

DE DIE IN DIEM

THE NEWSLETTER OF THE WESTERN MONTANA BAR ASSOCIATION JANUARY 2015

President's Message by David Steele:

Auld Lang Syne

Happy New Year everyone! I hope you all took some time away from the office to enjoy friends and family. Like many folks, you all have all made various commitments and resolutions for the upcoming year. Maybe you've committed to get to the gym more, eat less, drink less. You may have committed to these acts of hardship because you know they will ultimately help you.

Here a New Year's proposal for you all to consider: I would respectfully ask that while you are engaging in your physical suffering, that you also resolve to engage in something that will help your profession. I propose that each of you commit to actively teach the public about the legal system and our profession.

Auld Lang Syne may be roughly translated as "long long ago" or "in days gone by." Auld Lang Syne, the law was regarded as one of the four learned professions. Nowadays, many folks will say lawyers are, at best, regrettably necessary. Others might say we rank just above politicians. I say this in jest, but I think it is safe to say the public perception of the legal system, and of lawyers, is somewhat degraded.

Ironically, most people really seem to like their own lawyer. I'm sure you have all been party

to the following exchange: "Lawyers are [insert the appropriate pejorative here greedy, cutthroat, shysters, etc.]. But *my* lawyer, she's excellent. She's brilliant, diligent, and she really cares about my problems. I just don't understand why more lawyers aren't like her." Of course, the vast majority of lawyers are probably just like her.

The fact is, almost every lawyer I have met is smart (often brilliant), diligent, professional and each one seems to really care about the client's problem. This is as it should be, because we are charged with the utmost responsibility. People ask us (and pay us) to help them solve their most private, sensitive and serious problems. Almost every lawyer I have met recognizes this profound



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responsibility, and none of them take it lightly.

But why the disconnect? Why doesn't the public seem to recognize that lawyers, for the most part, probably care more about ideals like justice, fairness and equality, than the average citizen? Why do people regard their *own* lawyer as the archetype of excellence, but think lawyers, as a group, are shysters? Have you ever noticed how, when you're chatting with a group of people and they find out you're a lawyer, they seem to want to know your opinion, no matter the topic? When people meet a lawyer face to face, they usually seem to recognize they are speaking to someone who is well-educated, caring and trustworthy. And yet public regard is dismal.

Maybe it's because of the fees we charge (for guiding clients through the highly specialized and complex arena in which we work). Maybe it's because of the cases we take (notwithstanding that, for example, the Constitution requires that all people are entitled to a defense, even the most unsavory people). Maybe it's because we can interject Latin into documents we write (conceded; we should probably stop doing that). Whatever the cause, I submit the solution comes down to education.

These days, the public learns about lawyers and what they do, and how they act, from pop-media. And pop-media's portrayal is almost

always inaccurate. So, for my proposal: This year, please commit to take every opportunity to teach the public about who lawyers are and what lawyers do. When your client becomes upset at opposing counsel, refrain from denigrating that opposing attorney. Instead, consider explaining that the opposing attorney is charged with doing his or her very best for the client, just like you. Explain that the opposing party has placed in his attorney a tremendous amount of trust, just like your client has placed such trust in you. Have your colleagues back and promote your profession.

When you're chatting with laity and the topic of law or lawyers comes up, take that opportunity to promote our profession. Ask that person about his or her perception. If it's negative, ask why they have such a view. And then dispel their negative perception if you can. And you probably can, because you're a lawyer. It might be a little uncomfortable, but it will help us all in the end. Remain humble and gracious, but take that opportunity to explain why lawyers have always been, and remain among the most important professionals in our society. Explain that because of our unique knowledge set, we are able to solve problems that no one else can solve. I ask that you commit to taking every opportunity to restore the public's regard of the law and of our profession. We are a society of law, and this is *our* profession.

Join the WMBA next Thursday, January 15, 2015 for a Federal Court Update, presented by Hon. Dana Christensen, 1 CLE credit

Please RSVP to westernmtbar@gmail.com

WMBA luncheons are the Third Thursday of each month at 12:00 noon in the Florence Building. \$15 for WMBA members; \$20 for non-members.

EVENTS & ANNOUNCEMENTS

Save the Date!

Please join the Montana Justice Foundation to
Lunch, Learn, & Support Equal Access to Justice at its
Lunch for Justice CLE & Fundraiser

Friday, February 20, 2015
from noon to 1:30 PM
The Double Tree Edgewater
Missoula, Montana
1 ethics CLE credit pending

Suggested donation \$100
RSVP to the MJF at 406.523.3920 by Feb. 9



THE NEXT COURTHOUSE CLE, “ORDERS OF PROTECTION, FROM THEORY TO PRACTICE,” WILL BE HELD ON FRIDAY, JANUARY 16 FROM NOON TO 1:00 P.M. IN ROOM 374, (3RD FLOOR OF THE MISSOULA COUNTY COURTHOUSE). SPEAKERS WILL BE ATTORNEYS AMY RUBIN AND BRANDI RIES AND STANDING MASTER BRENDA DESMOND. THE CLE IS FREE AND OPEN TO ALL. PARTICIPANTS ARE WELCOME TO BRING LUNCH. CLE CREDIT WILL BE REQUESTED FROM THE STATE BAR OF MONTANA.

EVENTS & ANNOUNCEMENTS

Missoula Municipal Court is looking for attorneys who are interested in serving as a Judge Pro Tem. To qualify you must be a member of the bar in good standing and must not appear regularly in Missoula Municipal Court. Experience in Criminal Law is preferred. Please send letters of interest to:

Judge Kathleen Jenks
435 Ryman
Missoula, MT 59802



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