

PRESIDENT'S PERSPECTIVE

JERALYN L. LAWRENCE

Why Putting Lawyers First Matters

Editor's note: This is an excerpt of the speech NJSBA 2022-2023 President Jeralyn L. Lawrence delivered when she was installed at the Annual Meeting and Convention on May 19 at the Borgata Hotel Casino & Spa in Atlantic City.



I love being a lawyer.

I am grateful every day for my education and law degree. After my clerkship, I joined the state bar association, and it was one of the best professional decisions I have ever made. Being part of the NJSBA has allowed me to continue to grow, keep learning new skills and find new

ways to help people. Indeed, it was seeing the power of the NJSBA in action as chair of the Family Law Section in shaping alimony laws that inspired me to want to be the president of this great organization.

The ability to advocate and to bring about change is infectious. The power to identify issues within the practice, to work collaboratively with all stakeholders and to present real solutions that are then acted upon and results achieved is incredibly rewarding. I thoroughly enjoy being part of a team that works hard to address issues that affect our lives.

That is why we will spend the year ahead Putting Lawyers First.

Ours is a hard and demanding profession. We have all read the statistics about the incredible number of attorneys who are depressed and anxious and too many of us have friends and colleagues who face these very real challenges every day. We must ask ourselves: Why are 46% of lawyers depressed and 61% anxious while 63% do not get treatment? What is causing us such stress and distress?

Desmond Tutu once said: "we need to stop just pulling people out of the river. We need to go upstream and find out why they are falling in."

Our challenge this year will be to look upstream and find out why are we falling in the river. What is the cause or the root of our stress?

When I attended the Judicial Conference this past fall, Chief Justice Rabner spoke of a book where people had grown comfortable living in an old, neglected house. If there was a leak in the roof, a bucket was placed under it or if there was a creaky floor, it was just stepped over. The Chief Justice challenged the attendees to look deeper at the leaks and creaks and to be open to the possibility of change. I would ask the same when we look to areas that are making lawyers fall in the river of despair.

We know that the evolution of the business and practice of law and the ever-increasing demands from our clients will not slow down.

Ethics grievances and investigations, fee arbitrations, malpractice claims, not being paid in cases, not being relieved as counsel, dealing with negative, false and defamatory online reviews. These issues, and others, are the reasons lawyers are falling in.

That's where Putting Lawyers First comes in.

Putting Lawyers First is an intentional name. Lawyers hard-ly ever, if ever, put themselves first. The court comes first, the client comes first, their firm comes first, their family comes first. Never us. We need to make sure we are also looking out for ourselves. While that may be difficult for us to do as we raise our families, run our practices and lead our lives, this is exactly the kind of mission we can embrace on behalf of the profession.

I am proud to announce the formation of an ad hoc committee whose goal will be to make our life in the profession better and to provide the tools we need to survive and thrive in the ever-changing legal landscape.

There are many issues to examine:

What can we do to ensure attorneys who are knowledgeable and specialize in the area of law that is at issue are on the very same committees that are evaluating attorneys when they are facing an ethics grievance, fee dispute or malpractice claim? We need attorneys who can bring their real-life practice experience to provide meaningful assistance and guidance to resolving these disputes. We need attorneys to volunteer for

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and the 2019 Energy Master Plan,⁴ are intended to support the state in responding to climate change via a breadth of measures.

In this issue, we are very fortunate to have key insight on New Jersey's actions from state leaders. NJDEP Commissioner Shawn LaTourette authors an in-depth article regarding reducing and responding to climate change in the state. Sen. Bob Smith, Joseph Gurrentz and Matthew Peterson provide insight regarding unique climate change impacts in New Jersey and explain how the state legislature is taking action and responding to the threat of these impacts.

We also draw on the deep bench of New Jersey lawyers to weigh in on these

and other important developments. The issue opens with a critical overview of environmental justice in New Jersey and recent, significant changes (by Thomas Prol). There are also articles regarding a recent New Jersey law requiring the expansion of electric vehicle charging station infrastructure throughout the state (by Cosmas P. Diamantis); legislation establishing a statewide "Garden State" Commercial Property Assessed Clean Energy (C-PACE) Program to help provide capital for energy efficiency upgrades and renewable energy infrastructure projects across the state (by Joshua V. Berliner); recommendations and tools for negotiating solar renewable energy agreements (by Barbara J. Koonz); and an analysis regarding climate change

and renewable energy's impacts on the state's agricultural industry (by Lewis Goldshore).

We thank the contributors to this magazine for their diligent efforts and helpful insight and look forward to the strides to be accomplished in the coming years. ■

Endnotes

1. nj.gov/infobank/eo/056murphy/pdf/EO-89.pdf.
2. nj.gov/dep/climatechange/docs/nj-climate-resilience-strategy-2021.pdf.
3. nj.gov/dep/climatechange/docs/nj-gwra-80x50-report-2020.pdf.
4. nj.gov/emp/docs/pdf/2020_NJBPU_EMP.pdf.

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these very important committees.

Our ethics system was instituted to help protect the public, and that should be its focus. But, when ethics cases last for years, and cases are brought *sua sponte* years, or even a decade, after the alleged grievance, I suggest that we have lost our way. The NJSBA is here to help chart the course forward.

There is good and bad in every profession and ours is not immune—but we cannot allow the bad deeds of the few to impact our entire profession.

How can we allow best practices to exist in our cases, but ethics cases can go on without a reasonable end? Should there be a statute of limitations for when a grievance could be filed? Should there be a timeframe within which these cases must be completely disposed of or dismissed? Because every single second of every single day that an ethics case is pending, that ethics case is on the lawyer's mind causing strife and stress. It is a black cloud permeating their entire life.

How can we help attorneys who find themselves never being able to turn off work because technology has made it so easy to communicate such that everyone expects instant replies? We have become a profession of instant messaging. The pace of this practice is not sustainable, and we need to find ways to create healthy boundaries. This is part of the reason why I love virtual proceedings. Not only have they provided significant, meaningful access to the court for our clients, but they are also extremely efficient and can ease a lot of the stress we face in trying to be many places at the same time, as well as allowing us to manage our inboxes and our office instead of our precious time being spent on unnecessary waiting and travel.

How can we help attorneys thrive in the evolving virtual marketplace where clients can leave false online reviews that have a significant impact on our reputations, or a competitor can purchase our name to intentionally re-direct potential clients to their own website?

We need to review the law surrounding how lawyers can be more easily relieved as counsel when they ask to do so as well as ways we can ensure lawyers are paid for services they have been contracted to provide and have provided.

We know there is more to be done.

We need to be open to real, meaningful change. We are always under enormous pressure and always will be, but it will help for the profession to take our needs seriously and find ways to make this practice better.

When the NJSBA mobilizes and puts its weight behind a challenge, it can be an impressive force. There is much work to do. And it is my privilege and pleasure to do it. And I am proud to do this work, alongside all of you.

On behalf of the entire Executive Committee and Board of Trustees and leadership staff, we thank you for coming and for your friendship and support. We promise to work hard, make you proud and be champions for Putting Lawyers First.

Thank you. ■