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Associate Professor Patrick J. Schiltz, Diploma Ceremony Address

Notre Dame Law School

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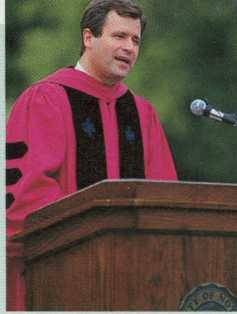
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Graduation Speech

BY ASSOCIATE PROFESSOR PATRICK J. SCHILTZ,
RECIPIENT OF THE 1999 LAW SCHOOL DISTINGUISHED TEACHER AWARD

When I asked my wife [Associate Professor of Law Lisa Schiltz] what I should say to you today, she said, "Why don't you try saying something nice for a change?" So I said to her, "No, seriously. What's special about this class? What will you most remember about this class 10 years from now?" After thinking about it for a minute, my wife responded, "You know, I just like 'em." And I thought, "You know, I just like 'em, too."

Now, in fairness to me, I should point out that I have many reasons *not* to like you.

After all, it was members of this class who gave me as going-away presents after Civil Procedure, first, a book that helps me and other non-native-English speakers to pronounce words correctly, and second, the book *Howl and Other Poems* by beatnik poet Allen Ginsberg. This, of course, would be like giving Professor Bauer as a going-away present a copy of *The Quotable Ronald Reagan*.

And it was a member of this class who, on his personal web site where he had photos and short biographies of his professors, called me "a pantheon of self-adulation" and speculated that I must have been beat up a lot as a kid. In fairness, I should note that he did say on his web site that he meant this "in the nicest possible way."

And it was a member of this class who, knowing that I am sensitive about being fat and knowing my love for "Slim Jims" — nature's perfect food — submitted a teacher-course evaluation to me consisting entirely of five words. Five words written in huge, bold capital letters over the entire page: "Slim Fast, not Slim Jims."

Despite all this, I do like this class and, after thinking hard about why, I've come up with a few reasons.

First, of the seven classes that I've known since I've been at Notre Dame, I've always thought of you as the "Technicolor Class." You have done everything that other classes have done, but you have done it more vividly. Your neurotics are particularly colorful neurotics, your apple-polishers are particularly deft apple-polishers. Even your lovable losers are particularly lovable, lovable losers.

Second, you have also been incredibly good sports. What other class would permit me to use it for a year to help settle a bet between Professor Garvey and me about whether celebrities die disproportionately on weekends? What other class would vote, day after day, on whom among the recently deceased qualified as "celebrities"? And what other class would take this responsibility so seriously?

The third thing I like about you is that you are a nice bunch of people. You were not only nice to me — usually — and nice to the other faculty, but I was struck by how kind you were to each other. More than any class I've known, you didn't leave anyone behind. As your class video demonstrated, anyone who was willing to stand around holding a beer bottle could find a group of classmates holding beer bottles who would welcome him.

And the final thing I like about you is that, more than any class I've known, you kept law school in perspective. You realized that school was just school and that life was still life. I was always struck, in talking with you, with how much life was going on among the members of this class. True, some of that life may have skirted the boundaries of good taste, to say nothing of the boundaries of local ordinances, but on the whole, you were the healthiest and the happiest group of law students I've ever known.

And that brings me to the serious part of this talk — which, I promise, will be very brief. You are a remarkably healthy and happy group of law students. But unfortunately, the profession that you are about to enter is one of the most unhealthy and unhappy on the face of the earth.

Lawyers suffer from high rates of depression, anxiety, hostility, paranoia, social alienation and obsessive-compulsiveness — sometimes at rates 10 times that of the general population. Lawyers also suffer from high rates of alcoholism and drug abuse. One out of three lawyers — *one out of three* — suffers from clinical depression, alcoholism or drug abuse.

In large numbers, lawyers say that they are unhappy with their careers, that they would not become lawyers again if they had the choice, that they would not advise their children or others to become lawyers, and that they hope to leave the practice of law before the end of their careers. Even as the market for legal services has improved in the last few years, the morale of lawyers has declined to new lows, especially for lawyers in private practice.

A few weeks ago, after I gave a speech at another law school, a professor in the audience asked me: "If the profession is this bad — if lawyers are this unhealthy and unhappy — then why don't you get out of teaching? How can you in good conscience send students out into such a miserable profession?"

My answer to that professor was that the legal profession does not *have* to be so miserable. Just as it deteriorated one lawyer at a time, it can be rebuilt one lawyer at a time. Our profession has deteriorated because too many lawyers now view money as the primary or even sole measure of their worth as lawyers and even as human beings; because too many lawyers have permitted their lives to be consumed by an endless cycle of long hours of toil inside the office and short hours of conspicuous consumption outside of the office; because too many lawyers now view the practice of law as a competition — a game — and other lawyers as their enemies.

Our *profession* is terribly unhealthy and terribly unhappy, but you don't *have* to be — and you won't be, if you take what has made you special among Notre Dame classes and bring it with you into the practice of law:

Just as you have maintained your individuality here — just as you have not let yourself be molded into clones of each other — hang on to your individuality out there.

And just as you treated each other with grace and good humor and kindness here, treat your fellow lawyers the same way out there — even when they don't deserve it. *Especially* when they don't deserve it.

And, most importantly, just as you never forgot while you were here that school is just school and that life remains life, don't ever forget while you are out there that work is just work and that life remains life.

You are a terrific group of young men and women. I will always remember you. My hope and my prayer for you will always be that you will change the legal profession to be more like you, and that you will not let the legal profession change you to be more like it.