

A REFLECTION UPON MY FIRST YEAR OF
LAW SCHOOL
BETH GAZES*

*A man said to the universe:
“Sir, I exist!”
“However,” replied the universe,
“The fact has not created in me
a sense of obligation.”
— Stephen Crane, 1871-1900*

Writing contests or other inquiries of second year law students often seek reflection on the first year of law school. The question of how the first year compares to the student’s *expectations* is a popular one. However, I seldom create expectations. Expectations are obligations to which we hold not ourselves, but those around us. Think, for example, of the poor husband, who, unbeknownst to him, is suddenly burdened by a responsibility to take his wife on an anniversary trip, but had no actual knowledge of the requirement; Or the woman in line ahead of you taking her time signing the credit card slip who doesn’t know that you over-slept, spilled your coffee on your pants stained in the car, and are now late to an interview. Since these people usually aren’t aware of these obligations we’ve created on their behalf, (i.e., planning vacations, moving quickly), they usually fail to live up to what we expect them to do. Alas, the disappointment.

I don’t create expectations because (a) I don’t want to be disappointed, and (b) I don’t want to pawn off the responsibility of my happiness onto someone else. (An exception to this rule is when a hotel or restaurant advertises themselves as “five-star,” “a jewel,” or “elegant,” then proceeds to take my money, this Yelper *expects* delivery of those promises!¹)

Choosing not to create expectations for myself, however, has not stopped others from attempting to create them for me. I earned my bachelor’s degree in 1996 – which is more than twenty years ago. Recently I received some very insensitive remarks from people when they heard I was going to law school. One person told me, “I couldn’t imagine having to take direction from people younger than myself. You’ll have to take orders from associates so much younger than you when you graduate!” So here’s the thing... I have kids. Taking orders from younger people is nothing new. Young people, at least those I know, are often rigid and self-absorbed, and deficient in rich life experiences. However, to discount anyone’s opinion or reasoning – purely because of age – is irresponsible and equally arrogant. I need help turning off the flashlight on my iPhone, and my kids need help making appropriate judgment decisions that are beyond their current expertise. A setting that fosters a variety of perspectives, regardless of age, is always a desirable one.

* Juris Doctor candidate at Touro College Jacob D. Fuchsberg Law Center.

¹ Yelp is a social media platform through which users locate service industry business such as eateries, then proceed to read and post reviews of them. See C. L. Brenton, *The \$34,500 Yelp Review Heard Around the World*, *The American Genius*, (April 10, 2017), <https://theamericangenius.com/social-media/fake-yelp-review>.

I look forward to learning from young associates when I graduate. I have already enjoyed a number of significant learning experiences from my younger law school colleagues. One of the most noteworthy of these lessons was during my time as a volunteer with Touro Law Center's Breaking Barriers Pro-Bono Project. Volunteer law students working with Breaking Barriers assist people with criminal convictions applying for certificates of rehabilitation as a means of breaking the barriers to meaningful post-conviction employment. In addition to client experience, volunteers gain valuable and basic criminal law skills by learning how to read a RAP sheet² and completing these certificates. Breaking Barriers' clients unfortunately have spent much of their adult life scarred by mistakes of years past. The wounds never fully heal as they are denied job opportunity after job opportunity which makes it difficult to create a personal environment on their own terms. Some folks have just one or two convictions; some have many convictions. During a training session I was inspired by one young law student's approach to a client. The student was calm, gentle, sympathetic, and professional while reviewing this client's numerous convictions, listening to his history, and counseling him about the next several steps in working towards reparation. The volunteer student did all of this without an ounce of judgement or ridicule. It is worth noting that this client was well into his years. His RAP sheet was very long. Based on his facial expressions, body language, and wincing, it was clear that he was just first seeing his past reduced to a list of convictions in black and white. Together, we all shared this man's humbling moment. My young mentor's approach to caring for this client³ inspired my perspective for the rest of my time with Breaking Barriers. I have no doubt that it will continue to impact my approach to clients and colleagues as I make my way through law school and the many years of practice I have ahead of me.

Another odd reaction when I shared my plans to attend law school was: "Oh my God! I'm thinking about retiring. You're going to be so old when you start practicing!" Luckily, modern medicine's progress is keeping humans alive longer than ever before, and it keeps improving. Perhaps other folks have certain expectations of their later years: grandchildren, retirement, Florida that I'm not thinking about. I'm going to law school in order to create freedom. Freedom means many things to many people. In this instance, I believe it to mean self-reliance.

There have been "unexpected" and pleasant surprises along the way, however. I've enjoyed debunking what I call the "Law and Order" myth. Thanks to Dick Wolf⁴, folks with no knowledge of the judiciary system are accustomed to seeing lawyers on television banter back and forth in a highly-critical manner, seemingly disgusted by each other's presence. Of course this is an over-dramatized aspect of litigation used for the show's benefit. One of the best courthouse signs I've seen is the one that hangs in Justice Rebolini's courtroom. "Be nice," it says. I discovered this sign during my summer internship with the Chief Clerk of the Supreme Court for

² "RAP stands for 'Record of Arrest and Prosecution.' A rap sheet is a record of all your arrests and convictions. If you have ever been arrested in New York State and fingerprinted, you have a New York State rap sheet" *Your New York State RAP Sheet: A guide to Getting Understanding & Correcting Your Criminal Record*, LEGAL ACTION CENTER, (2013), https://lac.org/wp-content/uploads/2014/12/Your_New_York_State_Rap_Sheet_2013.pdf.

³ Sadly, when the client realized that his new family, who was unaware of his past, would be interviewed as part of the certificate process, he ended his quest, leaving behind a union job offer for which he would not qualify without a certificate of rehabilitation.

⁴ Dick Wolf is the creator of the *Law and Order*, a dramatic law and crime television series. See *Dick Wolf*, IMDB, <https://www.imdb.com/name/nm0937725/> (last visited Nov. 6, 2018).

the 10th Judicial District, Suffolk County. During this internship between my first and second years of law school I observed attorneys both off- and on-the-record refrain from bashing each other over the head with any medieval mace weaponry. I was pleasantly surprised to observe that, to the contrary of what Mr. Wolf would have us believe, we can, and usually do, all get along!

Another pleasant surprise has been the friends I made, especially on campus. Prior to the first day of classes I annoyed my sister, a Touro alumna, to no end with questions about the workings and nuances of law school. “Evening classes are better,” she said, “because the other students in your study group will more likely be peers as compared to day students.” “Study group?!” I hadn’t thought of that. I had enough on my plate as my first semester was starting. Having to balance work and kids and a husband who was leaving for Asia for two months, I was in no mood to make new friends. Nevertheless, little by little, semester by semester, I made a great number of acquaintances, as well as a few friends. Now I value these friendships, and look forward to sharing referrals and strategies when we are admitted to practice. That was a pleasant surprise!

The *Merriam-Webster Dictionary* defines the word *expectation* as: “the act or state of exception: ANTICIPATION.”⁵ It is the belief that something will happen or be the case.” Since I don’t own a crystal ball, I find that it is best to refrain from building up expectations because no one – not even yourself – can ever predict what is going to happen. Life is funny that way. It’s best to set a goal and work towards to it... without creating expectations.

⁵ *Expectation*, MERRIAM- WEBSTER, <https://www.merriam-webster.com/dictionary/expectation> (last visited 12/12/2018).