



THE UNIVERSITY OF PENNSYLVANIA

SCHOOL OF LAW

COMMENCEMENT ADDRESS

JANET RENO

ATTORNEY GENERAL OF THE UNITED STATES

ACADEMY OF MUSIC

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DEAN DIVER: In February 1993, President Clinton announced for Attorney General an experienced prosecutor from Dade County, Florida named Janet Reno. All over the nation people were saying, Janet who? Well, today, five years later, there is no one in America who would say Janet who, not even Bill Gates.

During a period of unprecedented controversy, scandal and partisan warfare in Washington, new challenges to the competitive order of our economy and escalating hysteria about crime and estimating threats to public order, Janet Reno has been an island of stability, sanity, deliberation and integrity.

When she was appointed, she was introduced to the American people as a woman of quiet determination, sometimes lonely and even stubborn rectitude, a person who could call them as she saw them. Today, over five years later, she is still that same person, and she is still our Attorney General.

In October 1993, she graced our presence by delivering the keynote address at the

dedication of Tannebaum Hall. And we are immensely honored that she has returned to Penn in 1998 at the invitation of the graduating class to serve as our commencement speaker, all the more so, because she has a speaking engagement later today in Syracuse, which will require here to leave the stage shortly after her address.

Please join me in welcoming the Attorney General of the United States, the Honorable Janet Reno.

ATTORNEY GENERAL RENO: Thank you, Dean.

It is a great pleasure to be back at the University of Pennsylvania Law School. For this is a great law school, with a distinguished tradition, a tradition that I've had the benefit of observing firsthand through the presence of Willie Ferrer as my special assistant. He does great credit to your law school and all that you teach.

And from this school, you, the graduates of 1998, will take friendships, you will take stories about your faculty that you will continue to tell when you're an attorney general 35 years later. You will come away with concepts and ideals that will be with you for your entire legal career, and you probably have an improved ability to think.

If somebody had asked me 35 years ago what it would all be like, I can only say that the future seems uncertain. But these 35 years have been an incredible experience in the law. I can tell you that I would never have dreamed that my wattles would be a focus on Ally McBeal or that my nieces and nephews would be having to debate on whether I should watch Saturday Night Live or not.

But I can tell you that, especially after these five years as Attorney General, having met so many lawyers and watched them in action, watched them in action in their communities and in their Nation's Capitol, seeing so many helping others, seeing so many law students with a realistic idealism that I find so refreshing, all I can tell you is that after 35 years, I love the law, and I love good lawyers. And I am so glad I came this way.

I hope 35 years from now, you will be able to do the same. I hope that you will use this wonderful education you have received to help people. I favor public service, because I always had trouble charging people for defending their rights, but this school has a great tradition of public service and public interest law. And I am so pleased to be with your honorary fellow, because she represents what service is all about.

Now, some people will say, well, there's service and there's service. I don't want to go into public service. I don't want to go into government work. And I will admit that you get cussed at, fussed at and literally beat up about the head sometimes, but it's worth it, either by direct deed or by developing a program for a system that helps people. It is one of the most

rewarding experiences that you can have.

It's not easy. It's a hard, hard road to hoe. It's a slow road sometimes. And I can best describe it by a sequence of events which occurred relating to child support in my life. As a young lawyer, I had a practice with one other person. I made not very much money, but I tried to charge appropriate fees, and a lady came to seek my representation, I quoted her a fee of \$250 to collect \$5,000 child support.

And she said, I can't even pay my rent. I can't even get food on the table for my children; how can you ask me for money? And I felt so bad about it, I didn't charge her for anything. Later, I became the State Attorney in Dade County, and I struggled to build the best child support enforcement mechanisms possible, struggling with inadequate resources, with new developments in the law, but committed to developing a public system for the collection of child support that would avoid for that lady and for me and others like me ever having to charge her if she couldn't pay.

About two years ago, the President and I went down a lonely dirt road in South Carolina, passed the site of a church that had been the victim of an arson, all that was left was an old oak tree that had overshadowed the little wooden church. We then went on down the road to the new church, the President dedicated it. And I came down off the platform, as I walked, suddenly a woman burst through the rope lines and she said, Janet, I haven't seen you since Miami.

And she gave me a big hug, almost knocking me down. And she said, you collected child support for me, and these are the two that you collected child support for. And there were two young men standing there beaming at me, both having succeeded well in terms of what they wanted to do with their lives. And that moment is as rewarding as anyone can have in the practice of law.

But you can't rest there. As Attorney General, to this day, I continue to do whatever I can to develop a system that will effectively ensure for the children of America that they are supported. But there's some of you who may decide to do other things, one I believe is going to be an investment banker, others may raise llamas, one may be a baseball manager.

But wherever you go and whatever you do, as one trained in the law, you will be challenged by the issue that confronts us all, how the diverse people of this earth live together in peace and prosperity, maintaining proud culture and racial heritages, while eliminating prejudice and bigotry, ensuring liberty and justice for all, without imposing unnecessary restraints, and using this earth and this universe so that we leave it better off for our children than the way it was when we received it.

I think that lawyers are better equipped to deal with these challenges than any other

discipline that I know. And so wherever you go and whatever you do with the law, I think we all have a responsibility to use the law and all its functions to try to answer that question in the best way possible, the functions being the law is a sword and shield, a protector and an advocate, the law is a peacemaker and the lawyer as a problem solver, not just one little itty-bitty problem at a time, but the big problems, the difficult problems, and that will require reaching out to other disciplines and creating partnerships that we have not known in this specialized area of the law.

To address these problems, I think we first have to address one overriding question, how do we make the law real for all of the American people, when 80 percent of the poor and the working poor have little, if any, access to justice, to the law and to the courts? How can we say that for them the law is worth more than the paper it's written on?

Now, some of you may say, that's not my problem. But I suggest to you that the foundation for what I talk about is found in an inscription on the building of the Department of Defense in Washington. It says that the common law is derived from the will of mankind, issuing from the people, framed by mutual confidence and sanctioned by the light of reason.

If the common law does not issue from all of the people, but just from some of the people, the law will not work in this democracy; it will result in the alienation of those who feel they have no rights. It will result in dissatisfaction and despair, and it will result in a weaker democracy.

Every lawyer, whether you become the corporate lawyer, the senior partner, the legal services lawyer or the Attorney General, have a responsibility to answer the question, "how do we make the law real for all Americans"? And the first place we should start with is indigent defendants.

Recently, we have done studies of those people who have been proven innocent through DNA testing. Just in these last 15 years, we have identified at least 16 people who were prosecuted, convicted and sentenced to prison for a crime that DNA testing has proved they did not commit. In other instances, we have seen people determined to be innocent after having received the death penalty.

We cannot let people go to prison or to the death unless they have had adequate, competent defense counsel, and no lawyer, whether you be the public defender or the senior partner in a major downtown law firm, can stand by and let that happen.

One of the most important moments of my life was to stand outside a small southern courthouse, in another jurisdiction, the governor of Florida had asked me to go, reinvestigate the case of a man who had been prosecuted, convicted and sentenced to death for the poisoning death of his seven children 21 years before. The Supreme Court set aside the death

penalty but not his sentence to life.

We concluded that the evidence had been insufficient to charge him. It was clearly insufficient now and he should go free. For as long as I live, I will remember that man walking out of the courthouse for the first time a free man.

Every one of us has an obligation, either to be the advocate, to be the sword and the shield, or to ensure that our legal system provides that to every American who is accused. But lawyers too often forget the role of problem solver. They forget what the real issues are.

The public defender cheers when he gets his client off on a motion to dismiss or a motion to suppress. Watching that client walk out of the courtroom, allegedly a free man but in a bondage worse than prison, the bondage of crack addiction. The public defender, the prosecutor have a responsibility to solve the problem of what caused the crime in the first place, to develop treatment programs and drug court programs that can truly make a difference.

And in another instances, the lawyer in private practice, instead of just defending his client against lawsuits brought, because of environmental hazards created by the client, could do one better by going to the experts and saying how do we solve this problem, how do we fix it so that we make sure we hand our planet over to our children better off than the way we got it. We've got to look at the big picture.

One of my assistants was just triumphant the other day, because he had a wonderful landlord/tenant case that involved one unit, one tenant. And I thought, why just one unit, one tenant, why not the whole department building, the problems exist throughout? And it turned out that the property owner was in despair. The crack dealers down the street were scaring away tenants. His income was reduced. He didn't have enough money to fix up the apartment building. He didn't know what he was going to do.

Better that, instead of representing one unit, we go with that landlord to the community development block grant office in town, see what can be developed, work with United Way and the senior partner of a downtown firm to focus attention on the whole neighborhood, not just the one unit, not just the one apartment house, work with Habitat for Humanity to plan the rehabilitation of the entire neighborhood, work with the medical community to ensure that every child had adequate medical care in that neighborhood, work with the schools to ensure that there were tutors and people from the private sector there able to assist.

Some people say it's not my problem. But last week I stood with a real estate lawyer from Jacksonville, Florida to implement and begin the implementation of a comprehensive strategy that would make a difference to the children of Jacksonville and for a neighborhood. Each of us can make a difference.

Lawyers have two special opportunities to make a difference in this next five years. It is a special opportunity and it involves conflict and the lawyers role as peacemaker. When I went to law school in 1963, I had Roger Fisher for civil procedure. I don't think I ever heard him utter the word negotiation, but he has taught lawyers how to negotiate ever since. He has brought negotiation and alternative dispute resolution to a new art form in this country. Now, we are teaching all lawyers in the Department of Justice to negotiate, to use ADR, and we're seeing good results.

But as importantly in our schools, on our streets and with our police officers, teachers, students and police officers are slowly learning to use these skills to resolve conflict in the community and to keep people out of the courts, keep people out of trouble and give them a chance for a strong and positive life. Bar associations and lawyers around the country are leading this effort.

If we work at this effort for the next five years hard, intensively using the skills we've learned as peacemakers in law school and in experience, we can start to change the culture of America, the culture of America that too often resolve its conflicts with knives and guns and fists and harsh arguments, and change it to a nation that at least begins and tries to resolve conflict in a peaceful way. No area is more important in this regard than the one area of domestic violence.

In 1978, I started a domestic intervention program focused on domestic violence in Miami. The police wouldn't pay any attention to the cases. They said, it's just a domestic. The court said, Janet, the lady doesn't want to prosecute, forget it. It was slow. It was painful. I sometimes despaired. But by the time I left Miami, we had a domestic violence court and one-stop shopping for those victims who needed protection and support.

We still have far to go, but now we have seen the passage of the Violence Against Women Act, and we see efforts around this country focused on domestic violence. With lawyers leading the way, reaching out to doctors, to employers, to others who care, we can make domestic violence a thing of the past in this nation. It is rare that you can focus on two issues so clearly defined and see that with persistent endeavor, with a dedication to bringing an end to conflict, we can make this a more peaceful society, and it will be lawyers leading the way.

But in all of this, I urge you to remember the people who got you here, your family. As I look back over these 35 years, two points strike me; in 1984, I became a legal guardian of 15-year-old twins, a boy and a girl. The girl was in love. And I learned an awful lot of raising children in the last years. I know that it takes hard work, love, intelligence and an awful lot of luck.

But when I put that young lady on the plane to college, and she threw her arms around

me and said, thank you, I could never have done it without you, and when I went off to see her graduate after 3 years cum laude, she did the same thing. Nothing I have done as Attorney General is any more important to me than that moment.

My mother was dying of cancer over a period of about three years, I lived at home with her. She was my best friend; although, she was a mess, and at her funeral I said one thing that I can be thankful for that she's not around to insult and embarrass anybody any more. But during the last two years of her life, I made sure that she continued to see the world; a train trip across Canada, a cruise in the Caribbean, a house boat trip up the Saint Johns River, a recreational vehicle trip to Maine.

I can still see her looking up at the dinosaurs in the Museum of National History as I pushed her through with her wheelchair. The fact that she had a happy, long life, that she got to go and see, that she never ended up confined in a nursing home is one of the most important things for my life.

Don't get caught up in the billable hours, don't get caught up on the fancy stuff of law practice, use the law, use the law to help other people, but remember to help the people you love.

You are a wonderful class. I've had the chance to talk with some of you. I know you're going to distinguish yourself every step of the way. I wish you all the very best.

(The commencement address ended at 11:54 a.m.)