

The Noble Profession

BY NATHANIEL BACA



Today, I want you to consider the unique tapestry of your world—the unique skills, opportunities, and interactions that led to this exact moment in time. Perhaps you are at home on the

weekend, with a dog nearby, opening your pristine copy of *Colorado Lawyer*. Or maybe, you are at a café, waiting in line and reading *Colorado Lawyer* on your phone. Maybe still, you are sitting in your office, in the middle of a Zoom meeting, having reached into your briefcase, handbag, or messenger bag to pull out a crinkly edged copy of *Colorado Lawyer* (not that you would ever shift your focus away from the muted chorus of faces on the screen).

And while you are taking this moment, I invite you to look around, relax, and stretch your toes. If there is a small table in front of you, rest your feet and get comfortable. Ultimately, why not get comfortable? Why not enjoy this moment? Because, on this day, in this place, after all, this article is written for you.

With the end of summer upon us and a new school year rapidly approaching, let us think of the things that we have accomplished together. We have a lot to celebrate as lawyers.

We stand on the cusp of the 50th anniversary of the passage of bipartisan enabling legislation for the Legal Services Corporation.¹ President Nixon—a lawyer—upon signing the legislation, described legal services as “a workhorse” in the effort to secure equal rights in America.² And as Senator Robert Taft Jr.—a lawyer—stated in support of the legislation, “I feel that our society

today has come to recognize, on a far broader basis than ever before, the desirability and necessity of providing adequate legal remedies to all our citizens”³

We stand at the 60th anniversary of the unanimous decision in *Gideon*, where the Court proclaimed under the pen of Justice Black that “[t]he right of one charged with crime to counsel may not be deemed fundamental and essential to fair trials in some countries, but it is in ours.”⁴

We stand on the cusp of the 70th anniversary of the groundbreaking decision in *Brown v. Board of Education*,⁵ a case that has come to epitomize the capacity of our legal system to enact profound change. Its significance cannot be overstated, for it was a clarion call that ushered in a new era for our great nation. The case marked a fundamental turning point in our history and is a powerful reminder of the burgeoning civil rights movement that continues today.

Think also of the wonderful work of our government lawyers, public defenders, prosecutors, and nonprofit attorneys across the state. Think of the mountains of cases handled on a pro bono basis, and cheer for the pro bono road warriors who travel across the great state of Colorado to fill critical access to justice gaps.

Last, I invite you to consider yourself and the work you have done to help your clients. Sometimes, it is easy to forget the meaning that you bring to the world, so I am taking this moment to remind you. Like the masterworks of great artists filling the halls of museums, your work comprises the brushstrokes that make up the intricate canvas of our American legal system.

I recognize there is dissatisfaction in our profession and skepticism about the fairness of our courts. Yet, as I reflect on this situation,

I conclude that faith in the judicial system is not an artifact of the past, but a call to action for the present and the future. We, as lawyers, control the fate of our living law. Our law needs us and relies upon us to evolve.

I encourage you, as you think of the progress we have made, to consider how dissenting opinions have laid the groundwork for future majority opinions and future legislation. I also encourage you to consider how dissenting opinions have helped us to understand what it means to be American. Dissents are the courageous voices of people who viewed the world differently and who understood that the seeds of dissent are necessary to create the gardens of prosperity. Dissents hold powerful evolutionary possibilities, so embrace them and fight for their survival. In today’s environment, as you read the words of courageous voices, I encourage you to consider not how the law impacts you but how you can impact the law.

We stand today, as lawyers and humans with a profound insight into the fairness, dignity, and integrity of the legal profession and our great nation. We want a system that reflects the best of us, provides fair opportunities, and respects the dignity of all. Therefore, I encourage you to find strength in our ability to see the world differently and find the path that will enable us to achieve our vision. The good work of our noble profession requires us to do no less.

I encourage you, as a lawyer, to challenge the status quo by promoting, supporting, and respecting others in an effort to create healthy opportunities for change. It is your legal engagement that creates successful evolutionary adaptations to our living law. In the end, I want to remind you of one thing: do not forget the words of dissent, as they are written for you. CL

NOTES

1. Legal Services Corporation Act of 1974, as amended, 42 USC §§ 2996 et seq.
2. <https://www.lsc.gov/about-lsc/who-we-are/our-history>.
3. *Id.*
4. *Gideon v. Wainwright*, 372 U.S. 335, 344 (1963).
5. *Brown v. Bd. of Educ. of Topeka*, 347 U.S. 483 (1954).