



MARQUETTE
UNIVERSITY

LAW SCHOOL

January 16, 2017

Dear Future Marquette Lawyer,

I hope that the new year finds you in good spirits and optimistic about the future. Optimism can be a challenge in the face of anything from cold weather to personal challenges. Perhaps one has especially to work at it in our profession, which necessarily focuses on past problems and tries to anticipate (in order to avoid) future ones. Yet some sense of optimism is necessary to success.

The new semester finds me optimistic about the future of Marquette Law School. To be sure, as always, the year will bring changes. Two of our senior faculty have decided to retire after this academic year. Professor Jay E. Grenig joined us 37 years ago. He was quickly tenured and promoted, and he has taught more than a generation of students in areas centered in litigation and dispute resolution. Professor Patricia A. Cervenka joined us in July 2003 to serve on the faculty and as director of the law library. Her accomplishments include presiding over the successful transition to the Eckstein Law Library, with its path-breaking library-without-borders design, and more generally leading our library forward into the unfolding information age. These are faculty with national reputations, and we will greatly miss both Professor Grenig and Professor Cervenka. At the same time, we are in the process of completing a successful faculty-hiring process (more information in next semester's letter, no doubt). So we look forward to the future.

Much—indeed, most—of our optimism has to do with each of you, a future Marquette lawyer. We are responsible for giving you opportunities. We are confident in the breadth and richness of the curriculum, which can prepare you well for the beginning of a life in the law. Our office of public service provides many opportunities for your engagement with the law beyond the classroom, in ways that will immediately assist others in society even as you develop your skills and an ethic of public service. And our public policy initiative, now ten years old (to date it to Mike Gousha's joining us as distinguished fellow in law and public policy), offers you numerous possibilities to hear engaging speakers and visitors, even as it attracts to Eckstein Hall large numbers of community members. On that front, and merely for an early example this semester (though an important one), I hope that many of you will join us over the noon hour on Thursday, January 26, when Professor Michael M. O'Hear goes "On the Issues" to discuss his new book, *Wisconsin Sentencing in the Tough-on-Crime Era: How Judges Retained Power and Why Mass Incarceration Happened Anyway*. The topic should be of interest to all future lawyers—indeed, all engaged citizens.

You will appreciate how much your development into a Marquette lawyer depends on *you*. Of the things that I have mentioned, only the curriculum is required—and well less than half of it, in terms of specific courses. Just as you must make good

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choices in your electives, tailoring your course selections to your interests and projected career path, so, too, does it fall to you actually to rouse yourself to participate in the pro bono or other activities of the office of public service or to attend a talk by a visiting lecturer or speaker. Yet these things you must do if you are to develop—if you are truly to learn. The habits that you develop in law school—reflecting especially, one hopes, characteristics of humility, industry, and curiosity—will be essential to your development after graduation.

For the learning never stops. A few years ago, at the annual memorial service held by the Milwaukee Bar Association to recall lawyers who have died within the previous year, one member of the legal profession described how, over the course of his 40 years as a lawyer, there has been so much to learn. Some of that involves the law itself; other matters concern the craft of lawyering; and still other occasions present what this lawyer called “the dark questions of the practice of law,” involving mistakes, misstatements, and the human frailty that besets lawyers and judges no less than anyone else.

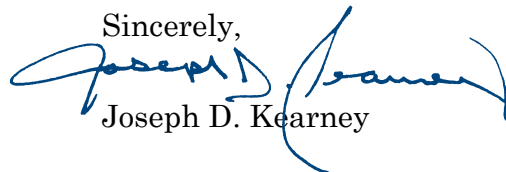
The purpose was to recall not the challenges but how they were met. So here is what this lawyer then said (the emphasis being mine):

All of these situations that we lawyers face throughout our careers call for us to learn something. And where do we learn it? *Almost always from other lawyers*, who tell us or show us by their own conduct how to pick up that new knowledge that we need to be good lawyers. Lawyers learn from other lawyers, because lawyers are also teachers.

Suiting that occasion, this speaker then recalled a number of the lawyers who had passed away during the previous year and some of the things that he had allowed himself to learn from them. These were wise observations.

My perspective here is more prospective. Here is what I would emphasize for you, as we begin again and you look for your own exemplars: To be open to learning, you have to want it. More than anything, perhaps, you have to read—this is a point that is difficult to overstate. Yet you need also to be present, whether that is in Eckstein Hall or at events elsewhere in the legal profession, in both a literal and a figurative sense. You have to wade in and give things a try, especially during school, while the lifeguard is still on duty: Those lifeguards include not just those of us at the Law School but the hundreds of volunteers—some Marquette lawyers, others not—who make common cause with us in pro bono work. If you do these things, you will learn—and position yourself to learn much more in your coming lives in the law.

More immediately, we at the Law School are ourselves optimistic that we will learn a few things from you in the coming semester. So let us get going.

Sincerely,

Joseph D. Kearney