

John T. Berry, "Leader by Example"

By Valerie Robinson

It is fitting that the State Bar of Michigan's new executive director, John T. Berry, has a large hat collection—one that now includes caps from Michigan State University and the University of Michigan—because he will be wearing many hats in his new position. Berry, who started work on November 13th, said he is especially looking forward to combining his passion for law with his skills as a manager. "I am excited to come to Michigan," he said. "I love the law and I love to manage."

Berry considers himself a consensus-builder who facilitates communication with honesty. As executive director, he hopes to build unity by "working hard to bring together practicing lawyers, bar leadership, bar staff, the courts, law schools, and the public." His goal is to provide lawyers with more purpose and personal satisfaction, which will help them better serve the public.

Berry emphasized that accountability and creativity are critical for his position. "We will make mistakes, but we make them known, make up for them, and go on. Then we can take risks to do a better job," he said. "The traditions we get into of doing things can be good, but we can't be afraid to look for ways to improve."

His positive leadership style, built on a strong foundation of faith and the support of his wife, Barbara, has won him friends throughout his career. Florida Supreme Court Justice Harry Anstead, who worked closely with him in pioneering Florida's award-winning professionalism effort, stressed that Berry's passion for being a lawyer is what sets him apart.

"It's not a job for him." Anstead said. "He believes in the importance of the justice system and lawyers. John is proud of lawyers because they can give people a shot at a decent life—it is lawyers and judges who debate the issues with the most impact."

As executive director, Berry wants to work with law schools, lawyers, and the public to deliver legal services more effectively. He explained that giving harried lawyers more breathing room through improved "pragmatic underpinnings" like technology, legal assistance, and improved techniques starting when they are law students will lead to better lawyers morally and professionally. "All of this will help lawyers to look up and focus on the issues driving them and the profession."

In an effort to increase the ethics and integrity of the profession, Berry will be working with law schools "to find even better ways to help equip students for the important human and practice issues they will be facing. It is critical that law schools infuse their students with a passion for the profession and teach them how to actually practice law as well as just teaching them the law."

A nationally recognized expert in lawyer professionalism, Berry has involved himself in nearly every aspect of the development of the profession. As former president and current officer of the National Organization of Bar Counsel and as the organization's representative to the ABA House of Delegates, he helps formulate the Model Rules of Professional Conduct. This work has given him an appreciation for those who dedicate their careers to helping lawyers serve the public.

"The greatest privilege of my career has been serving with the professionals who are with the NOBC, who truly care for the lawyers of this nation and the public we all serve," he said.

In addition, Berry has been at the senior management level of two leading bars, "dealing with all the challenges to our bars and the profession" and has been a major participant in the ABA's effort consulting with state bars to help them better serve their members. In 1989-90, he was a member of the ABA Commission on Evaluation of Disciplinary Enforcement (McKay Commission), which developed the ABA's model for lawyer regulation, and he served on the ABA Standing Committee on Professional Discipline from 1995-1997. More recently, he was the State Bar of Arizona's liaison to the ABA's Ethics 2000 Commission.

Although his work leading the Florida Bar's Legal Division for 15 years and working with grievance commissions showed him the worst of the profession, Berry commented, "I *like* lawyers. They have God-given talent, they are smart, well-educated, their access to the justice system means they can have an impact on society. Their license to practice law gives them the opportunity to get involved with social change and to help with human conflict." He added, "When lawyers get into trouble, it is usually from things like stress and bad office management." Berry points to the central role lawyers and judges have in our democracy when he explains why "the heart and soul of law is professionalism, morality, and public service." "The fibers of democracy," he said, "depend on officials of the court. If they don't maintain high standards, the public will see lawyers as a problem, then they will think the courts are a problem, then that democracy is a problem. For this reason, it is a privilege and a responsibility to be a lawyer."

Berry has seen many different aspects of the legal profession and has a unique appreciation for the challenges facing today's lawyers and judges. This "is a time of revolution," he said. "It is occurring not just in our individual states but across the country and the world."

Among the challenges to the profession, he cited multidisciplinary practice, multijurisdictional practice, unauthorized practice of law, technological changes, lawyer advertising, nonlawyer practice, pressure to water-down lawyer ethics rules, and pressure to take the regulation of lawyers away from the supreme court. He stressed that with such profound change comes opportunity.

"The key is to keep an open mind," he said. "There are times we get upset, but we just need to keep positive. There are tough challenges out there."

Tackling complex problems, however, is one of Berry's strengths. "John is unequivocally the nation's top lawyer when it comes to matters of legal ethics and professionalism," said Steve Summerlin, Berry's colleague in Florida for over 30 years. "Undoubtedly the Michigan Bar and John Berry are going to raise the standards of professionalism of bar associations and law schools throughout the country."

Mary Ellen Bateman, Deputy Director of the Florida Bar's Legal Division, worked with Berry when he served as its executive director. "John is a natural manager; his strength is in finding the right person for a job and then giving that person the confidence to do the job," she said. "People want to live up to John's high expectations for them."

When he became deputy executive director of the Arizona Bar after practicing law in Florida for 20 years, Berry took (and passed) the Arizona bar exam. Lee Ann Lankford, a close friend who was at his Arizona swearing-in ceremony, commented after hearing the oath, "We finally understood John's motivation to teach lawyers to live the oath, thus reviving faith in the system. He will do that as he reminds lawyers of their high calling and, in turn, those lawyers will win the country's confidence back one citizen at a time."

A "leader by example," according to Justice Anstead, Berry has advised graduating law students to stay positive, join the best parts of the profession, and support the bar through its association—all key elements of his successful experience as a lawyer.

"Despite all its problems and pressures," he told the students, "[the profession] has within it some of the finest minds and yes, finest people. Find them. Emulate them. Light the darkness, don't just curse it." n