

Spring 2014

Opening Remarks for the Keynote Address

William C. Hubbard

Follow this and additional works at: <https://scholarcommons.sc.edu/sclr>



Part of the [Law Commons](#)

Recommended Citation

Hubbard, William C. (2014) "Opening Remarks for the Keynote Address," *South Carolina Law Review*. Vol. 65 : Iss. 3 , Article 3.

Available at: <https://scholarcommons.sc.edu/sclr/vol65/iss3/3>

This Article is brought to you by the Law Reviews and Journals at Scholar Commons. It has been accepted for inclusion in South Carolina Law Review by an authorized editor of Scholar Commons. For more information, please contact digres@mailbox.sc.edu.

OPENING REMARKS FOR THE KEYNOTE ADDRESS

William C. Hubbard*

Thank you very much. I don't know why Jim Silkenat wouldn't want to come from New York to Columbia, South Carolina today. The skies are blue and the temperature is about twenty degrees warmer—and it is a cold day here. It is a great gift for Jim to come and be with us at this Symposium.

It is always a treat to be back at the Law School—this is where I went to law school, as Lisle indicated. My memories of it? Well, they are mixed sometimes. I will never forget some of the hard questionings and the Socratic Method, but it is a wonderful law school. And it is a testament to this law school and the quality legal education here that so many South Carolinians have come from this law school and gone on to positions of leadership in the nation.

Ed Mullins, in the back, has been president of the Defense Research Institute, along with Steve Morrison and David Dukes.¹ Ken Suggs was president of ATLA.² Chief Justice Jean Toal was president of the Conference of Chief Justices.³ Chief Judge Bill Traxler of the Fourth Circuit is now chair of the Executive Committee of the United States Judicial Conference.⁴ You can go on and on about the number of people who have come out of this law school and made a name for themselves, the state of South Carolina, and this law school. So you should be proud to be here.

Do not buy into all the gloom and all of the negative reports you hear about the future of the profession. Just this week, I was at a meeting in Georgia. We were there with a number of people from the Supreme Court and the deans of various law schools, and there was a discussion about how we can improve access to justice. One of the things that came up during the course of that meeting was that 25% of the practicing bar today will retire in the next five years. So those young people who have decided not to go to law school are going to miss an opportunity because they are chasing the puck instead of skating to where the puck is going to be. There is going to be an opportunity; it may not be precisely on the day you graduate, but it will be there. The world is getting more complex—not less complex—and there is a greater need than ever for lawyers. Moreover, 75% of the poor and middle class combined do not have

* President-Elect, American Bar Association.

1. Press Release, Nelson Mullins Riley & Scarborough LLP, Nelson Mullins' Williams Elected President of Lawyers for Civil Justice (2013), *available at* <http://www.nelsonmullins.com/press-releases/williams-lcjpresident>.

2. Press Release, Janet, Jenner & Suggs, LLC, Association of Trial Lawyers of America (ATLA) Elects New President: Attorney Kenneth M. Suggs (July 28, 2005), *available at* <http://www.janetjennersuggs.com/news-new-president.html>.

3. *Chief Justice Jean Hoefer Toal*, S.C. SUP. CT., <http://www.judicial.state.sc.us/supreme/displayjustice.cfm?judgeID=1118> (last visited Apr. 15, 2014).

4. *Chief Judge Traxler to Chair Executive Committee*, U.S. COURTS (Feb. 13, 2013), <http://news.uscourts.gov/chief-judge-traxler-chair-executive-committee>.

access to legal services in this country.⁵ You have an opportunity to fix that—to lower that gap and improve on that disparity—because you are more technologically advanced than any other generation to come out of law school. When you combine your legal education with your knowledge of technology, you can show us how to become more efficient and more effective. You will do great things to serve the public to make sure that those who are underserved have an opportunity to have their legal rights vindicated and protected.

It is a great personal privilege for me to introduce Jim Silkenat. Jim is a partner at Sullivan & Worcester in New York City, and he heads their international practice. He has had a distinguished career in the law. He started out at Cravath after graduating from the University of Chicago Law School, where he was on the Law Review. Jim has been active in international affairs from the time he first graduated from law school. He is on the Council on Foreign Relations. He was one of the founders of the Committee on International Human Rights, which is now Human Rights First. He was one of the chairs of the World Justice Project (WJP) when it was incubated in the American Bar Association and now serves as director of WJP. He has been legal counsel to the World Bank.

Jim has done so much, in so many varied ways, and brings a unique perspective to the American Bar Association and the legal profession because he reminds us every day that we do not practice in an insular environment. It is almost a trite thing to say now, but we are all a part of a global economy in a shrinking world, and lawyers who do not recognize that are going to be left behind. Jim is uniquely qualified to remind us of the importance of thinking more broadly and more globally as we undertake our practice.

Jim has written fourteen books and more than 100 articles.⁶ He's indefatigable. I can't keep up with him. He gets up at 4:00 in the morning and runs before he catches a 7:00 A.M. flight out of La Guardia, and he does that every time he has to fly somewhere. I mean every morning—rain, sleet, or snow—he gets his exercise, he travels, and he works. On a personal note, working with him this year has been a unique privilege. You are only the president for one year, and it is very hard to get everything that you want done in twelve months, unless you are allowed the freedom to plan and put your thoughts together and put your committees together. Right out of the box, Jim said this: “There is enough for everybody to do and there is more on our plate than we can possibly do. Go ahead and start your planning and do not worry about me; I will be out there working. You do what you need to do and we will complement

5. See LEGAL SERVS. CORP., DOCUMENTING THE JUSTICE GAP IN AMERICA: THE CURRENT UNMET CIVIL LEGAL NEEDS OF LOW-INCOME AMERICANS app. A, at A-1 (2009), available at http://www.lsc.gov/sites/default/files/LSC/pdfs/documenting_the_justice_gap_in_america_2009.pdf (noting that, based on a survey in Hawaii, only 22.84 percent of low and moderate income residents had their legal needs met, which leaves approximately 75% not having their needs met).

6. James R. Silkenat, A.B.A., http://www.americanbar.org/groups/leadership/aba_officers/silkenat.html (last visited Apr. 15, 2014).

each other.” It has been a real team effort, and I think that has given us and the American Bar Association a real opportunity to expand our scope and our breadth.

Jim has focused on a number of issues this year. I will not say a whole lot more because you will hear from him. Immigration reform has been a real issue, and Jim courageously led on that issue. You will hear a lot more about one idea that is really getting traction to bridge the justice gap: the Legal Access Job Corps. It is something that people have talked about before, but it took Jim Silkenat and his leadership to put a team together that is allowing us to provide opportunities for younger lawyers, while helping us bridge the justice gap in this country. So, it is a privilege and an honor for me to welcome him, and I am so grateful for my friend Jim Silkenat and thank him for coming to Columbia, South Carolina, to speak to you this evening.

*