

October 17, 2017
Stanford Law School Public Service Awards
National Public Service Award Recipient John Levin Remarks

Thank you, Liz. Thank you all. I'm deeply honored. And I'm particularly pleased to be sharing this evening with Tamika.

When Liz and Diane first approached me about this recognition, I must admit I was more than a little reluctant. My guess is most of you remember your Sesame Street: "One of these things is not like the other." Prior recipients of this award have been warriors on the front lines of public service and civil rights, including notably Stanford's own remarkable Pam Karlan. My life and career have been decidedly different. But Liz and Diane can be very persuasive, as you would expect of Stanford Law School leaders. And in my conversations with them, I came to realize that with the award would come an opportunity to speak, particularly to the great many of you who are students, on a topic I believe is of paramount importance.

So I am here with both profound gratitude and clear purpose. Tonight I want to change the way many of you will think and choose, not just next week or next year, but for the rest of your careers.

Why? Because our society, our profession and many attorneys as individuals are in peril. We needn't look far for the evidence. We see it in headlines, hear about it in opinion polls, and confront it when private lives become public tragedies.

My message tonight is that we urgently need lawyers in this country to return to the noble role, high standards and esteemed status they once held. We need lawyers to again be regarded with respect, rather than with suspicion or skepticism. We need lawyers whose lives are enriched by what actually makes people happy.

You in this room have a tremendous opportunity to lead this renewal of purpose. You can embark on a personal path that will result in a life of greater satisfaction and

fulfillment than exists for many lawyers today. You can be the change agents our profession desperately needs. And you can do so regardless whether you practice in the commercial arena, in the public sector or in the nonprofit world.

How do I know this? I know it because among the greatest gifts of my life has been to choose a road less traveled. It is a road defined by being of service to others, a direction that was instilled in me early in life. I have been incredibly fortunate to have been shaped and supported by remarkable people at every stage of this journey.

Let me tell you about three of them.

First, my mother. When I was three years old, she contracted polio and became fully quadriplegic. Among my earliest memories are visiting her in a polio ward in Southern California where she was confined to an iron lung. Too young to understand what was happening, I accepted the physical limitations of her condition after she returned home as part of our ordinary life.

But there was nothing ordinary about my mother. She decided to complete college and was among the first fully quadriplegic students to matriculate at UCLA. During that time, I often saw her reading to blind students at our home. They would help each other during these sessions. My mother used her ability to see in order to do what they could not, and they used their physical abilities to assist her in performing tasks that she could not. She went on to graduate school, earning a master's degree in social work at the University of Southern California, and then launched a career in psychiatric social work, choosing suicide prevention as her focus. Needless to say, the work was very demanding and, in addition to office hours, involved her being available by phone at all hours of the day and night.

My mother focused on her abilities, not her limitations. She became a forceful advocate for people with disabilities and was appointed by Los Angeles Mayor Tom Bradley to chair the first-ever commission in the country on disability access, well before the

Americans with Disabilities Act. The commission introduced social improvements that we take for granted today, such as accessible facilities, wheel chair ramps, curb cuts and more. These accommodations were highly controversial at the time and were resisted by businesses as burdensome governmental intrusions, but my mother was a fighter and ultimately she, her fellow commissioners, the Mayor and the City Council prevailed.

My mother was a very joyful person. When she arrived in her wheelchair, her charismatic presence and bright smile would light up a room. She found great happiness in being an engaged member of the community and in being able to be of service to others. I was profoundly influenced by that important life lesson.

Now fast-forward to my early years in law. After a judicial clerkship, I was fortunate to join a well established firm in San Francisco and seemed to be on a successful road. I had good colleagues and interesting work. Status and financial rewards were likely to follow.

Nonetheless, I quickly grew restless. After practicing only a very short while, I began to imagine a different setting—one in which I had a greater ability to say and affect what I thought mattered professionally and personally and where the people I worked with on a daily basis would share the same set of values and goals.

The second person who has been so integral to my life appeared at that time. His name is Peter Folger and as I stand here tonight, I can say with pride and gratitude that we have been dear friends and partners for nearly 40 years.

I knew I wanted to work with Peter, but it wasn't easy to convince him that we should create a new path together. He was a Marine Corps veteran, well situated at another established firm, already a father to the first four of his eventual six children, had a mortgage, and was enormously well regarded both professionally and in the community. Why risk the unknown?

Peter wasn't the only one who had doubts when I considered starting a new practice. All the lawyers I consulted, without exception, thought I was crazy.

But when I consulted business people I knew and admired, to a person, their advice was quite different—that with only a small amount of capital required, I could most certainly do this with little risk. The worst case was that I would fail and then need to get another job at an existing firm. Were I to be successful, however, I could chart my own course; set my own standards, values and goals; and have greater financial upside in the bargain.

To them, it was a no-brainer. I would be crazy not to do it.

I have since come to understand that lawyers are generally quite risk averse and their responses reflected that mindset. Fortunately, I was able to persuade Peter and so at the age of 29, I embarked with him on our new enterprise. We had relatively little experience and no prospects, but great optimism and youthful enthusiasm.

I didn't know then that I was following in the early career footsteps of someone to whom we all owe a great deal—a lawyer with entrepreneurial inclinations that later were combined with remarkable public service. The co-founder of this extraordinary University, Leland Stanford, began to study law in 1845 at the firm of Wheaton, Doolittle and Hadley in Albany, New York. At the time, those who aspired to practice law read legal texts while working in an established law office.

After passing the New York bar, Stanford was offered a position at the firm. He turned it down, deciding instead to establish his own practice in the newly created State of Wisconsin. He found a like-minded partner, Wesley Pierce, and together they opened their law office in a small community on the shore of Lake Michigan. Soon afterwards, he married Jane Stanford and began a lifelong partnership with the woman who ultimately played a central role with him in the creation of Stanford University.

It has been my greatest good fortune that my partner in life—the third person I want to single out—is my wife Terry, who has been at my side for also nearly 40 years. Along with our daughters Alexandra and Caroline, she has wholeheartedly supported my commitment to service at and beyond the office. The countless meetings, emails and phone calls associated with my various activities and responsibilities, often outside regular business hours and on weekends, have required forbearance, understanding and support. Terry has provided all of these in cheerful abundance, and together we have enjoyed the privilege of engaging in a variety of joint philanthropic endeavors.

I can only imagine what the first steps may have been for Leland Stanford and Wesley Pierce. But what Peter and I did as we envisioned our new firm was to actually list our values and goals in writing and in rank order. Among them were that we would fiercely dedicate ourselves first and foremost to our clients' welfare, work for and with people we admired, foster collegiality at all levels, always act with integrity and honor and demand the same of others. Money wasn't in the top 10 on our list. We defined our success as that of our clients.

Even then, we were swimming against a tide that was beginning to transform the field of American law. Small offices were being replaced by larger and larger firms. The practice of law was becoming more about business and less about service. Other factors such as rising student debt, consistently high levels of stress, and a competitive atmosphere within the expanding and consolidating firms have contributed to where we find ourselves today: a social dynamic in which everyone is losing.

Lawyers are losing because they are less happy, less healthy and less respected. The deteriorating work environment and relentless treadmill of required billable hours are reflected in an alarming array of statistics. A recent study of nearly 13,000 practicing attorneys across 19 states showed that 21 percent qualify as problem drinkers, 28 percent struggle with depression, and 19 percent suffer from anxiety.

Clients are losing because lawyers who are focused on their own self-interest cannot best serve their clients' needs. And if they are also experiencing personal fallout from substance abuse or mental health issues, their ability to offer wise counsel and execute effective legal strategies is unquestionably compromised.

Society is losing because lawyers are critical to the effective functioning of democracy. Citizens rely on lawyers to ensure that the rule of law is respected and enforced. Yet lawyers today are distrusted by the very society that depends on them.

A 2016 Gallup poll reported that only 18% of respondents rated the honesty and ethical standards of lawyers as high or very high, while 37% rated lawyers as low or very low.

You are entering the profession at a time when happiness and job satisfaction among lawyers have become the subject of extensive academic study.

A meta analysis of this research by Professor Jerome Organ reveals at best a mixed picture. He observes that while most lawyers describe themselves as "satisfied," that self reporting is difficult to reconcile with the separate empirical data that demonstrates lawyers disproportionately experience alcoholism, depression and other mental health issues. He also offers a likely explanation: simple denial or lack of self-awareness.

It is my goal this evening to raise your self-awareness—not to discourage you, but to inspire you. A life of purpose, meaning, fulfillment and reward can be yours. But to create this life, instead of the one that seems to weigh upon so many lawyers today, you will have to not just think differently, but act and choose differently as well.

First, you must recognize that success and happiness are byproducts of other choices. In the words of Victor Frankl:

“Don't aim at success—the more you aim at it and make it a target, the more you are going to miss it. For success, like happiness, cannot be pursued; it must ensue, and it

only does so as the unintended side-effect of one's personal dedication to a cause greater than oneself.”

So if you shouldn't aim at success in order to be happy, then what should be your aim? From the vantage point of a life and career that have given me more gratification, opportunity and reward than I could have ever imagined, I can say that the second step is to recognize that your aim must be at being of service to others.

It may seem paradoxical that the most effective way to ensure your own happiness and success is to serve others, but I assure you this simple truth can change your life.

A recent New York Times article reports: “Of the many rewards associated with becoming a lawyer—wealth, status, stimulating work—day-to-day happiness has never been high on the list. Perhaps, a new study suggests, that is because lawyers and law students are focusing on the wrong rewards. Researchers who surveyed 6,200 lawyers about their jobs and health found that the factors most frequently associated with success in the legal field, such a high income or a partner-track job at a prestigious firm, have almost zero correlation with happiness and well-being.”

Let me repeat that— income and status have almost zero correlation with lawyers' happiness and well-being.

Now at this point you may be thinking that I intend to urge you to choose a career in public service. For many of you, that may well be the best path to happiness, and as I noted earlier in relation to the prior honorees for this award, it is a choice I wholeheartedly admire. However, I know from my own experience that it is absolutely possible to pursue service while practicing in a commercial context. It is not where you practice but how that matters most.

I want you to leave tonight convinced, as I am, that to do well actually requires you to do good. This is not simply a feel good notion. It is essential to your success both in life and as a lawyer.

Law is fundamentally about service—to clients, to colleagues, to our communities, our nation and our society. Choosing to become a lawyer is choosing to dedicate yourself to the welfare of others, not your own, whether you're engaging in poverty law or mergers and acquisitions.

That is why most of you chose law school, but it is not what many students believe by the time they graduate. A 2015 study describes disturbing changes that commonly occur in students after they begin law school: shifts from community-oriented values to rewards-based values; shifts in motivation for becoming lawyers, from salutary internal purposes to more superficial and external ones; and eventually decreases in values of all kinds, suggesting generalized demoralization of purpose.

I want you to leave tonight with an awareness of these shifts and with resolve that demoralization of purpose is not inevitable for you. You can stay true to the future self you envisioned when you entered law school.

It's hard for me to believe, but next year I will be 70 years old. Believe it or not, you too will be 70 years old, sooner than you think and certainly sooner than you would like. So tonight I ask you all a question: When that time rushes up on you, how do you imagine you will want to look back and evaluate your life to that point? What will be your personal gauges?

Albert Einstein said, "Not everything that can be counted counts, and not everything that counts can be counted." Decide now what will count for you and I assure you it will lead you in the right direction. Write your goals down, as Peter and I did 40 years ago, continually refine and reflect on them, and never fail to hold yourself accountable to them.

My generation came of age in the late 1960s. It was the era of the Vietnam War and a time when college campuses, including this one, were turbulent with confrontation. All around us and in the news every day, we witnessed a clash of powerful forces that challenged our most fundamental beliefs. What connects my experience at that time with yours today is the glaring realization that we must each make our own choices in a chaotic and uncertain world. And we must make them carefully, thoughtfully and intentionally.

As you make your choices, I urge you to reflect on the aspects of society that you feel are most important. More than ever, we need lawyers who are engaged citizens. We need lawyers who are leaders. We need lawyers who are prepared to devote themselves to the causes they find most compelling. We need lawyers who embrace the bedrock idea that service is at the core of the profession.

I urge each of you to find your own path. Choose the one that calls to you, not the easy one, not the obvious one. If you decide to join a commercial law firm, as most of you will, insist on an environment, culture and career trajectory that comport with your own standards, values and goals. Trust your instincts, be brave and never, ever settle.

Interestingly, at our firm Peter and I found that the values-driven, service-oriented philosophy that shaped our practice from the outset has often been a competitive advantage, attractive to both select clients and exceptional lawyers.

We aspired from the start to do sophisticated and complex work. We wanted to serve clients we would respect, who met high standards of integrity in the conduct of their endeavors, who treated people well, and who in return would respect us. And we wanted to be active and engaged citizens, watchful for opportunities to make our community better.

In an environment where law firms are increasingly driven by billable hours and business development, we have never had such requirements. I believe clients should, and do, resent the whole concept of minimum billable hours, since it creates an incentive at odds with their best interests. We work very hard, but the driver is what's necessary to meet the needs of our clients, not the generation of fees based on any bottom-line financial goal. Earnest, serious, hard-working lawyers shouldn't want or need to be prodded by artificial metrics.

The average tenure of my partners working together is a remarkable 28 years. To me that is a key measure of our success and an enormously gratifying fact. It reflects enduring relationships, creates efficiencies, fosters stability and ultimately benefits clients. In contrast, burn out, turnover, cultural conflicts and the like not only contribute to what many call the law firm "misery index," but are staggeringly disruptive and diseconomic to both firms and clients. At our firm there is genuine trust and respect among us as colleagues, as well as between us and those we represent—all increasingly rare in today's world.

Long and deep relationships have also been ever present in my Stanford Law School involvement. In accepting this significant honor, I want to acknowledge a few people whose friendship and thoughtful collaboration have been invaluable:

- Former Dean Larry Kramer, who could not be here tonight. Larry took the vision for the Center and crafted a practical architecture. He then brilliantly managed its implementation.
- Former Dean Paul Brest, who is here with us tonight and in whose honor this beautiful hall is named. It was during Paul's deanship that we developed and refined the vision for the Center during a great many conversations, all had while Paul was presiding over the transformative first-ever Campaign for Stanford Law School.

- Former Dean Tom Ehrlich, who is also with us this evening. Tom was Dean when I was a student and an inspiration to me then and to this day. Tom has lived a life of remarkable public service and I'm proud and privileged to have been able to work with Tom on a variety of fronts over the years, including currently on the exciting and profoundly important university wide Cardinal Service Initiative, now being led by my friend and former Dean of the School of Education, Professor Deborah Stipek, also here tonight.
- Dean Liz Magill and Associate Dean for Public Service & Public Interest Law Diane Chin, whose oversight and advancement of the Center have been so very thoughtful and effective. Liz and Diane, I deeply admire you and your wonderful work.

I also want to acknowledge the great many Stanford Law students, past and current, whose involvement and projects with the Center have been the fulfillment of our vision and dreams a decade ago and an ongoing source of inspiration to Terry and me. You provide us with hope and optimism for the future of our profession and our society.

I'd like to close with the words of George Bernard Shaw:

“I am of the opinion that my life belongs to the community and that as long as I live, it is my privilege to do for it whatever I can. I want to be thoroughly used up when I die, for the harder I work, the more I live. Life is no brief candle to me but a splendid torch that I have hold of for one moment in time, and I want to make it burn as brightly as possible before handing it on to future generations.”

Thank you for this shining moment. I hope to see the torch of service continue to illuminate Stanford Law School and the lives of its students and graduates for many years to come.