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Message From the Dean

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This year, I have used these messages to discuss the great lawyer's capacity for patience. As we have seen, the word takes on multiple colorations, and many of them shape a mode of lawyering that we deem admirable.

We can learn still more about this complex quality by exploring its obverse. I am thinking here of the great lawyer's capacity for *impatience*. Sometimes the mark of a truly outstanding attorney is the ability to charge ahead decisively at a moment when the easier course would be to wait and temporize.

I do not mean the ability to be impatient *with others*. That is, of course, a talent that many lawyers both great and

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mediocre have in abundance. Rather, I am speaking about a certain impatience with oneself.

Ours is a cautious profession. By our training, we become exquisitely attuned to risk. As we learn how to recognize the strongest arguments against any legal position, we learn more generally how to anticipate the possibility that things might not play out according to plan.

Business clients are ambivalent about this quality of ours. They want to be warned of anything that might go wrong. "No surprises." Yet they quickly grow weary of the counselor who sounds like an unrelenting prophet of doom.

In the business world, risk is a fact of life. The successful business person becomes comfortable with the need to manage risk prudently: the need to form judgments about risk magnitudes, to put



limits on the potential damage if things break badly, and to accept the fact that great opportunities are never risk-free.

Our clients expect us, as their lawyers, to understand that fact, and to accommodate our temperaments and our judgments to a company's goals and aspirations even as we recognize that danger may lie ahead. And that requires us to cultivate a degree of impatience with ourselves.

Every day the practicing lawyer must decide *when* and *how* to advise. Inside, the lawyer's sense of the right answer has begun to crystallize. It is not yet rock solid; there are a few nagging doubts. Is it time to express an opinion despite the doubts? Should the judgment be hedged? Why? To protect the client or to protect

the lawyer? Or should more time be invested in research and reflection, in an effort to get closer to "the bottom of the well"?

Law school does not teach answers to these questions. But the best lawyers share an ability to push beyond lawyerly

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caution and reserve, to serve their clients best. They have the intellect to recognize what they do not yet know. They are able to convey a complex sense of the limits of their knowledge, in a way that is maximally useful to their clients. And a critically impatient voice inside often insists that they need to respond quickly, before they have reached a point of complete security and serenity about what they are about to say.

My last message concluded with the observation that the many dimensions of patience call for a particular balance, the balance between being sensitive to others and preserving an authentic and enduring self. Here we see emerging the need for a different balance: between patience and impatience, impulse and hesitation. Somewhere on the continuum from inertia to rashness, lawyers and clients alike struggle to find the elusive middle ground: thoughtful but decisive action.