning that will

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1 be with you for the rest of your life. You  
2 will take friendships that will be with you  
3 for the rest of your life, and skills and  
4 ideas and concepts.

5 One of the touching moments for me  
6 in these last four years has been to come  
7 across my former dean in law school, to meet  
8 my professors, to remember what they taught  
9 me, to have them remember a question and  
10 answer session we had 34 years ago; and then  
11 to come to the Department of Justice and say  
12 that I made my highest grade in tax, then to  
13 remember my tax professor's name and be told  
14 my tax professor worked for me and he was in  
15 his 80's.

16 From this extraordinary law school,  
17 that it does symbolize access; from this law  
18 school, it has such an extraordinary  
19 commitment to public service. I hope that you  
20 will take what you learn and gain here and go  
21 out and do what you can to make sure that the  
22 law serves the people.

23 Don't become known for how much  
24 money you make. Don't become known for the

25 house that you live in or the name of your law

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1 firm. But instead, become known for the  
2 accuracy and the precision and the excellence  
3 of your legal advice.

4           Become known for your ability to  
5 solve your client's problem the right way  
6 consistent with the law. Become known for how  
7 you have made the law real to more Americans  
8 who would not otherwise have had access to  
9 justice. Become known for what you do to  
10 insure equal justice for all. Become known  
11 for what you do to build and contribute to  
12 your community and to your nation.

13           Too often, we, as lawyers, don't do  
14 that. I, as a prosecutor, used to become  
15 frustrated when my prosecutors would come  
16 upstairs triumphant because they had gotten a  
17 conviction. They had gotten a sentence of 10  
18 years and he deserved it. But I knew he was  
19 going to be out in 20 to 30 percent of the  
20 sentence because there weren't enough prison  
21 cells and there weren't enough after-care  
22 programs to keep him on the right trail once  
23 he was out.

24           And the public defender would claim  
25 victory when he came upstairs and he got his

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1 client off on a motion to dismiss or a motion  
2 to suppress. But yet he knew that, as his  
3 client walked out of the courtroom allegedly a  
4 free man, as a crack addict, he was in a worse  
5 prison than any prison could create. And  
6 nothing was done to get to what caused the  
7 problem in the first place. The system, both  
8 the prosecutor and the defense attorney,  
9 failed to solve the problem.

10           We have got to look behind the  
11 concepts of the law, the rules of the law, and  
12 work to solve our client's problem.

13           There are other lawyers in the civil

14 context who want to make money and want to  
15 help their clients make deals, and only end up  
16 in a costly litigation that could have been  
17 avoided if the lawyer had taken the time to  
18 plan the deal so that the problem didn't go  
19 astray.

20 American lawyers are committed to  
21 winning, but it can't be winning at any cost.  
22 We can do better than to simply file motions  
23 to delay. We can do better than using the  
24 tools of discovery, not to investigate and to  
25 strengthen our case, but simply to cause the

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1 other side problems. We can do better than  
2 sending hostile letters back and forth on fax  
3 machines. We cannot let the thrill of battle  
4 blind us or let it blind us to the best  
5 interest of our clients and our society.

6 I think Abraham Lincoln said it  
7 best: Discourage litigation; persuade your  
8 neighbors to compromise whenever you can;  
9 point out to them that the nominal winner is  
10 often a real loser in fees and expenses and  
11 waste of time.

12 As a peacemaker, the lawyer has a  
13 superior opportunity of being a good man or  
14 woman. There will be business enough.

15 Use what you learn here at this  
16 remarkable law school; that it has spearheaded  
17 efforts involving dispute resolution and  
18 negotiation. The center of dispute resolution  
19 is a model for law schools around this  
20 country; not just to resolve conflicts before  
21 litigation, but we must teach others in the  
22 community to resolve conflicts without harsh  
23 disputes, without division and without knives  
24 and guns and fists.

25 Even the legal services lawyer who

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1 sometimes think that they are solving the  
2 problems of the world have got to look at what

3 the problem really is. They may sue the  
4 county or sue the Government because  
5 circumstances or conditions in a jail or  
6 mental health facility are not what they  
7 should be. They get the paper judgment, so  
8 then the county says we don't have the money  
9 to fix it; we don't know how to fix it. The  
10 good lawyer is going to be the one working  
11 shoulder to shoulder with the county officials  
12 saying this is how you do it, this is how you  
13 cut costs, this is how you reallocate your  
14 resources.

15 It is going to require the lawyer  
16 not just winning the lawsuit, but solving the  
17 problem.

18 But the major problem in America for  
19 all of us as lawyers is that too many  
20 Americans do not have access to lawyers and to  
21 justice. It is estimated that 60 percent of  
22 the poor and working poor in this country do  
23 not have access to the legal system. All of  
24 us have a responsibility to solve that  
25 problem.

8

1 To these people, think about it, the  
2 law is worth little more than the paper it is  
3 written on. We create such great expectations  
4 of the constitutional rights, of the civil  
5 rights on the part of Americans, and yet we  
6 deliver too few of these rights in reality.  
7 As a consequence for too many Americans, the  
8 law is worth little more than the paper it is  
9 written on.

10 These people include children who do  
11 not have voices as they are in court. These  
12 people are elderly citizens living on a fixed  
13 income who are becoming more and more rapidly  
14 into hopelessness.

15 Now some say, why should I be  
16 bothered? First of all, we should all be  
17 bothered because we have got to do the right  
18 thing. But if some people are not motivated

19 by that, they have got to understand that as  
20 more people sink into poverty, as more  
21 children in this country live in poverty,  
22 there is going to be an alienation and a  
23 disenfranchisement on the part of too many  
24 people that will split and divide this nation  
25 and lead it unproductive and in turmoil. We

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1 are all in this together.

2 And even if it is not sufficient  
3 there, unless we make an investment in all  
4 Americans, unless we make rights real for all  
5 Americans, we are not going to have Americans  
6 with the skills necessary to fulfill the jobs  
7 to maintain this nation as a first rate  
8 nation. So however you cut it, we are all in  
9 this together. And we have got to make the  
10 law real for all Americans.

11 How do we do it? First of all, just  
12 listening to the students earlier today, this  
13 law school has set the tradition in terms of  
14 volunteerism and pro bono services that can  
15 serve as a model for other law schools.

16 In Washington, when I came to the  
17 Department of Justice, there was no pro bono  
18 program; and in fact, it seemed to be  
19 discouraged. We have now announced a pro bono  
20 program that provides an aspirational goal of  
21 50 hours of community service, pro bono legal  
22 service for all our lawyers.

23 People say you can't do it. I did  
24 it last year and it was one of the more  
25 rewarding experiences that I have had in all

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1 the different forms that it took.

2 Some people get frustrated with pro  
3 bono service; though they say, I may not know  
4 exactly how to do it; I am worried about this;  
5 what about conflicts of interest? When you go  
6 to a community and start to practice law, work  
7 with your bar association to develop a

8 framework for pro bono service so that you can  
9 address these problems, organize opportunities  
10 for service and make it as efficient and  
11 effective as possible.

12 And in that instance you won't have  
13 to worry about the conflict. You can be  
14 trained in this framework and you can  
15 understand that you won't sit around waiting  
16 idly while one client may come in or another.  
17 It is going to be organized. There are bar  
18 associations across the country that have done  
19 wonderful jobs in this respect. And as you,  
20 the students, start to practice, see what you  
21 can do to improve the organizational structure  
22 of the system.

23 As lawyers, the second thing you can  
24 do is deliver legal services in a reasonable  
25 way. One of the things I sometimes think of

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1 doing when I leave this job is to develop a  
2 law firm that provides a volume practice with  
3 people specialized in areas of the law that  
4 affect people who generally can't afford  
5 lawyers, and price it so that these people can  
6 pay a little bit, or more, but that they can  
7 pay and you can make it a self-sufficient  
8 firm. I believe we can do it if lawyers  
9 approach it from the point of view of this is  
10 how we serve people and yet at the same time  
11 make enough money to support ourselves.

12 Now if we want to make \$200,000 a  
13 year, forget it. But there are an awful lot  
14 of us that find public service is more  
15 rewarding, and service and use of the law is  
16 more rewarding.

17 Give the people the opportunity to  
18 use the law themselves. It is just  
19 frustrating to go to Washington and even now  
20 have lawyers tell me well, that is VII of  
21 this, that and the other, and that is the such  
22 and such and such act that did such and such  
23 under Title II. They don't make the law

24 understandable for people, or they use big  
25 words.

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1 Let the lawyers of this country  
2 start using small, old words and apply the law  
3 in ways that people can understand so that  
4 people can use the law themselves to make  
5 themselves self-sufficient. That should be  
6 the purpose of the law. We should put  
7 ourselves out of business. Now don't worry,  
8 we won't (inaudible).

9 (Laughter.)

10 In that regard, we have got to help  
11 our clients understand the challenges  
12 (inaudible). Cyber technology will give us  
13 opportunities that we never dreamed of that  
14 will also create challenges for us. How do we  
15 apply the law with modern technology. How do  
16 we protect our constitutional rights while at  
17 the same time using the Internet and opening  
18 the world to dreams of opportunity that we  
19 never ever dreamed of.

20 I encourage you all to public  
21 service at some time or another. Now I am a  
22 great example that you can get fussed at,  
23 cussed at and figuratively beaten around on a  
24 regular basis.

25 (Laughter.)

13

1 But I have been in a private  
2 practice in a small law firm of two and in a major  
3 Miami law firm, and I have been in public  
4 service. And public service has been far more  
5 rewarding: To go with the President to a  
6 church in South Carolina, to dedicate a new  
7 church replacing one that had been burned in  
8 an arson; to walk off the stage after the  
9 dedication and have a lady burst through the  
10 lines and give me a big hug and say, Janet, I  
11 haven't seen you since Miami, you got me child  
12 support in Miami and I want you to see the two



13 boys you got me child support for.

14 (Indicating.)

15 (Laughter.)

16 You understand that there is nothing  
17 as rewarding as public service.

18 You can do it for a little bit. You  
19 can do it for all of your life. But I  
20 encourage those who have been practicing and  
21 those who are yet to graduate, consider it.  
22 It is so rewarding.

23 As you do all this though, as you  
24 organize your law firm, as you consider public  
25 service, as you engage in public services, as

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1 you try to make the law real for Americans,  
2 don't forget the children of America.

3 As a prosecutor, when I got to  
4 problem solving, I looked at dropouts. I  
5 looked at early childhood programs. But then  
6 I realized you have got to start from the time  
7 that child is conceived.

8 As you return to your communities,  
9 organize your communities so that we may weave  
10 a fabric of community around children and  
11 their families at risk. Lawyers across this  
12 country should be dedicated both in public  
13 service and community service and in their  
14 practice to making sure that children of  
15 America have appropriate preventive medical  
16 care; that children of America have  
17 appropriate education in those formative years  
18 of 0 to 5; that children of America have  
19 educational opportunities that can match the  
20 challenges of the 21st century; that children  
21 of America have appropriate supervision in the  
22 afternoon and in the evening while their  
23 parents are working; that children of America  
24 learn skills that can enable them to earn a  
25 living wage.

15

1 All of us as lawyers, whether it be

2 attorney generals, law professors, people  
3 volunteering, can contribute to that ultimate  
4 goal, because unless we make an investment in  
5 our children, we will never be able to solve  
6 the problem by building prisons 18 years from  
7 now, by providing remedial programs 10 years  
8 from now; and we will never have a workforce  
9 that can match the challenges of the 21st  
10 century.

11 But how do you do that? The  
12 response from so many people is that this is  
13 such a big world.

14 Chief Justice Moyer and I are  
15 engaged in an effort that I think is  
16 exciting. In my own hometown, we had to go  
17 downtown to go to the courthouse. For some,  
18 it was a ride of 20 to 30 miles, and they  
19 didn't like to go downtown to tell the judge  
20 what that defendant had done to their lives.  
21 But a community police officer serving the  
22 community was organizing the neighborhood,  
23 working through the schools, working with the  
24 citizens in the neighborhood. And he got a  
25 bunch of citizens on the bus and took them

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1 down to juvenile court and the judge heard  
2 from the citizens. The citizens talked with  
3 the kid, and everybody came out with a much  
4 better idea of how to solve the problem and  
5 what was needed for that child to get off on  
6 the right foot.

7 It occurred to me then, and it has  
8 occurred to me in working with the chief  
9 justices of the country, to develop the  
10 concept of community justice; where courts are  
11 more central to neighborhoods, particularly  
12 the neighborhoods with high crime or other  
13 problems that are not getting solved because  
14 there are not adequate legal services; where  
15 citizens can become the advocate; where the  
16 public defender can work with citizens and  
17 other community resources to address the

18 problem; where a community probation officer  
19 rides with a community police officer to make  
20 sure that a person who has a 10:00 curfew is  
21 in and if he isn't, corrective steps are  
22 taken; but where that police officer and that  
23 probation officer reach out to the private  
24 sector to make sure there are job  
25 opportunities and job training opportunities

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1 for that 14-year-old that they are keeping  
2 watch on, and developing a bond with him,  
3 becoming mentors for him; where the judge  
4 knows who the person is and it is not just a  
5 number, not just a case, not just one of  
6 thousands, but a person who they are tracking,  
7 to provide a coherent plan of treatment and a  
8 coherent enforcement action along the way.

9 Let us be creative, and remember,  
10 that in being creative we can learn from the  
11 past. I think back to the hills in England,  
12 in the 1200s, as the common law was being  
13 developed, as they solve problems, and they  
14 probably said one, two, three, four, five,  
15 six, you, you, you, okay, let's sit down and  
16 figure this out and let's see how we do it.  
17 Let's go back to the real meaning of how we  
18 solve problems.

19 But in solving problems, we have got  
20 to do all that we can to heal the division; to  
21 heal the youth who is angry; to heal  
22 communities and bring them back together.

23 We need to speak out against  
24 prejudice everywhere we see it. Haters are  
25 cowards, and when confronted, they most often

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1 back down. But too often, we let them become  
2 entrenched before we speak out because we are  
3 too busy, we don't want to get involved, it is  
4 not our problem. Hate, the division it  
5 causes, the turmoil it causes is everybody's  
6 problem.

7                   In our own generation we have seen  
8 remarkable progress in our efforts to bridge  
9 the gap between our ideals of freedom,  
10 equality and justice, and the harsher  
11 realities of our daily experience.

12                  Our national journey has taken us  
13 from segregated classrooms to integrated ones;  
14 from Jim Crow laws to civil rights laws for  
15 women, minorities and persons with  
16 disabilities. But 40 years after Brown versus  
17 Board of Education, the discrimination and the  
18 corrosive effects of racial prejudice are  
19 still with us.

20                  We cannot say that we completed our  
21 journey, when even today, African-Americans  
22 and Hispanics, and in many cases women, still  
23 have a harder time getting into college,  
24 renting an apartment, getting a job or  
25 obtaining a loan. We have not completed our

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1 journey when the unemployment rate for  
2 African-American males is still twice as high  
3 as it is for white males. Even  
4 college-educated African-American, Hispanic,  
5 Asian-American men and women of every race and  
6 ethnic background are paid less than  
7 comparably educated, comparably trained white  
8 men. That's not right. Worst of all, the  
9 reported violent hate crimes against  
10 minorities, gays and lesbians are disturbingly  
11 high.

12                  Some of the church fires are an  
13 indication that hate itself has become more  
14 brazen. We have changed our laws, but we have  
15 not always changed our ways. Old habits die  
16 hard. Attitudes dissolve slowly. We must do  
17 more, much more and open the doors of  
18 opportunity so that every American can share  
19 in and fully contribute to America's  
20 magnificent family.

21                  America's ever-changing place must  
22 continue to be a society that celebrates our

23 differences while embracing our unique ethnic  
24 identities. We cannot permit the narrow  
25 minded to deny that we are a multi-cultural

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1 society as we always have been. Every person  
2 is diminished when any one of us, on account  
3 of color or accent or where we were born,  
4 experiences anything less than the full  
5 measure of his or her dignity and privilege as  
6 a human being.

7 The Department of Justice is  
8 committed to doing its part in enforcing the  
9 civil rights laws of this nation as vigorously  
10 and as faithfully as possible without fear or  
11 without favor. But eliminating discrimination  
12 is not a task that can be accomplished by  
13 Government alone.

14 All of us have to reach out as  
15 individuals across the artificial barriers of  
16 race and class and religion that divides. Too  
17 often we live in our insular worlds. We think  
18 we contribute to our community; we think we  
19 are involved. But we pass each other on the  
20 streets or in the shopping mall and we don't  
21 connect as individuals. We work together or  
22 we go to school together, and we don't connect  
23 as individuals.

24 With this separation, we risk the  
25 lack of understanding of and appreciation for

21

1 the views and the perspectives of others. We  
2 risk not learning of the wonderful racial,  
3 ethnic and cultural traditions that make this  
4 country so strong and so vital.

5 Some just throw up their hands and  
6 say, I am just one person; I can't make a  
7 difference. But Americans throughout this  
8 land are making a difference as they reach  
9 out. They are coming together to give  
10 children a future; to bring people out from  
11 behind closed doors; to involve America in the

12 process of community; and to provide the glue  
13 that brings us together.

14           This past week, I was at the summit  
15 on volunteerism in Philadelphia. There I saw  
16 people gathered and talking with an enthusiasm  
17 that created a human electricity. The  
18 enthusiasm and vigor convinces me that there  
19 is a vast reservoir of individuals willing to  
20 give up their time and their talents to help  
21 others in need. Hearing these students this  
22 morning talk about what this student body is  
23 doing to help others was a memory I will take  
24 with me.

25           Recently I spent a Saturday morning

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1 working for Habitat for Humanity. By the end  
2 of the day, African-Americans, whites and  
3 Cuban-Americans had paint on their face,  
4 plaster in their hair and a new spirit in our  
5 hearts. And when the lady whose house it  
6 would be walked in and just smiled one big  
7 smile because it looked so much different in  
8 the afternoon than it had in the morning, it,  
9 again, was an experience one never forgets.

10           In Dorchester, Massachusetts, I have  
11 stood with religious leaders and young  
12 African-American students and white police  
13 officers as they have joined together to  
14 significantly reduce the incidence of youth  
15 violence in their community.

16           Come with me to dispute resolution  
17 programs in Washington, D.C. public schools  
18 where white and African-American and El  
19 Salvadorian students are learning to work  
20 together to resolve their disputes without  
21 knives and guns and fists.

22           Come with me across the country and  
23 you will see so much of America coming  
24 together and reaching out and making a  
25 difference in making this a more peaceful

23

1 nation.

2 Take part and take hope. Let us  
3 walk out of here today and think of what each  
4 one of us can do to reduce the wall and make a  
5 difference in the lives of all Americans; and  
6 to give all Americans here a chance to grow in  
7 a strong and positive way in the land of  
8 peace, of liberty, of freedom and of justice  
9 for all.

10 (Applause.)

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1 CERTIFICATE

2 I, Kathryn E. Stischok, a Registered  
3 Professional Reporter and Notary Public in and  
4 for the State of Ohio, do hereby certify that  
5 I reported the foregoing proceedings and that  
6 the foregoing transcript of such proceedings  
7 is a full, true and correct transcript of my  
8 stenotypy notes as so taken.

9 I do further certify that I was called  
10 there in the capacity of a Court Reporter,  
11 and am not otherwise interested in this  
12 proceeding.

13 IN WITNESS WHEREOF, I have hereunto set  
14 my hand and affixed my seal of office at  
15 Columbus, Ohio, on this \_\_\_\_\_ day of  
16 \_\_\_\_\_, 1997.

17

18 \_\_\_\_\_  
19 KATHRYN E. STISCHOK, Notary Public -  
20 State of Ohio.

21

22 My commission expires December 11, 1999.

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