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LIBRARIES & LEGAL RESEARCH

Practice makes professionalism

BY VIRGINIA C. THOMAS

"I know it when I see it."

—Former U.S. Supreme Court Justice Potter Stewart¹

I must admit, former U.S. Supreme Court Justice Potter Stewart's famous words from his concurring opinion in *Jacobellis v. Ohio* bounced around in my head as I tried to put pen to paper for this column. Professionalism is a cornerstone of the legal ... profession. It is, at once, a simple and complex concept. Lawyers understand what it means and incorporate it as the overarching principle of their practices. But trying to articulate what professionalism means is another thing altogether.

The State Bar of Michigan Strategic Plan 2017-2023 includes professionalism among its five core values.² From my reading, these values focus on public service not only in the practice of law, but in the sense of sharing our knowledge and skills for the benefit of others. In that vein, I would like to share three stories that show what professionalism looks like when lawyers give back to their communities.

THE U.S. CONSTITUTION ON A BUS TO D.C.

In early July, attorney Wanda Mayes³ called our law library to ask if we had copies of the handy pocket-sized version of the U.S. Constitution that she remembered from her days as a Wayne State University law student. She needed about 50, explaining that she was organizing a cultural and educational bus tour of Washington, D.C., for youngsters from the New Grace Missionary Baptist Church later that month. Her goal was to teach them about the Bill of Rights and, particularly, the Fourth Amendment. Having a copy of the U.S. Constitution for each person on the tour would support group discussions and provide the opportunity to read further on their own.

We contacted our vendor representative⁴ who granted permission to give Mayes the 52 copies we had on hand. It was meant to be!

Upon returning, Mayes summarized highlights from the trip. On the bus, the young travelers watched "The Central Park Five," a documentary about the case of five Black and Latino teenagers wrongly convicted of raping a white woman in New York's Central Park in 1989.⁵ They played games like Black Card Revoked and

#CULTURETAGS to break the ice and shared some lighthearted cultural fun. And, yes, they read the Fourth Amendment aloud and explored its meaning. Their conversations considered questions such as how to interact with police appropriately if they were ever questioned, detained, or arrested.

"Now," Mayes noted, "they know how to get a lawyer."

While in D.C., the group visited the Washington Monument, the National Museum of African American History and Culture, Arlington National Cemetery, the U.S. Capitol (where they met Sen. Debbie Stabenow), the White House, the Wharf, and other historic places.

The young travelers' excitement and level of engagement told Mayes that the journey was time well spent. She wishes this experience could be available to all young people. I agree. Everyone should be so fortunate as the New Grace youngsters, who were offered an opportunity to explore what it means to be a human being in our culture at this time.

Professionalism in a nutshell: Show up, be on time, be engaged, and be prepared. Listen twice as much as you speak. You have two ears and one mouth for a reason.

ATTORNEYS FOR ANIMALS: VOICES TO THE VOICELESS

Bee Friedlander and her husband, Don Garlit, both attorneys, have used their legal advocacy skills to advance animal welfare for decades. Both earned law degrees from Ohio State University Law School in the 1970s — part of "The Paper Chase" generation,⁶ as they tell it. Though they shared a deep interest in social justice issues including animal welfare, neither had animal law practice or advocacy on their radars; Friedlander developed a successful civil law practice, while Garlit chose a career path within the automotive industry.

Friedlander and Garlit credit canine companions Susie and Erika for inspiring their deep appreciation of animals. Still, Friedlander had not considered combining her concern for animal welfare with the practice of law until she spotted a call in the Michigan Bar

Journal for attorneys “interested in or ... currently practicing in the area of animal rights.”⁷ Friedlander and Garlit responded to the invitation from a fellow attorney, the late Wanda Nash, to help form an informational network.

The rest is history.

Friedlander and Garlit joined Nash as founding members of Attorneys for Animals (AFA),⁸ a non-profit organization whose members put their legal skills to work to promote the welfare of animals. For example, AFA members inform and guide state and local government officials, many of whom are not lawyers, on animal-related issues and assist with drafting new laws and improving the effectiveness (and humaneness) of existing ones.

Said Garlit: “Legislators are pretty receptive to someone who can talk about legal issues in a calm way.”⁹

In their roles with AFA, Friedlander and Garlit frequently draw upon their knowledge of legal systems, processes, and research. They also rely on their experience with negotiations, conflict resolution, and collaborations to build coalitions among animal welfare organizations and harness the power of diverse interests for a stronger voice. For example, during the Michigan Legislature’s current session, Friedlander, who is the current AFA president, submitted a statement to the House Regulatory Reform Committee in support of HB 4881 and HB 4882. These substantially similar bills would, in part, require research facilities to offer dogs and cats no longer needed for research to an animal control shelter or animal welfare organization for the purpose of adopting them to permanent homes.

Friedlander and Garlit believe much more work must be done. They look forward to helping mentor the next generation of lawyers who share their passion for animal welfare.

Professionalism in a nutshell: Being an attorney guides a person in what you do — even outside the practice of law.

MAY IT PLEASE THE COURT

For most of us, required oral arguments during the first year of law school were our first up-close and personal encounters with representing clients in court. Despite the weak knees, clammy palms, and jangled nerves, it’s a wonderful learning opportunity for every law student.

“For many 1L students, this is the most memorable experience from their first year of law school,” said Kristin Theut, Wayne State University law professor and the school’s legal research and writing director.¹⁰

That said, the experience would not be possible without the generosity of law school alumni and other members of the legal community who volunteer to serve as judges for student arguments. This is

no small service. Volunteer judges must prepare by reading student briefs or bench briefs prepared by their professors, formulate questions, and dedicate time to be fully present in the moment as the students argue their cases.

Their participation is deeply appreciated by the students.

“The judges asked questions, but they were kind and listened to my answers,” said Wayne Law professor Lynn Sholander about her own 1L oral argument. “They were also encouraging during the feedback session, noting high points and low points without being condescending. I appreciated the opportunity to have that experience with real-world practitioners.”¹¹

That appreciation is also shared by professors, who agreed that they value the insights gained from observing the volunteer judges engaging with their students.

Professionalism in a nutshell: Maintaining your obligation to represent clients vigorously and ethically while always demonstrating respect and civility toward the court and all parties involved.

CONCLUSION

These stories are a testament to the fact that professionalism is at the very heart of our legal community. It inspires, it advocates, it informs, it reaches out to mentor new members who aspire to a life in the law. And it’s all for the good.



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ENDNOTES

1. *Jacobellis v Ohio*, 378 US 184, 197; 84 S Ct 1676; 12 L Ed 2d 793 (1964).
2. *Strategic Plan 2017-2023*, SBM, available at <<https://www.michbar.org/generalinfo/StrategicPlan>> [<https://perma.cc/S4J4-EBUT>]. The statement of core values, which guides the SBM in achieving its mission, includes justice, service, professionalism, diversity and inclusion, and innovation. All websites cited in this article were accessed October 7, 2022.
3. Mayes is a labor mediator for the State of Michigan, see *Wanda Mayes Recognized for her Work in Labor Law*, 24-7 Press Release (August 8, 2022) <<https://www.24-7pressrelease.com/press-release/493359/wanda-mayes-recognized-for-her-work-in-labor-law>> [<https://perma.cc/R7Y4-6LW4>].
4. The pamphlets were provided by LexisNexis.
5. *The Central Park Five* (2012), directed by Ken Burns, Sarah Burns, David McMahon.
6. *The Paper Chase* (1973), directed by James Bridges.
7. *Animal Rightists Sought*, 69 Mich B J 634 (1990).
8. Attorneys for Animals is now in its 27th year of service. See *Who We Are*, Attorneys for Animals, available at <<https://attorneysforanimals.org/who-we-are>> [<https://perma.cc/6X8S-A8QE>]. Its members were instrumental in establishing the Animal Law Section of the Michigan Bar in 1995. Currently, Friedlander serves as AFA president and Garlit is its treasurer.
9. Telephone interview with Don Garlit and Bee Friedlander (September 8, 2022).
10. Email from Kristin Theut to Virginia Thomas (September 14, 2022).
11. *Id.*