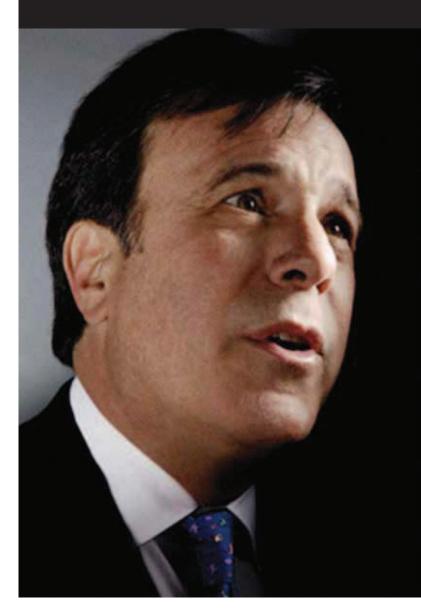
The rise of the sla

SCOTT GREENFIELD DOESN'T PULL HIS PUNCHES. THE PROMINENT NEW YORK DEFENCE ATTORNEY IS ON A CRUSADE AGAINST THE YOUNG LAWYERS HE CALLS "THE SLACKOISIE" – AND YOU MIGHT JUST BE ONE OF THEM.



ow often do young lawyers think about ethics? It's a question that bothers Scott Greenfield. A white-collar criminal defence attorney, writer and legal pundit, Greenfield has been raising the alarm about young lawyers on his blawg Simple Justice for years. He is concerned about what he calls the "slackoisie", young adults who believe they are entitled to the privileges that come with being a lawyer because of who they are, not what they do.

He fears that new lawyers lack an appreciation of their ethical duties to their clients – and of their own limitations. As a criminal defence lawyer for almost 30 years, and with *Simple Justice* one of the most influential sites in the blawgosphere, Greenfield has sparked a debate about the role of young lawyers that hasn't yet started in Australia.

Scott Greenfield opened up about these issues in this interview in New York recently.

Who are the slackoisie?

They are a group of entitled, narcissistic individuals who think that the profession – and I use that word loosely – exists for the purpose of providing them with an income at their convenience.

Are all young lawyers members of the slackoisie?

Of course not. It's a stereotype. It's not meant as a slight of every Gen X or Gen Y lawyer or individual. Like every stereotype, it's something that an individual can either conform to or break away from. But like all stereotypes, it's founded in reality.

You're obviously passionate about this. Why should we care?

Your generation is reaching adulthood. You're going to have the responsibility of being a lawyer and being entrusted with other people's lives. It's not just about you, but about the harm that you can do to others. If young lawyers don't start putting their clients first and taking their responsibility seriously, the profession itself is doomed.

10 YOUNG LAWYERS JOURNAL

ckoisie

Why do you think young lawyers don't take their responsibility seriously?

Because everything the slackoisie consider, observe, or address always begins and ends with how it personally affects them.

Adopting a "slackoisie" attitude is obviously a personal issue, but how is it a professional one?

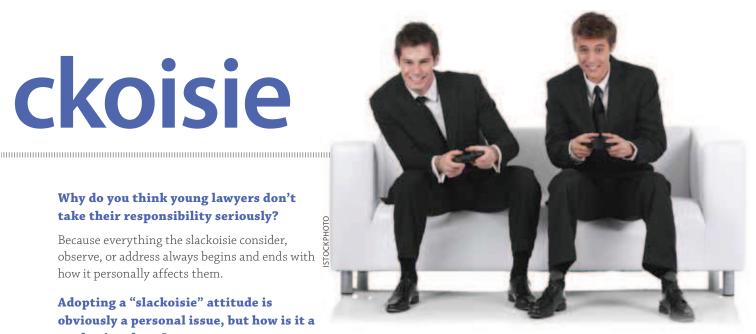
The difference between a professional and someone in any other occupation is that we take on an obligation that is above and beyond our own self-interest. We get a benefit in return we have a monopoly in the practice of law - and we're entrusted to use that for the benefit of other people.

Let's face it: we could take advantage of people very easily. That is why it is so critical that we behave with integrity, that we behave competently, that the practice of law does not become selling used cars. If it does, then we've actually gone out and harmed people. We've used the office we hold as a weapon to damage others. That's outrageous. If that's the case, then we all should be hung.

Do you think that there needs to be a greater emphasis on ethics at law school?

Knowing ethics and having ethics are entirely separate issues. It's very easy to learn. It's a lot harder to live. Therein lies the problem. Ethics come from within

You have to decide whether honour comes first or if it's just about money. And if it is just about money, then I implore you to find something else to do. I'm not anti-capitalist. I love money. But there's going to be times when money is going to have to come second to clients' interests. There's going to be times when you're getting your butt kicked, you're getting paid a woefully inadequate fee, and your client is a guy you despise. And you know what? You're still going to win his case, because that's what we do. That's our job. If you don't like that job, then do something else.



Can disciplinary rules help?

Disciplinary rules are not ethics. If the disciplinary rules said it was ok to have sex with your client's wife, would that make it ok? If you're worried about the nuts and bolts, you're probably too close to the edge. None of us should be that close to the edge.

Then what can be done about it?

We need to instil a culture among lawyers that applauds people with integrity; people who behave inappropriately need to be thrown out. It needs to start in law school.

Beyond that, every young lawyer needs to find someone who is older and more experienced, to train them in how to be a professional.

Now, mentorship is a two-way street. You need to have good mentors, but you also need to be a good mentee. Be open to the idea that you're walking in as a worthless, mushy-minded nobody, and you're walking out as a professional who should be entrusted with the lives of others.

So the solution is a culture shift?

The solution is a profession that won't tolerate a lack of ethics in its ranks. The solution is mentors stressing that what it means to be a professional is to live an ethical life, to treat everyone with integrity, and that honour is its own reward. It's to instil a belief that we are not here to make money off clients; we are here to serve them. •

TIM FARHALL is a law graduate at Allens Arthur Robinson.

Name: Scott Greenfield

Qualifications:

Bachelor of science in industrial and labor relations, Cornell University

JD Cum Laude, New York Law School

Occupation:

Of Counsel, Hull McGuire, PC (2010 to present)

Of Counsel, Kravet & Vogel, LLP (2008 to present)

Other: Faculty, Intensive Trial Advocacy Program, Cardozo Law School

Arbitrator, New York County Civil Court, Small Claims Part, 1987 to present

Legal analyst for cable & network news programs and news magazines

Blog: http://blog. simplejustice.us

YOUNG LAWYERS JOURNAL 11