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5 ASSOCIATION LUNCHEON
6 ASSOCIATION OF AMERICAN LAW SCHOOLS
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9
10 Saturday, January 8, 1994

11 Marriott's Orlando World Center

12 Crystal Salons G, H & J

13 12:30 p.m.
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1 MR. BERGER: Good afternoon. Good
2 afternoon. My script says that I am to start
3 when the entree is served, and I believe most of
4 you have now received your entree, so I will
5 start.

6 I'm Curt Berger, I'm President of the
7 Association of American Law Schools for another
8 four or five hours, and I wish you welcome to our
9 annual luncheon. I invite you to continue
0 eating. Nevertheless, I would like to make a few
1 introductions of people important to legal
2 education and to the legal profession.

3 We have an interesting and very full
4 afternoon in store for us. Shortly we will hear
5 an address by the Honorable Janet Reno, and then
6 at 2:15 in Grand Salons VII and VIII we will have
7 our Plenary Session planned by Vivian Berger,
8 Guido Calabresi, Robert Gorman, Margaret Radin
9 and Geoffrey Stone. The topic is "The Legal
'0 Educator: Who We Are, What We Do and Why We Do
'1 It.

'2 And at 4:15 we will hold the second and
'3 concluding meeting of the House of
'4 Representatives in Crystal Salon G on the first
'5 floor of this hotel.

1 Now I want to introduce the distinguished
2 guests seated at the head table I am going to
3 ask each of them to rise as I introduce them and
4 then be seated, up and down. And I also ask you
5 to withhold your applause until they have all
6 been introduced.

7 Now starting from your right and my left,
8 George Dawson, University of Florida, the
9 President of the Law School Admission Council.

0 Seated to his right, Professor M. Anne
1 Stalker, the University of Calgary, who is the
2 President of our sister organization in the
3 North, the Canadian Organization of Law Teachers.

4 Carl Monk, our Executive Director.

5 Rennard Strickland, President Elect of the
6 Association of American Law Schools.

7 I'll introduce Janet Reno later.

8 To my immediate right, Robert A. Stein,
9 University of Minnesota, who is chairing the ABA
10 Section of Legal Education and Admissions to the
11 Bar.

12 To his right, Irshad Abdal-Haqq, Executive
13 Director of the Council on Legal Education
14 Opportunity, CLEO.

15 Kay M. Todd, President of the American

1 Association of Law Libraries. And James P.
2 White. Lee White is celebrating his 20th year as
3 the Consultant on Legal Education in the American
4 Bar Association. I think you're celebrating

5 Gayle Peshel, Valparaiso University, who is
6 the President of the National Association for Law
7 Placement. And to her right, Dennis T. Shields,
8 Professor, University of Michigan, who is the
9 President of CLEO.

0 Let's welcome our honored guests.

1 (Applause.)

2 You should all have a printed program which
3 contains the names of others in leadership
4 positions in those organizations represented at
5 the head table, as well as those representing
6 other national legal educational and legal
7 professional associations, with special interest
8 to our organization. They are seated at tables
9 near the head table.

10 I'm going to try to start over again.

11 The printed program for the luncheon
12 contains the names of others in leadership
13 positions in those organizations represented at
14 the head table, as well as those representing
15 other national legal education and legal

1 professional associations of special interest to
2 the ALS. And they are seated at tables near the
3 head table.

4 I would appreciate their rising, if everyone
5 would just stand up, so that the leaders of these
6 educational organizations may be recognized

7 (Applause.)

8 This year I've had the good fortune to work
9 with eight excellent colleagues on the Executive
0 Committee whose wisdom and balance and devotion
1 to the legal education have served all of us
2 well. We all owe them a special debt.

3 Would the members of the 1993 Executive
4 Committee of the ALS please rise and receive our
5 expression of appreciation.

6 (Applause.)

7 This year the Association has the privilege
8 of announcing the winner of the ninth ALS
9 Scholarly Papers Competition. This is a
'0 competition that is opened to law faculty having
'1 seven years or less of practice at our craft.
'2 And this year the winner is Assistant Professor
'3 Anita Bernstein of the IIT Chicago-Kent College
'4 of Law. Her paper on "Law, Culture and
'5 Harassment" was presented to us this morning.

1 Her colleague, Assistant Professor Steven
2 Heyman, also from Chicago-Kent, received
3 honorable mention for his paper entitled
4 "Foundations of the Duty to Rescue"

5 Would you please both rise so that we may
6 acknowledge your contributions.

7 (Applause.)

8 And it's a real credit to your school, and I
9 know that they are going to recognize that later
0 today.

1 You may not be aware that the Council on
2 Legal Education Opportunity, organized in 1968,
3 has survived for 25 years; many of those years
4 were plagued by severe budget constraints, and
5 through 1980, by an administration that regularly
6 called for its elimination.

7 CLEO has made it possible for many who may
8 not have otherwise had the opportunity to join
9 the legal profession to do so. The Association
0 is proud of the role it played in the founding of
1 CLEO. We honor its successes, and we
2 congratulate its current President, Dennis
3 Shields, and its Executive Director, Irshal
4 Abdal-Haqq, for the work that they are doing for
5 the benefit of legal education and the legal

1 profession.

2 I would like to call on Professor **Shields** to
3 say a few words.

4 MR. SHIELDS: Thank you, President Berger

5 I'd just like to take this moment to thank
6 the members of the AALS and the faculty and teams
7 of all the law schools in the country.

8 At CLEO our relationship to legal education
9 may be a bit different in that we very much rely
0 on cooperation, not only of the sponsors and
1 organizations, one of which is the American
2 Association of Law Schools, but also the law
3 schools and the faculty members at law schools
4 who provide not only tangible support in the way
5 of funding, but also contribute their time and
6 energy to what we have tried to do.

7 We're very proud of CLEO. Since our
8 inception 25 years ago, we have aided over 5,000
9 individuals in gaining access to law school and
10 ultimately graduating from law schools. I think
11 in this room there are significant numbers of our
12 fellows who have gone on to teach law and become
13 deans of the law schools, and that is a direct
14 result of the time and commitment and care that
15 many other people in this room and entities

1 represented by others in this room have made to
2 this very important issue

3 And I thank you on behalf of the Council and
4 on behalf of the CLEO fellows now and in the
5 future for your support.

6 Thank you.

7 (Applause.)

8 MR. BERGER: You may continue eating. We
9 will be back on the air in about 15 or 20
0 minutes.

1 - - -

2 MR. BERGER: If you'll all take your seats,
3 we're ready to continue.

4 For the last several weeks I've had a
5 recurring nightmare and I've awakened in a cold
6 sweat. I've dreamt that on the morning of
7 Saturday, January 8th, a winter storm struck
8 Washington D.C. and our guest of honor called
9 ahead and said, I'm very sorry, but I can't leave
10 Washington today. And happily, whatever problems
11 Washington and the east coast are having, our
12 guest is here, and we're thrilled to see her.

13 One of the duties of the President of the
14 Association is to plan the annual luncheon, or at
15 least to arrange for the annual lunch on speaker

1 On the day that President Clinton announced that
2 Janet Reno would become his Attorney General, the
3 choice for our luncheon speaker became crystal
4 clear if we could get her to join us.

5 Now ordinarily when an association invites a
6 government official to speak at one of its
7 events, the office of the official replies, a
8 form letter, expressing its delight and
9 appreciation at the invitation. The proposed
0 event is a year from May, and the form letter
1 states that the Attorney General or the Secretary
2 of State will not be able to reply to your
3 invitation until six weeks or two months before
4 the event.

5 We got such a form letter from the Attorney
6 General's office, or at least a form of response,
7 she would let us know, her office would let us
8 know sometime in November whether she would be at
9 this event in January.

10 Well, we said the American Association of
11 Law Schools can't live with that schedule, and we
12 told her how important all of us were; and by
13 golly, the Attorney General accepted our
14 invitation in August.

15 (Applause.)

1 And I was thinking that perhaps today she is
2 glad to be away from Washington and in Florida

3 How right we were to invite Ms. Reno. You
4 should know that this is the largest audience,
5 the largest crowd and the largest luncheon crowd
6 that we have had in all of our history, and I'm
7 sure that most of us are here because she is
8 here.

9 How often you have heard someone introduce a
0 speaker by saying, "this person needs no
1 introduction," and then the introduction
2 continues for 15 minutes. Janet Reno truly needs
3 no introduction to this audience of law teachers,
4 and, therefore, I give you our nation's First
5 Lawyer, the Attorney General.

6 (Applause.)

7 ATTORNEY GENERAL RENO: Thank you so very
8 much.

9 The reason I accepted was because law
'0 teachers, law professors and those related to
'1 you, have been part and parcel of my life since I
'2 was 21. I arrived at Harvard Law School in the
'3 fall of 1960, having heard "look to the right and
4 look to the left." To say I was intimidated is
'5 an understatement. Grade A's at Boston, leavened

1 a bit by the Boston Symphony and exploration
2 around Boston itself were extraordinary.

3 Those first months I wondered why I had ever
4 gone to law school Over the three years, I
5 continued to wonder. But I will tell you in
6 retrospect what I have said for some time now,
7 long before I became Attorney General, in all the
8 years of my education, in every experience that
9 I've ever had, no educational experience has ever
0 taught me to think like my three years at law
1 school; and it has stood me in good stead down
2 through the years, particularly in these last ten
3 months.

4 Shortly after I took office I met with the
5 head of our tax division; I explained that I
6 hadn't touched tax since law school, but that I
7 had made my highest grade in law school in tax
8 And I mentioned my law Professor, Ernest Brown;
9 he said, your law professor works for you.

10 (Applause.)

11 That law professor who taught me how to
12 think I then found the next day in his late
13 eighties in the Justice Department, still an
14 inspiration to the lawyers in the tax division
15 who come in contact with him with three of his

1 students on the Supreme Court. Rumor has it that
2 they pay more attention to the harumphs from Mr.
3 Brown when he happens to be in the audience than
4 they do from the Solicitor General.

5 In those early days we were invited by Dean
6 and Mrs. Griswold to their home in Belmont, the
7 16 women who attended amidst the class of 544
8 Herman Griswold pointed out that he wanted to
9 invite us to dinner so that we would feel at
0 home. When we got to dinner, he explained that
1 he had been instrumental in admitting women to
2 Harvard Law School, that he had done so because
3 he did not want to see his law school
4 discriminate in any way, but he didn't know what
5 we were going to do with the job.

6 That man, throughout all the years since I
7 graduated in 1963, has made it a point along
8 with Mrs. Griswold, to stop me and recognize me
9 at Bar Association meetings or at other meetings
'0 where I come in contact with them. He has
'1 followed the progress of my career long before
'2 anybody ever thought that I would be Attorney
'3 General. Bernie Nusbaum said, huh, Dean Griswold
'4 said nice things about you.

'5 You have no idea how each of you must touch

1 the lives of the students who have learned from
2 you, not just now and not just at the time you
3 taught them, but for all of our professional
4 career. And we are indebted to you.

5 I learned from my time as State Attorney in
6 Dade county where I served for 15 years that
7 there's nothing as vigorous, as forceful, as
8 firm, as strong, as magnificent, as courageous as
9 somebody just out of law school. And there's
0 nothing so fragile, so tentative, so shy, so
1 wondering as somebody just out of law school.
2 And you can tell where the law professor has made
3 the difference.

4 The law professor who knew when to give a
5 pat on the back and when to give a swift kick and
6 to do it the right way at the right time, to form
7 an ego that could withstand the vicissitudes of
8 lawyering, you do an incredible job.

9 I have been exposed for most of my adult
10 life to a great law school, a law school that
11 began at a cardboard college within my mother's
12 lifetime in Miami, a law school that was part of
13 a skeleton against the sky of a small town. I
14 became the largest employer for that law school.
15 the University of Miami, and it taught me so much

1 in terms of the hopes and fears of students
2 coming out; it gave me so much in terms of
3 incredibly fine lawyers. It gave me the
4 opportunity to talk with and debate wonderful
5 faculty, and it gave me a crazy dean that kept
6 the world lively when times were dark and dreary
7 And Mary Doyle, thank you.

8 There must be law professors in this room
9 whom I have never met but I have talked to on the
0 telephone, or I have seen the imprint that you
1 have made on my office in Miami and now in the
2 Department of Justice by people that you have
3 trained. You have sent me incredible lawyers.

4 I used to think of that gruff man at
5 Georgetown, Green Hall, curmudgeon, barely able
6 to say something nice, yeah, she's good, and I'd
7 get a great lawyer.

8 You have been so patient as we have called
9 for references. You have been so honest as to
0 say, that person won't quite do in that job,
1 maybe they'd better find something else, but why
2 don't you try this person, he has a C average but
3 he's going to make a brilliant prosecutor, and
4 you'll be so impressed with him. And I do what
5 the law professor says, and she is absolutely

1 right. Thank you very much.

2 And to the placement officials that I have
3 met here, you have made our job so much easier
4 over the years. You do not know how instrumental
5 you are in shaping law offices and shaping
6 youngsters' futures. And we thank you.

7 And now I've got law professors working for
8 me, wonderful law professors like Gerald Torres,
9 people who bring a sense of vision, a sense of
0 the magnificence of the law to the Department of
1 Justice, and spirited and wonderful debate.

2 So you have asked me to come here as you
3 debate who you are, what you do and why you do
4 it. It's pretty obvious that I think you're
5 pretty wonderful; it's pretty obvious that I
6 think that you are instrumental in teaching one
7 generation after another of lawyers to make a
8 true difference.

9 We are obviously all here to secure liberty
'0 and justice for all. We're all here as part of a
'1 never-ending educational process. Those who say
'2 that you have not prepared people to come out to
'3 practice law, let me suggest to you that nobody
'4 ever prepared me to be Attorney General in the
'5 specific sense, but in the sense of how the law

1 should be used, you have been the key.

2 We are here in a never-ending educational
3 process in which the law professor teaches the
4 Attorney General, and the Attorney General learns
5 from others as we debate what is the right thing
6 to do.

7 I'm trying to build a Department of Justice
8 dedicated to one overriding question, what is the
9 right thing to do. Doing the right thing is
0 simple, but that great debate as to what is right
1 is one of the most difficult, challenging,
2 wonderful, magnificently inspiring debates that I
3 can undertake; and you're going to be educating
4 me every step of the way because I reach out to
5 you and ask you to continue to help me debate,
6 not in a pejorative sense, but in thoughtful
7 debate that can help us come to some
8 understanding.

9 One of the things that has touched me, and I
'0 would share with you some respectful thoughts as
'1 to what we both might do in terms of our
'2 educational development. Part is civility. I
'3 have been troubled over time with some of the
'4 harshness of law professors debate in common, and
'5 comments, it turns people away from trying to

1 reach a better understanding with each other. We
2 can be as intellectually stimulating, as
3 intellectually honest with ourselves without
4 putting the other side down and trying to reach
5 an informed solution.

6 Clearly I think we all have to work together
7 to educate each other as to what the best, most
8 professional, most ethical way to approach a
9 problem is. That often produces great conflict.
0 But as, for example, with the issue of contact
1 with represented parties, it's far better that we
2 discuss it in a reasoned, thoughtful way, than
3 with defense lawyers and law professors on one
4 side or the other taking pot shots at
5 prosecutors, and vice versa. When we sit down
6 and talk around a table, we can come up with far
7 better ideas.

8 Much has been said, and I am sure will be
9 said at this meeting, on the issue of public
10 service and encouraging public service on the
11 part of your graduates. I don't think that's a
12 hard thing to do. One thing you never, ever
13 taught me was to how to charge somebody a fee and
14 how to protect somebody's rights and interests
15 when you had to charge them money when they

1 didn't have it. Public service is a wonderful
2 opportunity and a wonderful challenge that should
3 be encouraged on the part of everyone. No matter
4 what type of law you practice, it's fun to watch
5 it from the perspective of government at times.
6 And pro bono service is so important, and
7 installation, encouragement at the law school
8 level in an expectation that all lawyers will
9 perform such service is so important.

0 Yes, I can tell you other things, but the
1 one thing that I would really like to share with
2 you today is a very respectful suggestion based
3 on message on the east side of the Department of
4 Justice building on the Ninth Avenue side. "The
5 common law is derived from the will of mankind,
6 issuing from the people, framed by mutual
7 confidence and sanctioned by the light of
8 reason."

9 I think lawyers, attorneys general, law
10 professors and all of us involved in the
11 profession have too often forgotten the
12 foundation of the law, the people the law is
13 meant to serve.

4 As you ask yourself who you are and what you
5 do and why you do it, I would ask you with all my

1 heart and soul to remember people, people with
2 flesh and blood and hopes and fears and
3 frustrations and emotions and angers and joys

4 I look back on my three years at law school,
5 and people were not a part of it except in rare
6 instances, and those rare instances were
7 sometimes imparted more by an opinion than by a
8 law professor. For as long as I live, I will
9 never forget Crews versus the United States, and
0 the chilling description of how the town marshal
1 in Branford, Florida, forced him to jump off the
2 river into the Suwannee, knowing that he couldn't
3 swim, and the ultimate conviction under a civil
4 rights charge was ultimately sustained. And that
5 has remained with me, that vivid picture of a
6 person and what it meant as long as any lesson I
7 have learned from law school.

8 One of the things I would urge you in
9 whatever you do with students is to tell them
0 never, ever to forget the law is a shield. I had
1 remembered Crews versus the United States, but it
2 came back in more vivid terms than I can ever
3 tell you about four years ago when the governor
4 of Florida asked me to reinvestigate the case of
5 James Joseph Richardson, a man who had been

1 prosecuted, convicted and sentenced to death 21
2 years before for the poisoning death of his seven
3 children south of here in Arcadia, Florida.

4 The death penalty had been set aside by the
5 Supreme Court decision, but he remained in prison
6 for 21 years claiming his innocence throughout
7 many people believed him. We reinvestigated and
8 became convinced that the evidence had been
9 insufficient to charge him originally, it was
0 clearly insufficient now, that he was probably
1 innocent, and that he should go free.

2 For as long as I live and have memory, I
3 will remember that man walking out of the
4 courthouse a free man for the first time in 21
5 years. And it is a remembrance to me again of a
6 person who sat as close to me as Gerald Torres
7 to think that he had been in prison for 21 years
8 for a crime that I did not think he had
9 committed. We have got to make sure that we
0 remember the people and use the sword as a shield
1 to protect people from the authorities of
2 government that are abused.

3 (Applause.)

4 All of us, whether we be attorneys general
5 or a law professor or somebody writing

1 legislation, have got to simplify the law so that
2 people understand it and so that they can easily
3 comply. If the standard tax return included a
4 provision for paying Social Security payments I
5 probably would not be standing here.

6 I go to meetings with business people to
7 talk about the need for compliance with the
8 Americans for Disabilities Act. People tell me
9 they look at the Act and they are terrified, and
0 terrified, they turn away from it and think maybe
1 it will go away.

2 We have spent a substantial part of our time
3 showing them that we can, that it can be easily
4 complied with. They don't have to get terrified
5 up front. The person who wants to comply with
6 environmental regulations doesn't need to get
7 terrified. Let's start putting the law in terms
8 that people can understand and that they can
9 easily comply with and will eliminate a lot of
0 the need for lawyers that people can't afford.

1 (Applause.)

2 Let us remember the people, and use
3 wonderful language with small, old words that
4 people understand. I don't think we're much
5 better than when I was in law school, pro, what?

1 We talk about helping people and we talk about
2 doing pro bono work. Can't we put it in terms
3 that everybody understands?

4 Let us remember people when we are
5 prosecuting. Too many prosecutors love the law,
6 they love the drama of the courtroom, they love
7 to persuade the jury, they love to secure the
8 conviction, they try to do the best job they can.
9 They run out of the courtroom after the
0 conviction, but it sometimes takes an act of
1 Congress to get those prosecutors interested in
2 the victim of the crime, the person who suffered
3 the ultimate scarring, tragedy of that crime.
4 Too often the prosecutor is more carried away by
5 the magic of that conviction than by the public
6 safety. They are too excited by having won the
7 conviction that they ignore the fact that
8 although the person gets 15 years for a horrible
9 robbery in which somebody is injured, he's going
0 to be out in 20 to 30 percent of the sentence
1 because we don't have enough prison cells in a
2 correctional system throughout this nation; that
3 doesn't make sense.

4 Every one of us, no matter who we are, have
5 got to remember the people, not the process and

1 not the results of the process. The defense
2 attorney who thinks that they win the victory
3 when they get the defendant off on a motion to
4 suppress or a motion to dismiss, and turn and
5 watch their client walk out of the courtroom
6 allegedly free, yet knowing that that client
7 suffers from a crack addiction that puts them
8 a greater prison than any government could ever
9 provide does not remember people.

0 The defense attorney who goes a step further
1 and finds treatment and gets an order of
2 treatment for that defendant still is not doing
3 his duty or her duty by that defendant when that
4 treatment order is ignored because the community
5 does not have enough treatment resources to
6 provide the treatment because government hasn't
7 gotten its priorities straight. All of us have
8 got to remember not the process and the result
9 but the impact of the law on people.

10 To do that, lawyers have got to start
11 talking to others. Chesterfield Smith once said
12 that we all go down our little pig trails, and
13 the little pig trails too often don't keep up
14 with other pig trails.

15 University of Miami Medical School did

1 better than the University of Miami Law School
2 because it took me into tow, took me on ground
3 rounds, took me to the neonatal unit, made me
4 spend an afternoon at Jackson Memorial Hospital
5 our largest public hospital in Miami, and taught
6 me about the relationship between law and
7 medicine. It was the doctors that taught me that
8 zero to three is the most formative time in a
9 person's life, that if you are going to do
0 something about punishment and make people
1 understand punishment, that if you're going to
2 give a person a chance to grow as a strong,
3 constructive human being, start talking about
4 zero to three.

5 The professional schools of this nation have
6 got to begin to link up if we are to look at
7 people and understand people for what they are
8 and doctors, lawyers, medical schools,
9 engineering schools, schools of education can do
0 so much if we start training together.

1 We have got to remember what it's like as a
2 civil lawyer whose carried away by the
3 magnificent verdict that he gets, he gets 40
4 percent of the fee, a whopping fee, and then you
5 turn around and start counting up the costs, and

1 the person's not left whole.

2 And the divorce lawyer that thinks he wins
3 great victory because he gets a marvelous
4 settlement for his client after a three-year
5 divorce litigation and leaves the client pained
6 and stricken from the process of deposition and
7 accusation and counter accusation. We in all we
8 do as lawyers have got to remember the people to
9 do it the best way.

0 Times are changing; you're teaching people
1 to be better negotiators than the professors at
2 Harvard Law School taught me. We've learned an
3 awful lot about how to teach negotiation in these
4 ensuing years, but we have got to learn a lot
5 more about how to teach it in our law schools. In
6 our Department of Justice and everywhere we
7 practice law, so that negotiation is a process
8 that we rely on to seek results so that we
9 develop protocols in the Department of Justice
10 that require us to go through procedures to see
11 if we can negotiate in a sensible way before we
12 file the charges in the first place.

3 Too often the law has attracted people who
4 wanted to be lawyers because they wanted to be
5 trial lawyers and be great and grand and win the

1 conviction, when oftentimes that judgment or that
2 conviction is not in the ultimate best interest
3 of the client.

4 It has become clearer to me as the years
5 have progressed that I wished those professors at
6 Harvard Law School had somehow linked history
7 more with the law. Their response would have
8 been, it's up to you to read history, we'll do
9 the rest. But they taught me an awful lot about
0 other things, and they taught me about the magic
1 of the law. But too often they did not teach me
2 what happens when the law becomes ossified and
3 arbitrary and stuck in the mud and bureaucratic
4 and what happens to a civilized society when the
5 law becomes indifferent to the people.

6 History blended with the law can teach us a
7 lot about how to make the law more useful, more
8 friendly, more serviceable to the people who rely
9 on it.

10 We have got to teach our lawyers that the
11 ultimate purpose of the law is to make people
12 self sufficient so they don't have to rely on
13 lawyers. The great legal service lawyer who wins
14 the battle against a slum landlord doesn't serve
15 any purpose if all he leaves is a hollow order

1 that cannot be funded or carried out or
2 implemented because the community against whom
3 the order is directed is bankrupt and doesn't
4 have the resources.

5 We have got to develop new ways and make
6 sure the order is carried out; but more
7 importantly, that the people learn how to run
8 their communities and force their government into
9 action that can make government responsive.

0 Most of all, I think we have got to remember
1 that legislation becomes more and more the law
2 that people understand rather than the common
3 law. More and more people in America are poor
4 or members of the working poor, 80 percent of
5 whom cannot afford lawyers. They don't begin to
6 have access to the law, and they have to rely on
7 mysterious legislation.

8 I don't see why you have to have a lawyer to
9 go to the government to deal with the government
10 on Social Security. The government ought to have
11 a Social Security law that's sensible enough that
12 can be explained to the people by the public
13 servants who enforce the Social Security law
14 without having to grapple through it. We have
15 got to make our legislation, frame it in ways

1 that people can understand it, access the
2 programs and have a real chance of becoming self
3 sufficient by government providing the service up
4 front and easily in easily accessible ways.

5 But I learned a lesson night before last
6 that will remain in my mind for a very long time
7 to come. And I learned a lesson in the days
8 following April the 19th that will live in my
9 mind for a very long time to come. On April the
0 19th, the Waco disaster took place. In the days
1 that followed, Americans across this country
2 would walk up to me and just put their hands on
3 my elbow or reach out and just touch me and just
4 say, you did okay, or it was a tragedy but go on
5 move ahead. People reached out and made a
6 difference; they cared; they understood; they
7 understood the dilemma far better than a lot of
8 people within the Beltway. And they gave me the
9 strength to go forward.

10 I had worried when I left Miami that I would
11 lose my sense of community, that I would become
12 one of those within the Beltway where the
13 bureaucracy overwhelms you and you wonder just
14 what the purpose of life is I had continued to
15 try to go out across America, to town meetings to

1 talk with people, to public housing projects and
2 to listen and hear from people what was of
3 concern to them. Even this morning I was
4 criticized because I didn't get out and walk and
5 I wanted to but I had to be here.

6 It had been about two months since I had
7 been out to the American people across this land
8 because we were involved in the Crime Bill, in
9 the legislation, in NAFTA, and all these matters
0 that seemed so paramount.

1 I went to Anacostia to be on the Larry King
2 Live Show, and America was back there. And
3 America could talk about prevention, and America
4 could talk about sentencing practices, and
5 America could talk about raising her children
6 and America could talk about the need for school
7 to work programs and for vocational programs, and
8 for laws and procedures and process and
9 legislation that permitted the people to be
0 heard.

1 All of us as lawyers have got to remember
2 that, because I came back with a renewed
3 commitment that I will never, ever too long be
4 gone from the American people and what they have
5 to say. It is easy, too easy sometimes to forget

1 them in Washington. It is easy, too easy
2 sometimes to forget them even as a State Attorney
3 if you just sit in your office. We have all got
4 to go to the people and somehow create a
5 structure of law both in legislation and in the
6 common law of this country that creates a
7 structure in which the people once again feel
8 like they can be heard, that they can have access
9 to our laws, access to programs, access to our
0 courts so that our children, over 20 percent of
1 whom live in poverty, will feel that there is a
2 future and that there is some reason why they
3 should fight hard to withstand drugs and crime
4 and the problems that beset our youth.

5 There's a sense of hopelessness too often in
6 America, but it doesn't need to exist because
7 there are too many people that care. And what
8 they desperately need more than anything else is
9 just a helping hand. That woman who's on welfare
0 who wants to get off welfare but can't because
1 every time she gets a job paying minimum wage,
2 she loses her benefits and falls back below the
3 poverty line, she doesn't want to be on welfare
4 she wants somebody to help her get off and get
5 moving. And we as lawyers have an obligation.

1 That 13-year old who gets into trouble
2 didn't want to get into trouble, but his mother's
3 a crack addict; there's no structure in the home
4 there's no supervision. We've got to design
5 programs that can protect our children.

6 We have got to look at the problems of
7 America and its people and remember that we are
8 talking not about laws, not about Roman Numerals,
9 not about specific sections, not about this
0 amendment or that bill, but about people and
1 their lives.

2 I look forward to working with you in the
3 years ahead, to learn how we can make sure that
4 the law issues from the people, that it is framed
5 by their mutual confidence and sanctioned not by
6 false political debate, but by the light of
7 reason.

8 MR. BERGER: Thank you, Ms. Reno. Thank you
9 for inspiring us and for reminding us that we
10 touch the lives of our students every day, that
11 somewhere in one of our classes today there's a
12 man or a woman who will be a Janet Reno. And I
13 would hope that as teachers, we could help
14 instill the value system that she has described
15 to us this afternoon.

1 She has said that she will take questions
2 We have about ten minutes for questions. Are
3 there any questions for the Attorney General?

4 Yes.

5 UNIDENTIFIED SPEAKER: Ms. Reno what would
6 be necessary to change the way the laws are
7 languaged today so that they meet the needs of
8 the recision that is necessary in the law, or
9 also become more understandable and accessible to
0 the people as you speak of?

1 ATTORNEY GENERAL RENO: One of the first
2 steps I think we have to take is to realize that
3 I think what happened is that during the
4 depression, people came to rely more on
5 Washington. With World War Two, Washington
6 became a stronger force, with enforcement of the
7 civil rights laws in the 50's and 60's, a
8 stronger force, and so the center of law in many
9 peoples' minds became more removed.

0 Congress at the same time became more
1 removed from people and didn't put it into terms
2 that people could understand, because all the
3 lobbyists and staff people and congress people
4 knew what they were talking about. I still am
5 learning to understand that language.

1 After that, they tried to throw money at the
2 situation, and they didn't throw money very well,
3 and then they ran out of money, so they started
4 pushing the problem to the states; states didn't
5 have any money, so they pushed it to communities.

6 What I'm seeing, what I saw this morning
7 here in Orlando are the communities that are
8 being successful are going back to neighborhoods
9 and they're reaching out to people and talking to
0 people in terms that people can understand about
1 what the community and what people in the
2 community think is necessary.

3 If you can translate that back into words
4 that people can understand, I think you can get
5 the precision. People understand, I want medical
6 care. People understand, I want a job. People
7 understand, I want a place for my child to be
8 cared for while I'm trying to work and support
9 that child, and I want that child to be safe.

10 If you start going back to the people, if
11 you have to communicate with the people and make
12 them understand, that's the best test for
13 providing language that enhances, you know,
14 relies on the small old words that Winston
15 Churchill said formed the basis of the English

1 language.

2 Thank you.

3 MR. BERGER: I've never heard such sustained
4 silence from an assembly of law teachers. I
5 think you have quieted us, and I think you ought
6 to tell us what your secret is the next time
7 we're in the classroom.

8 Well, thank you for being here this
9 afternoon. Thank you again, Attorney General.

0 And our Plenary Section will start in 15
1 minutes in Grand Salons Six and Seven I believe

2 Thank you.

3 (Adjourned at 2:05 p.m.)

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C E R T I F I C A T E O F R E P O R T E R

STATE OF FLORIDA:
COUNTY OF ORANGE:

I, James S. Brooks, Certified Stenographic Reporter and Notary Public, State of Florida at Large, Certify that I was authorized to and did stenographically report the foregoing proceedings and that the transcript is a true record of said proceedings.

I further certify that I am not a relative, employee, attorney or counsel of any of the parties, nor relative or employee of such attorney or counsel, nor financially interested in the foregoing action.

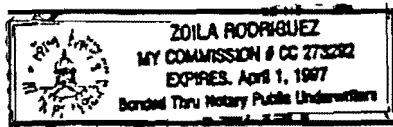
Dated this 20th day of January, 1994 in the City of Orlando, County of Orange, State of Florida.

James S. Brooks
James S. Brooks

* * * * *

STATE OF FLORIDA)
COUNTY OF ORANGE)

The foregoing certificate was acknowledged before me this 20th day of January, 1993, by JAMES S. BROOKS who is personally known to me.



Zoila Rodriguez