

**CALL TO THE BAR  
February 13, 2001  
London Convention Centre**

**ON BECOMING A MEMBER OF THE LEGAL PROFESSION**

Mr. Treasurer, My Lord Chief Justice McMurtry, Benchers, honoured guests and graduands.

It is an honour to have been asked to speak to you today. Thank you.

My first words must be ones of congratulation to our graduands. In a short while, you will take your oaths and be admitted to the legal profession. I extend to you my heartiest congratulations and welcome you as the newest members of the justice system. Canada continues to rank as the number one country in the world in which to live. The justice system, along with our democratic foundations and economic security, is absolutely central to that position. I welcome you to a justice system in which we Canadians have rights, liberties and freedoms only dreamed of in the vast majority of the world.

I congratulate, as well, the family members and friends in the audience. These people, your loved ones, justifiably share in your joy and pride. They sweated with you while you waited anxiously for admission to law school. They agonized with you as you made your way through countless examinations and the nerve-wracking process of finding an articling position. They shared your anxiety and excitement on the road that led you here. They watched you mature, both personally and in terms of your legal knowledge. I suspect some tears will be shed today -- tears of pride and joy and no doubt a few tears of relief as well. But that is to be expected on such an important day in your lives.

Today is a day, not just of celebration, but also for saying thank you. On behalf of the graduands, I extend their thanks for the love, support and patience that you have provided them throughout their education and training.

Graduands, where you stand today is only the beginning, even though it may feel like the end of a long process. Listen carefully to the words of the oaths that you take today. Seek in them inspiration and guidance as you begin your professional lives.

In the next few moments I invite you to reflect with me not only on what you have achieved but also on the significance of becoming a member of the legal profession and why you should be so enormously proud to join its ranks.

### **SIGNIFICANCE OF THE DAY**

When you walk out of the doors of this building today, you will forever be different. You will be a barrister and solicitor. As a consequence of holding this privileged position in society, you have a larger role and greater responsibility than those who have had fewer educational opportunities.

Recognize that there is a moral significance to lawyering. Law is a helping profession with an accent on service. A profession is much more than a job or employment or career - it is a vocation or calling – in this case to the pursuit of justice. As you take your place in the legal profession, recognize that you must have tolerance and understanding of the human condition and of human frailty. Deal with one individual at a time. Lawyering is far more than an impersonal, rational, analytical process. It is public service -- the opportunity to assist individuals and institutions, often

at a time of crisis. Use your time, your talents, your ability and your heart in the pursuit of your profession, in the pursuit of justice and fairness.

Law is a "learned" profession. That means that you have a responsibility, not only to keep abreast of legal developments, but also of human developments -- changes in the social and cultural mores. Make time in what will undoubtedly be busy lives to read broadly and liberally. Remember to continue to learn and to focus on the significance of persons and personal relationships live and in society. And, remember that minds are like parachutes - they function best when they are open.

But, you might ask: how is admission to the Bar any different than other educational achievements? Each of you already enjoys academic success in that you hold one or more university degrees in addition to your law degree. You have satisfied the Bar Admission requirements and completed the articling process. Each of those was a milestone; each was significant. How is today different? What makes today the most significant milestone in your educational career?

The answer lies in the meaning of the word "profession". At the heart of today's ceremony lies a public proclamation that your character warrants admission to the legal profession. For the first time in your educational lives, you are being recognized for your character. Your prior educational accomplishments were based upon the acquisition of knowledge or skill. In law school, your mind was trained to be at once critical and constructive. You were educated in a vast number of legal subjects. In the articling process, the emphasis shifted to the acquisition of skills such as interviewing, drafting and the filing of legal forms in the right place, in the right order and at the right time.

Today the focus is not on the substance or skills of lawyering. You are welcomed into the legal profession because the governing body is satisfied that each of you is a person of integrity with the moral strength to hold fast to all that is encompassed by the notion of integrity.

In a few moments you will take your oaths.

In the Barrister's Oath you will swear to:

"...in all things...conduct yourself truly and with integrity..."

When you swear the Solicitor's Oath you will promise:

"to truly and honestly conduct yourself in the practice of a solicitor."

With the taking of these oaths, you become a member of the legal profession; you commit to the shared values and principles that unite us as legal professionals.

### **VALUES**

These are the values that are enshrined in the concept of a true legal professional and to which you pledge allegiance:

Compassion  
Respect  
Courage  
Strength  
Dignity  
Honesty  
Trustworthiness  
Commitment to Service

### **ATTITUDES**

The core attitudes of the committed legal professional are:

Fairness  
Discipline  
Balance  
Humility  
Wisdom

I might add that while a sense of humour is not absolutely necessary it is sure helpful!

The synthesis of these core values and attitudes is "INTEGRITY".

What if you do not possess all of these values and attitudes today? That is OK. There are transformative events in our lives. By that I mean there are times in our lives when we are called to become better people. It happens when you become a parent and you put aside many of your own needs, longings and insecurities in favour of the needs of the child.

Today, the act of becoming a member of the legal profession, ought also to be transformative. It ought to inspire you to be the best that you can be. It ought to inspire you to focus on these values and, in turn, the values will transform you and your lives. These values transcend us as individuals and bind us as members of the legal profession.

True success as a lawyer will come if you cultivate the aspects of character of which I just spoke. In the end the legal profession is only as good as the people who are in it. I am confident that you are energetic,

committed and bright, that you will continue your education and training in the substance and skills involved in the practice of law. Those things are very important. At the same time, recall the admonition of Johnson:

"Integrity without knowledge is weak and useless. Knowledge without integrity is dangerous and dreadful."

In the future, in your pursuit of excellence and success, you cannot focus solely on the further acquisition of knowledge and the honing of your skills. You must also make space and time in your lives to regularly reflect on the meaning of integrity.

Bertrand Russell said in "New Hopes for a Changing World":

"A way of life cannot be successful so long as it is mere intellectual conviction. It must be deeply felt, deeply believed, dominant even in dreams."

Integrity is more than honesty. It is more than ethics. It is more than being a "good" person or lawyer. In the end, it is being true to yourself, your principles and your ideals. It cannot exist absent self-knowledge, self-discipline and self-improvement.

## THE REAL CHALLENGE YOU FACE

It would be easy to end now with a series of exhortations. Communicate well. Don't misappropriate funds. Don't lie. The difficulty with such an approach is that, in my view, it doesn't address the real threats that you face. None of us intends to become sloppy, out of date, grumpy lawyers when we set out to practice law. Nor do we plan to ignore our clients, lie, steal or break the law.

The real challenge involved in holding fast to these values and ideals comes from the stress of practicing law in today's competitive climate. Within a short while, you will find that you are running so fast to keep up with work and personal demands that you have no time left for contemplation. There will come a time for most of you when you are exhausted and have no emotional reserves left. It is then that you will find the greatest challenge to the ideals of the legal profession.

In short, in my view, the biggest threat to our professional values are stress and burnout. No matter how high your energy levels are today, I can assure you that both are very real threats in the practice of law today no matter where or in what area of law you practice.

Practice need not necessarily lead to burnout, however. I will take a leaf from David Lederman and give you a list of the top 10 ways to prevent burnout.

1. The first step is to publicly announce your commitment to the values and attitudes that bind those of us in the legal profession. Let people know who you are and what you stand for. When you take the Barristers and Solicitors oaths in a few moments, you will have fulfilled this first step.
2. Remember that the person who makes no mistakes usually does not make anything else. You will make mistakes. When you do, immediately 'fess up, get help and deal with the problem. Carrying your mistakes in silence consumes an inordinate amount of energy.
3. Tithe of your time, your talent and your resources. Tithing is just an old fashioned word for the concept of giving back. Giving back will renew your spirit. Give of your time through Pro Bono work, give of your talent through things like volunteer work in community organizations and give financially, even if just small amounts, to causes you believe in. Paradoxically, it is giving that makes you rich.

4. Remember that people are often unreasonable, self-centered and illogical. Forgive them anyway. Regardless of the circumstances, give your clients and the justice system your best.

5. Rule 4 has to be read in conjunction with this rule. “The best is the enemy of the good.” I never used to understand that sentence. I now know it is an admonition against perfectionism. Know when to stop work on a file or matter or, indeed, when to stop working for a client. You can make yourself crazy trying to be perfect or to get a document to be perfect.

6. Happiness is one of the best ways to monitor your success at living life according to your values. We are wired to experience joy. Our lives are filled with delightful moments when we recognize the truth of the way that we're meant to live. Do not let other people define success for you or determine your worth. Your happiness and contentment is the real measure of your success.

7. Integrity depends upon a clear sense of self, of purpose, of what is of value, of what you are willing to be courageous about. Take the time to know yourself. Integrity is resident in you. It does not reside in the firm for which you work, the Law Society of Upper Canada, the Code of Ethics or a

principle of law, although those things may offer a framework within which to live a life based on integrity. You alone have the capacity and responsibility to ensure that you live a life of integrity.

To live a life of integrity, you must make time to periodically evaluate your life. I recommend that you do so every three to five years. Give yourself permission to change. If you find yourself in a job in which you feel that you feel that your integrity is compromised, realize that it is not a failure to leave. It is success -- success because you will have taken a step towards living a life that is consonant with your values.

Please do not misunderstand me on this point. I do not for a second suggest that any of you give up the practice of law if you find that it has become routine or demands long hours. Those are regular parts of any job in today's world. When I suggest that you re-evaluate your life from time to time, I am inviting you to set aside sufficient time every few years to compare your life with your values. If there is a large divide between the two, then you will want to take steps to close that gap.

Statistics suggest that many of you will leave the practice of law. There is nothing wrong with that; there are a great many ways to use your legal education. But, whether you remain in the practice of law or not, you will always be a member of the legal profession. Today, you have publicly committed to living a life based on the values that bind us as members of the legal profession. That commitment remains with you. The fact that you are a member of the Bar will influence the expectations that other people legitimately have of you whether you are practicing law or not. It ought also to influence the way in which you live your life.

8. Regularly take time to nurture yourself. I don't mean your physical self. We all know we need to eat properly and get rest and exercise. What we tend to ignore is the spiritual or moral dimension that we each possess as a human being. That too needs nurturing. There are a great many different ways of doing this. My husband swears that golf fulfills this role. Other ways include meditation, prayer and spending time in nature. Anything that restores your serenity and peace of mind counts. As Mae West said:

"When in doubt, take a bath."

There is a lot of wisdom in that statement, as funny as it is. It just means that a great many things benefit from taking some time for yourself.

Making time for our selves is difficult when there are so many competing demands. Realize, however, that respecting your own needs is sustaining to others as well as to you for it unmistakably demonstrates that you value yourself and your peace of mind.

Rule #8 translates into this --- you cannot wait for your annual vacation to take time for yourself. You can't even wait until the weekend, in the hope you will find that time. You need to take a few moments for yourself each and every day. I take five minutes at the beginning of the day and at the end of the day. Five minutes in which I calm the noise in my mind and life. Five minutes to recall what is truly important in life. The simple act of quieting yourself and focusing on those things is a recommitment to the values. And it will help you through each day, I promise.

9. Be aware of the signs that show that you have lost balance in your life. For each of us the signs is different – it can be frequent feelings of irritability, anxiety or lack of meaning in everyday things. You have to know yourself well enough to recognize the signs. In other words, recognize when you need to get off the treadmill for awhile.

10. Professionalism is about leadership - principled, disciplined acts of principled, disciplined people. John Gardiner once said:

"Democracy is measured not by its leaders doing extraordinary things, but by its citizens doing ordinary things extraordinarily well."

Very few of us will work on earth-shattering cases. Much of a lawyer's work can seem mundane. But, the success of the legal profession and, indeed, your personal success is not measured by the extraordinary things you do but by doing the ordinary things extraordinarily well. And "extraordinarily well" means in a way that reflects our professional values.

While on this topic I make the following observation. You are an indivisible whole. In other words, after today there is no separation between who you are when a lawyer and who you are when not at work. If you are courteous and respectful to your clients but rude to secretarial staff or your family, you have violated your professional ethics because today you committed to treat all people with respect. For the same reason, if you treat with confidence those matters that are entrusted to you by your clients, but you breach the confidences that you learn in ordinary life, you

have breached your professional ethics. You are the guardian of words and you know the power of words. Be careful with them.

If you go to a party tonight to celebrate and join others who are smoking dope, you have breached your professional oaths. It is not simply that substance use is not a good idea from a health perspective. Today you will swear an oath to uphold the laws of the land. You become a guardian of the legal system. If you break those laws, you also break your professional oath. It doesn't matter that you're "on your own time". After today, you will never be on your own time again. You are an indivisible whole. You have a trained conscience - listen to it.

## **CONCLUSION**

Do I ask too much of you? You are to keep current on the law, up-to-date in your skills, knowledgeable about social issues in general and relaxed enough at all times to be civil, courteous and respectful. I admit that this is a tall order. But, if not you, who? You have demonstrated your ability to undertake this vocation as demonstrated by your hard work,

aptitude, patience, maturity and focus. And, you have received a wonderful education that has well prepared you to enter the profession.

It is not too much to ask of you. Your commitment to lifelong education is necessary for excellence in your chosen profession. Your commitment to the ideals of which I spoke is your guarantee against despair, discouragement and loss of self-esteem. They are the keys to ensuring the health of the legal profession and to keeping “justice” in the justice system. They are central to the maintenance of respect by the Canadian people for our profession.

Pantanjali, the great Indian saint and poet, wrote these words in the third century BC:

"When you are inspired by some great purpose, some extraordinary project, all your thoughts break their bonds. Your mind transcends limitations, your consciousness expands in every direction and you find yourself in a new, great and wonderful world. Dormant forces, faculties and talents become alive and you discover yourself to be a greater person by far than you ever dreamed yourself to be."

We become greater persons by subscribing to the values inherent in integrity, by showing compassion and respect for all those that we interact

with whether in our work or in our personal lives. In these ways we touch greatness beyond anything that we could have dreamed of.

With this call to the Bar comes power and privilege. Justify the call. Have pride in our profession just as we have pride in you, its newest members. Our pursuit, yours and mine, is the pursuit of justice through the legal profession. It may be difficult, but it is a great pursuit.

Good luck to you all.