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DEAR ALUMNI AND FRIENDS,

Last fall I had the opportunity to teach the professional seminar course for the first time. The course, which is designed to help students integrate religious and moral values into their service as attorneys, has a venerable tradition at the Law School and is one of the distinctive parts of our curriculum. It is always a joy to be in the classroom, but I particularly appreciated the chance to read and ponder articles—many from past issues of the *Clark Memorandum*—about the roles and core obligations of lawyers in society. Although we often fall short of our noblest aspirations, I found myself energized by the reminder of the fixed stars that should serve as our professional compass.

As most will remember, medieval and early modern tradition recognized only three true “professions”: law, clergy, and medicine. These days it seems as though every job is labeled a profession, partly, I imagine, because of the historical connotation of privilege and authority associated with the “professional” label. At the same time, the understanding of law as one of the original noble professions seems to be dissipating. To fight the former would seem to be a misplaced focus on retaining a privileged position in the hierarchy of job categories. But we should not give in to the latter trend of allowing law to drift from its noble professional moorings.

Various explanations have been offered for why law, clergy, and medicine were separated out and labeled “professions.” Partly, it was the idea that they were held to a specific code of ethics and required some form of oath to uphold that code, thereby “professing” to a higher standard of accountability. The expectation was that professionals would use their privileged position and specialized knowledge for all who required it and not simply for personal advantage.

Another key attribute of these original three professions was that each enjoyed the privilege and obligation of confidentiality. Elder Bruce C. Hafen once explained why: “They are all healers—those to whom we open up our innermost secrets when something seems to threaten our very lives, physically, spiritually, or in some other way that would destroy our liberty or our property—our chance to live. And we go to them to be healed—to be made whole, and to regain control over our lives.”¹

At one of our graduations, Utah Supreme Court Chief Justice Matthew B. Durrant made a similar point: “Often the fact that a person comes to a lawyer means that something has gone terribly wrong in that person’s life. People come to lawyers with broken marriages, broken partnerships, broken bodies, broken lives. They come when they have been done an injustice or stand accused of one. They come when their fortune, or even their freedom, is at risk. In short, people will come to you with a problem, often at a time in their lives when they are most vulnerable. It is how you see that problem that will define you as a lawyer. Do

you see in it the potential for your own profit, or do you see in it an opportunity to serve?”²

As I considered, along with my professional seminar students, the articles by Chief Justice Durrant, Elder Hafen, and others, I was grateful for the reminder that we are not only a learned profession but a healing profession.

That tradition is evident in the pages of this issue of the *Clark Memorandum*, where you can read about David and Chelom Leavitt’s efforts to promote a stable and ethical legal system in Ukraine, Moldova, and Rwanda, as well as Elder D. Todd Christoferson’s charge to “live your faith so that others—inside and outside the legal community—will see your good works, experience your genuine love and friendship, and feel the Spirit working through you.”

I hope you enjoy this issue of the *Clark Memorandum* and that you’ll drop by and visit us at the Law School if you are in Provo. I’d love to give you the nickel tour of our building renovations, introduce you to some of my extraordinary new colleagues, and find a way to involve you in our efforts to prepare students for a learned and healing profession.

NOTES

- 1 Bruce C. Hafen, “To Beginning Law Students on Professionalism” (unpublished manuscript, 1973).
- 2 Matthew B. Durrant, “The Lawyer as Peacemaker,” *Clark Memorandum*, Fall 2008, 12–13.



Warm regards,

JAMES R. RASBAND

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