


“S E R V E
G O D,
L O V E M E,
and M E N D”

by A N N E T T E W. J A R V I S

he title of this lecture is a quote from Shakespeare's *Much Ado About Nothing*. I had the pleasure of watching this play at the Shakespeare Festival in Cedar City with my 14-year-old daughter this past summer. As we watched, I heard this line, which I had heard several times before, as I have seen this play on both film and stage, but this time it struck me as



the encapsulation of what I have learned in my life and my career.

You may recall that *Much Ado About Nothing* is a comedy with two main characters, Benedick and Beatrice, each being the witty representative of their gender in castigating the opposite gender. As Shakespeare has their friends play on their egos and their inherent good natures (despite their prickly exteriors), these two people, who swore never to engage in the folly of love, develop and demonstrate a truly caring relationship with each other. As the play develops, Beatrice's cousin Hero is maligned by the evil character Don John, and, choosing to believe the slander, Hero's fiancé, Claudio, abandons and humiliates her at the marriage

altar. Beatrice is devastated by this injury to her beloved cousin, and thus when Benedick comes to confess fully his love for her and asks her how he can demonstrate this love, she orders him to kill Claudio, Benedick's best friend. When Benedick cannot talk Beatrice out of what to him seems an unreasonable demand, he reluctantly agrees to challenge Claudio to a duel. Benedick returns after making the challenge to report to Beatrice that he has done her bidding, and, after some witty repartee, the two have a serious moment. Benedick asks how her cousin fares. Beatrice reports that her cousin is very ill. He then asks Beatrice how she herself fares, and she reports that she is also very ill. He responds, in an uncharacteristic show of serious tenderness: "Serve God, love me, and mend."¹ I would suggest that this advice, seriously and lovingly given, is a template for success in our profession or, better said, a template for how to assess success in our lives.

SERVE GOD

The first advice Benedick gives is to "serve God." This statement is reminiscent of the admonition found in the New Testament:

Consider the lilies how they grow: they toil not, they spin not; and yet I say unto you, that Solomon in all his glory was not arrayed like one of these.

If then God so clothe the grass, which is to day in the field, and to morrow is cast into the oven; how much more will he clothe you, O ye of little faith?

And seek not ye what ye shall eat, or what ye shall drink, neither be ye of doubtful mind.

For all these things do the nations of the world seek after: and your Father knoweth that ye have need of these things.

But rather seek ye the kingdom of God; and all these things shall be added unto you. . . .

*For where your treasure is, there will your heart be also.*²

In this passage Jesus reminds us that the secular things in our careers—earning money for food, drink, and fancy clothes—are all things that "the nations of the world

*This
article
comprises
excerpts
from an
Honored
Alumni
Lecture given
at BYU Law
School on
October
23, 2010.*

seek after." Thus, when we focus primarily on this goal, we are like everyone else. What should distinguish us as followers of Christ is the focus of our minds, our hearts, and our souls on the kingdom of God. This seems like a pretty obvious component of success, but its obvious nature does not prevent the enticements of the trappings of material and worldly success from diverting many from a focus on serving God.

Does this scripture literally mean that we should not worry about how to feed and clothe ourselves and our families? I don't think so. I think it is a lesson in priorities. If we serve God, if we seek the kingdom of God first, we will find personal success, whether or not it is success that is defined as such in the world. Success without serving

God can never be true success because we can never be successful when we act counter to our inherent nature. We are children of our Heavenly Father, and if we are not serving Him, we are not acting consistently with our divine heritage. The Apostle Paul asks: "Who shall separate us from the love of Christ? shall tribulation, or distress, or persecution, or famine, or nakedness, or peril, or sword?"³ He answers:

For I am persuaded, that neither death, nor life, nor angels, nor principalities, nor powers, nor things present, nor things to come,

*Nor height, nor depth, nor any other creature, shall be able to separate us from the love of God, which is in Christ Jesus our Lord.*⁴

While nothing can force or create a separation between us and the love of God, we need to remember that we can separate ourselves from that love by our own choices and our own actions resulting from these choices.

Does our devotion to God ever interfere with our sought-for success in our careers? Absolutely. We have both time and financial commitments to our Church with which others do not have to contend. We have family commitments that many of our colleagues find to be inconsistent with success. We have standards that we abide by that sometimes make us the focus of derision or disdain. We deal with people who are ignorantly intolerant of our religion who judge us in the context of their preconceived (and most often ill-conceived) notion of what our religion means or is. Our religion is not a passive religion. Rather, it requires daily sacrifice of time, of money, of missed business opportunities, and sometimes even a sacrifice of worldly acclaim. "Serve God" has to be the first foundation of any success.

LOVE ME

Benedick's second admonition is "love me." He is talking to Beatrice as his future wife, and his advice really is a reminder to focus our efforts on loving our families. As with the admonition to serve God, we cannot find true success in our lives without being devoted to our families. And to go a step further, we cannot truly be devoted to our families without making sacrifices in our careers on their behalf. In fact, I would venture to say that if you have not made any sacrifices in your career for your family, you should question whether you really value your family above your career.

With five children, decisions made by and for our family did not always meet with universal approval by each of the children. When these situations arose, I would always remind the unhappy child or children that we were a family and that as a family we had to sacrifice for each other. While a particular decision might be for the benefit of only one family member—requiring the rest of the family to sacrifice for that family member—each of us knew in turn that when our time of need came, the family would sacrifice for us as well.

There were many times in my career when my choices made to meet the needs of my family came at the expected price of a failed or curtailed career. I worked part-time for many years at a time when this was highly unusual and with the attendant stigma that came (and sometimes still comes) with this choice that I was not truly devoted to my career or somehow was not keeping up with my peers. When I was invited by my firm to work in a home office, I agreed to do so to finish paying off my husband's medical school debt, but I had no expectation that my career would go anywhere. I mean, in a time before e-mail and the Internet, with four children at home, including a new baby, how could I possibly succeed in my career? I anticipated that this family-driven choice sounded the death knell of my career. It was surprising for me to discover that my mostly New York clients did not care about my unorthodox working arrangements. They only cared about whether they were being represented and advised well.

Because of my choice to work part-time and then in a home office, I also watched my male contemporaries pass me by with higher pay, wider acclaim, and better work opportunities. It was at times very painful to realize that, from a career advancement perspective, I was being left behind in my profession, and I was not sure I would ever be able to catch up. Even after I moved into a more mainstream practice of my career, I still had to suffer enduring discrimination, particularly on the issue of unequal (meaning lesser) pay for women. A female colleague recently sent me an article on a new study conducted by professors at Temple University and the University of Texas–Pan American concluding that women attorneys are still paid significantly less than their male counterparts and that such disparity is not performance based—women lawyers being found to be just as productive as men. I did not need to read a study to conclude this. I lived this. I was not able to control this part of my career until recently, so I focused instead on building in the flexibility I needed to meet my family needs, on developing the skills I needed to be a good lawyer, and on feeling good about that.



In an oft-quoted statement among lawyers, Joseph Story said: “[The law] is a jealous mistress, and requires a long and constant courtship. It is not to be won by trifling favors, but by lavish homage.”⁵ Anyone who has practiced law understands this analogy and the enticements of the 24/7 approach modern attorneys take to the practice.

How do we cope with this disparity between the realities of modern law practice and our need to devote time to our families? When we compare ourselves and our successes with others, we will always be disappointed. As I used to say to my children, just remember that no matter how smart you are, there will always be somebody smarter. We need to find satisfaction in doing the best we can in the sphere in which we find ourselves, large or small. We should not fall into the trap of competing with those who have accepted the law as their jealous (and only) mistress.

We also need to redefine the meaning of success. My father, now in his 80s, is an electrical engineer who had a very successful career and is a well-recognized inventor. He recently said to me that when you get to his age you realize that it is only family that matters. No matter how successful we are in our careers, it is only a fleeting aspect of



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this life. You may be king of the hill in your profession today, but there will always be others charging up the hill to take your place. Remember, however, that you will never be replaced as the mother or father or sister or brother or daughter or son in your family.

In a well-known passage from the Book of Mormon, Alma starts with the wish “O that I were an angel”⁶ and ends up with the hope that if he can be an “instrument in the hands of God to bring some soul to repentance,”⁷ he will feel successful. Alma progresses from a grandiose wish to a feeling of contentment in whatever small sphere he finds himself with the hope for the opportunity to change even one life. This is a great pattern for redefining success.

“Love me” reminds us that you must love and sacrifice for your family as the second foundation of real success.

MEND

The third piece of advice Benedick gives is to mend. Beatrice and her cousin have suffered a great injustice, and they both are made unwell by the wrong done them. Beatrice’s response to this injustice is to ask Benedick to

kill Claudio, the perceived source of the injustice. When Benedick is unable to talk her out of this demand for retributive justice, he returns, having made the challenge, but advises her that rather than seeking revenge, she should focus her efforts internally to mend.

My husband is a doctor, and when our oldest son was very young, he once explained, in response to a question as to what his parents did: “My dad helps sick people. My mom works for money.” I think this assessment is not far off from the public perception of what we do as lawyers. In reality our jobs are not much different than doctors. As lawyers, we are, or should be, problem solvers. We are there to heal, or mend, the problems of others. We are entrusted with resolving the injustices suffered by our clients. Sometimes those injustices are at the hands of other parties. Sometimes, as in my area of the law—bankruptcy—the source of the harm is less focused, but its impact can be widespread. It can be an unattributed injustice, being a by-product of a distressed economy or a changing industry or business environment or honest management mistakes; but it is a problem that we, as lawyers, are uniquely qualified to solve.

Similar to the reaction of Beatrice, our society has become so litigious that when any injustice is suffered, the first response is to sue. Sometimes this is the best response, but a good lawyer will understand the options and will help a client to mend, to figure out a solution that will focus on and then remedy the real problem, not just the emotionally perceived one. When I started practicing business bankruptcy law, I thought that at least this was not a practice that had an emotional component. It was not like divorce law, for example. This was a mistaken perception. I quickly learned that people are very emotional about money. In addition, my area of the law deals with people’s jobs, their abilities to support their families, their investments in their businesses, honestly made mistakes with serious consequences, and sometimes betrayal by dishonest or downright fraudulent behavior. I now understand that every area of the law has an emotional component. Like Benedick counseled Beatrice, we as lawyers need to help

our clients work through emotionally charged situations and mend.

One of the things I love about practicing bankruptcy law is that, most of the time, bankruptcy lawyers know when to quit fighting. We litigate to bring about a business solution, understanding that with scarce resources and money, creative approaches are warranted. We understand that we are not just lawyers but counselors. As with all lawyers, our job is often to sacrifice our own inclinations in order to serve our clients. At times that may mean keeping an even temperament in an abusive or heated situation. It may mean that we settle a case that we feel certain we could win. It may mean that we submerge our ego or emotional investment in a course of action to accept a better solution for a client's business needs. It may mean that we forego higher fees we could earn if the client were to choose a certain legal remedy because another legal remedy is a better fit for the client. Our job is to help our clients mend, to fully understand their problems, and to address them with caring and competence.

What I have found to be most important to clients who end up seeking to redress their injustices in the courts is simply to know that they have been heard, that they have been listened to and understood, and to feel that they have been fairly judged. It is our job to make sure this happens by being competent lawyers and helping clients, whether big or small, to mend. Harper Lee said it best, through the voice of her literary creation, Atticus Finch, when he said in his closing argument:

*There is one way in this country in which all men are created equal. . . . That institution . . . is a court. . . . Our courts have their faults, as does any human institution, but in this country our courts are the great levelers, and in our courts all men are created equal.*⁸

We, as lawyers, provide access to this great societal equalizer. Serving our clients, or mending their injuries, should be the third foundation of success.

All three foundations of success I have mentioned are bound together by a common focus on others. This shared theme takes us back to the admonition in the scriptures: "For whosoever will save his life shall lose it: and whosoever will lose his life for my sake shall find it."⁹ As a woman entering

a profession at a time when there were very few practicing women lawyers, I struggled as a minority to find my way and to belong in this profession. What I discovered in my quest—something I did not even realize until I was there—was that when we talk about belonging, we need to change our focus. We need to stop focusing on ourselves and start focusing on others. When we focus on others, then we can belong, no matter how different we feel and are. Long before I even understood the foundations of my success in this profession, this is what I was inadvertently learning.

None of us are ever entirely responsible for success in our careers. None of us are self-made men or women, as is so well articulated in the oft-quoted phrase of John Donne: "No man is an island."¹⁰ Each of us stands on the shoulders of others. Sometimes those supporting shoulders come from unexpected places. For me, it was, surprisingly, the intercession and support of some of the New York partners in my firm during critical years. One of these partners, who started working with me while I was working part-time in a home office, initially required that I check in with him every single day, as he was concerned about whether I could adequately handle a difficult case for one of his very important clients. After he had watched me in action, he became one of my greatest advocates. While, during that period, I saw limited prospects for my career as a home office lawyer in the late '80s, he and other of my New York partners looked beyond my unconventional trappings and saw a talented problem solver for whom they provided work opportunities and political support within the firm. Remembering the kindness of these partners to me, I have tried to emulate them when I am now asked for favors to help others in their careers. Success brings more ability to help others, and that is the obligation of those who succeed.

Last week, at a meeting of the American College of Bankruptcy, I heard a report on a historical project done by the college wherein bankruptcy practitioners from the 1930s and 1940s (all men, of course) were interviewed. During this time period, virtually all bankruptcy practitioners nationwide were Jews. As was explained by these men, that was because other areas of practice were not open to Jews. They were openly

discriminated against, and none of the large firms would hire them. Bankruptcy law at that time was not a mainstream practice for large firms. It was looked down on, so it was an area open for these excluded Jews to fill in with their own small boutique firms. I found it interesting that the area of practice I eventually specialized in—which was not what I intended to choose in law school—has historically been a haven for the excluded in the profession. Somehow, as a discriminated minority myself, I find it fitting to eventually have been welcomed by this same specialty.

Harper Lee once wrote: "People who have made peace with themselves are the people I most admire in the world."¹¹ I agree. Perhaps, in the end, that is why we admire her literary creation, Atticus Finch, so much, because Harper Lee created a lawyer she admired, a lawyer who was not perfect but who was a person who had made peace with himself. If we are to belong in this profession, we also need to make peace with ourselves. I would suggest that we can do this through serving God, loving our families, and mending the wrongs suffered by our clients. In focusing our efforts on others, in losing ourselves in serving others, we can be at peace with ourselves. By focusing our education, our abilities, and our opportunities on others, we can, in some small way, change this difficult profession into something a bit better. "Serve God, love me, and mend." With your legal education, you have a wonderful opportunity to make a difference in the world. Do it.

NOTES

- 1 William Shakespeare, *Much Ado About Nothing*, act 5, scene 2, line 95.
- 2 Luke 12:27–31, 34.
- 3 Romans 8:35.
- 4 Romans 8:38–39.
- 5 Joseph Story (1779–1845), "The Value and Importance of Legal Studies" (5 August 1829).
- 6 Alma 29:1.
- 7 Alma 29:9.
- 8 Harper Lee, *To Kill a Mockingbird* (New York: HarperCollins, 1960), 339.
- 9 Matthew 16:25.
- 10 John Donne, *Devotions upon Emergent Occasions* (1624), no. 17.
- 11 Caldwell Delaney papers, University of South Alabama Archives, Mobile, Alabama, Nelle Harper Lee to Helen Waterman, 20 November 1961, quoted in Charles J. Shields, *Mockingbird: A Portrait of Harper Lee*, 288.