

The Good Lawyer

By Jeffrey G. Muth

Editor's Note: Jon Muth's letter to his son originally appeared as the President's Page in the September 1995 Michigan Bar Journal. In this column, Jeffrey Muth responds to his dad's letter. To read the entire column, go to www.michbar.org/muth

Twenty-five years ago, my dad, Jon Muth, published a letter in the *Michigan Bar Journal* titled “A Letter to My Son.” My dad was serving as the 60th president of the State Bar of Michigan and the letter was addressed to me as I was considering applying to law school. But I believe it was equally written for members of the Bar—reminding them of their collective professional calling—to be “Good Lawyers.” While I read the letter and likely appreciated that it contained some decent advice, the 23-year-old version of me most certainly did not fully grasp its sage wisdom and timeless truth—at least not consciously. My dad retired from the practice over six years ago, but he continues to live the life of the Good Lawyer. His definition of the Good Lawyer was, and remains, as follows:

A lawyer that is grounded in a sense of public service, rooted in ethical behavior, committed to civility, infused with the principles underlying the lawyer's constructive role in society, determined to discharge his or her responsibilities with class and integrity, desirous of melding life and law into a common connected purposeful destiny.

Heady stuff indeed for a 23-year-old living in Chicago who was more concerned with fully absorbing all that city's nightlife



had to offer than altruistic notions of a profession rooted in “purposeful destiny.” Setting that aside, I still possessed a healthy skepticism for my father's advice. After all, how smart could the old man really be?

Pretty smart, as it turns out.

During my 20-year law career, this passage has served as my professional compass, pointing me in the right direction when I have felt lost or dissatisfied. While I certainly have fallen short of resembling the Good Lawyer from time to time, without fail I am the most fulfilled, most content, and the happiest when my practice and personal life adhere to this credo. I believe its truth to be self-evident and universal.

We have all proclaimed our intention to be Good Lawyers. As a condition to engaging in the profession, we swore to uphold

the Constitution of the United States and the constitution of the state of Michigan. We promised to employ means consistent with truth and honor and never seek to mislead by any artifice or false statement of fact or law. We vowed to abstain from all offensive personality and never to reject the cause of the defenseless or oppressed. We undertook to subjugate our own self-interest to the pursuit of justice and helping others.

These are the fundamental underpinnings of our professional calling. They provide the foundation upon which all Good Lawyers are built. Conversely, these covenants appear to be largely absent from our national discourse. The more outrageous or profane the statement, the more offensive the position, the more sensational the facts, the more divisive the rhetoric, the more attention

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it receives throughout traditional media outlets and the “Twitterverse,” perpetuating what I believe to be a false reflection of America more focused on division than inclusion. As a country, we are in need of some Good Lawyering.

We are more connected than disconnected, more alike than dissimilar. The whole of our nation is far greater than the sum of its parts. That is not to suggest that great numbers of people do not feel disconnected, disenfranchised, or marginalized. Nor does it ignore the fact that there are real divisions that must be addressed and overcome. However, we have met such challenges before, and Good Lawyers have routinely led the way.

In his first inaugural address delivered on March 4, 1861, Abraham Lincoln primarily addressed the people of the South, where seven states had recently seceded from the Union. While denouncing secession, Lincoln focused on reconciliation, the indivisible nature of the Union, and how its strength revealed our better selves:

We are not enemies, but friends. We must not be enemies. Though passion may have strained it must not break our bonds of affection. The mystic chords of memory, stretching from every battlefield and patriot grave to every living heart and hearthstone all over this broad land, will yet swell the chorus of the Union, when

again touched, as surely they will be, by the better angels of our nature.

It took all the skill and perseverance of a Good Lawyer to realize this vision and preserve the United States of America.

We are equally in need of Good Lawyers today. Our present challenges may not appear as stark as those presented by the Civil War or even those facing my dad’s generation, but they are no less pressing. Difficult discussions capable of resulting in real and sustainable change must be facilitated. Complex problems resulting in social and racial injustice must be solved. We must promote and achieve a sense of connectedness and inclusion throughout our diverse communities. Only then will the promise of the preamble to the Constitution begin to be realized. There is no quick fix or magic elixir capable of solving these problems. Confronting and resolving these issues will take all the skill and perseverance of Good Lawyers.

Good Lawyers never shy away from hard work or tackling the most difficult issues confronting their cases or clients. They understand the long play, and that sometimes they need to lose the battle in order to win the war. Good Lawyers suppress self-interest and dedicate themselves to helping others. They pursue truth and justice. Good Lawyers give voices to the voice-

less. They listen more than they talk and when they talk, they do so clearly and convincingly. They think creatively to solve problems which appear intractable. Good Lawyers can change their minds or be convinced of a better approach. They do not cast judgment or dispersions. Good lawyers build consensus. They disagree without disparagement. They make tough judgment calls daily, and they own them. Good Lawyers do all of this with civility and integrity.

My life has been immeasurably influenced and enriched by such a lawyer. I continue to aspire to my dad’s example not just in my professional life, but also as a husband, a father, a son, and a friend. As a younger man, there were times when that example seemed unattainable and even undesirable; after all, melding life and law into a common connected purposeful destiny is not for the meek. Nevertheless, the prospect of falling short of this *raison d’être* has always left me ill at ease and wanting. As the letter stated, the Good Lawyer’s journey is its own reward.

As members of the Bar, we enjoy the privilege of practicing law in the great state of Michigan. With that privilege comes a shared responsibility, which is best met by striving to be a Good Lawyer. And by doing so, may we all be touched by the better angels of our nature. ■



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