

Suffolk University Law School
Commencement 2025

Honorary Degree Speaker
Keith Ellison

Assistant Dean Shen, please convey my heartfelt gratitude to Dean Pearlman. Even though he's not here today, he was here every other day to help us get to this point. So let's give him a hand.
[APPLAUSE]

Also, I'd like to offer my sincere gratitude for the wonderful service of your chair, Chair Bob Lamb, who's a great leader for this great institution. President Kelly, what an honor to see you, get to know you and spend a little time. And thank you to all the trustees. I'm very grateful for your great work and your service, including, and especially Trustee Ernst Guerrier.
[APPLAUSE]

And if you all will indulge me, somebody I've known my entire life and is always the best Ellison, my brother, Tony Ellison, is here today, supporting the graduates. I don't know where you are, Tony, but thank you. There he is. [APPLAUSE] Yeah, Tony has a little law firm over there in Boston, and we're proud of him and the work that he does for the people of the State of Massachusetts.

I have a good friend. Her name was Carla Shelburg. And Carla practiced law for, I don't know, four decades. And after every day, she'd call me up sometimes, and she'd say, "Keith, I was a good lawyer today." And that "good lawyer" phrase that she would say expressed a quiet pride that she took in practicing her craft that day. I hope you all will ask yourself at the end of every day that you practice law whether you've been a good lawyer.

Carla died suddenly in 2022, so I don't get to hear her tell me that she was a good lawyer today anymore. But the phrase sticks with me so much that I ask myself that every day, as I do my best to be the best attorney general I can of my state. Yeah, she was a friend, and she was a great

lawyer, and she was my mentor, and I think that if you cultivate that question, you'll be a good lawyer, too.

You know, in all the time I was in law school, no one ever taught me how to be a good lawyer. It's true, they did teach me how to read a casebook. They taught me how to do legal research. They taught me the difference between a good contract and a bad one. They tried to teach me something about the rule in perpetuity, but [LAUGHTER] I never figured it out.

At the end of the day, though, that's not really what she meant, whether you mastered a legal concept. And she didn't even mean did you get a big verdict? Did you settle the case for some big amount of money? Did you bring the parties together and resolve that deal that you were working on? A lot of people think that those things make you a good lawyer.

But actually, Carla would not agree. It is as much about *how* you do things and the process you employ, rather than the outcome—because you might have gotten those good outcomes, those good results for your client, because you got good partners. Or maybe it's not so much that you're a good lawyer. Maybe you're just a ruthless lawyer, or a lucky lawyer, or a lawyer with a great investigator, or a lawyer with a big firm and a lot of support. Whether you're a good lawyer or not has to do with how you approach your work every single day.

So what does mean to be a good lawyer? What does it even mean? Well, the first thing it means, and one of the things that Carla taught me, is to realize what it is that you're actually doing. You're in the business, and all lawyers are in the business of conflict resolution. Lawyers, we are using the law to help people navigate an orderly process for resolving and preventing conflict so that people don't kill each other. That's what we're doing. They can settle it a lot of different ways, but it's better if they do it in a courtroom.

And so, because the nature of what you do is dealing in conflict, you've got to learn a little bit about how human beings deal with conflict. And just keep this in mind: People can crack all the lawyer jokes they want. But the legal process is infinitely better than not having one at all, and in

fact, in this moment and in this time, it's particularly important. And also never forget that when people crack lawyer jokes, they're talking about other guy's lawyer, not you. [LAUGHTER]

And so once you recognize that you're in the business of conflict prevention and resolution, then you have to really embrace the fact that you're in the human business of conflict resolution. Human beings in all their complexity. And here's the thing about representing people as a lawyer. No one is ever going to come to you if they're having just a great day. They're not going to come to you if they don't have a problem. They're going to come to you when they need you.

If you are a divorce lawyer, you're going to represent somebody who once loved somebody else so much that they pledged their whole life to them—and now not so much. Somebody who pledged their whole life and eternal commitment and said death do us part, but not it's until the dissolution of divorce do us part. That's the way it is.

Every human being and everyone who comes to you is going to be in the middle of some kind of a conflict. And you might think a client's emotions might be less intense if you're representing someone who is incorporating a business. It's just business, right? Well, nothing could be further from the truth. People who are trying to start that business have an idea that they think is a brilliant idea, and they might be putting their whole life savings on the line to make it happen. It's deeply personal, and it's going to be your job to make to make sure it doesn't get screwed up. That's a certain amount of pressure. Incorporating a business might seem technical, but you can never forget that it is deeply personal, and it is what people are putting their lives into. And even if you're in-house counsel doing a merger and acquisition, the fact is that there's a lot on the line for everybody concerned. So don't ever think that you're not in the business of managing human conflict. You're there because you know how to do this.

You know, I'm a guy who has been a criminal defense attorney, and now I'm a prosecutor, and you can take it from me, that there's nothing more intimate and personal than talking to a client who's sitting in a jail cell facing a murder case. That's pressure. And it's one of the loneliest spots anybody can ever be in. And you're dealing with somebody who feels like everybody hates them, and maybe they do. But you're the one person who's on their side, because the

Constitution says you're on their side. Fact is, that if you get it right does not depend upon whether the person walks free or gets convicted. It's whether you have handled the case as a good lawyer.

What does that mean? Well, first it begins with sincere and earnest communication. Let me tell you a little secret. And you might have heard this in your professional responsibility class, or maybe you didn't. But if you didn't, here it is. The number one reason lawyers get in trouble with the bar is not messing with client money. It's not a whole lot of things. It is failure to communicate with your client. Please keep that in mind. Very important. It all begins and ends with communication.

But it's not just telling them what's going on. It's something deeper than that. It's actually figuring out how they learn, because when people come to you, they're not going to be coming to you in the frame of mind when they can listen to you really well. You need to figure out how to listen to them. You need to keep in mind that they're in conflict, and they're upset. You're dealing with people who are in trouble, and maybe they don't know how much trouble they're in. It's your job to let them know. And maybe they do. And they will undoubtedly be scared to death, or nervous.

It is important for you, yes, to give them confidence and approbation, but also to let them know what the real score is. And then understand that clients have been known to engage in selective listening. That means they hear the good parts, and they don't hear the bad ones. So you need to be good at that, and I wish somebody would have told me when I was in your spot.

You know, my grandfather, my brother and I, we have a grandfather. His name was Zollie Ellison, and one time he said to me, he said, we were talking about fishing or something, and he said, "You know, Keith, when you go fishing, you don't fish with the bait that you like. You fish with the bait that the fish likes." And that goes for communicating with your client as well. You, as the lawyer, being a good lawyer, might really hate eating worms. But fish like it. And you've got to figure out how to get that fish to listen to what you're telling them, even though they don't want to. You've got to be able to communicate with them in a way that they can accept it, not in

a way where it makes sense to you. So first thing when you sit down with the client, cut the legalese.

My grandfather's story taught me not only that a good lawyer understands how their clients learn. It also taught me that a good lawyer always preserves their clients' dignity. You've got to understand that some of your clients, some of them might not be literate. Don't embarrass them. Some of your clients might not understand the English language very well. That doesn't mean they're not smart people. Go where your clients need you to go to serve them to the best of your ability. Always put your clients' interests first, not your own. It might be awesome for you to win the big case, but it might not serve your client very well. On the other hand, your client might have a great case, but just be scared, and they might want to settle for cheap money. You've got to have the confidence to remind them, "You have a good case, and you have been wronged, and I'm with you." Whatever it is, it's got to be them first.

The fact is, friends, is that being a lawyer is a very, very special thing to be. Being a lawyer is, in fact, one of the most important things anyone could be. Carla, if she was here, she would tell you, yes, being a good lawyer is communicating. Being a good lawyer is listening. But being a good lawyer is also being a guardian of the rule of law. Being a good lawyer also means that you will stand up for due process, no matter who doesn't like it. [APPLAUSE] Being a good lawyer also means that you may have to stare powerful interests in the eye and say, "No, we're not doing that." [APPLAUSE]

Being a good lawyer sometimes calls upon you to look bigger and beyond just the case in front of you. It might mean that you have to look at the welfare of your entire society. [APPLAUSE]

And there is nobody more well positioned to guard our democracy than you. [APPLAUSE] What a great privilege you have. What an amazing opportunity in front of you, to be able to say that you are of the first generation of lawyers to stand up and rescue democracy in the United States of America. [APPLAUSE]

Being a good lawyer, it means standing up against tyranny. Being a good lawyer means standing up for democracy, and it means standing up to bullies who try to divide and exclude people.

[APPLAUSE]

When powerful people say things like, “Oh, those fires in LA are clearly and obviously because of DEI, or when powerful people tell you the fatal plane crash over the Potomac “Well, clearly this is about DEI,” and then maybe a reporter will ask them, “What is your evidence, Mr. Powerful Person?” [LAUGHTER] And when that powerful person says, “Well, it’s common sense,” that is when you’re going to be able to swing into action and help people understand that talking smack at a press conference is one thing, and proving a case in court is a whole other thing. [APPLAUSE]

You know, friends, there is a phrase, and you may have heard it in the past. And the phrase says, “Where law ends, tyranny begins. Where law ends, tyranny begins.” Because even if the law isn’t very good law, even if it’s not that well thought-out, at least we can predict what the outcome should be based on what the rules are as stated.

But once the law ends, there is a new law that takes over, and that law is the law of the jungle. This is the law where the people who have the power make the rules. This is the law where the people who have the gold make the rules. This is not anything remotely close to a democracy, nor is it a system of justice. It is simply might makes right. And we, who all aspire to be good lawyers, can never tolerate that.

And it could be scary, friends. Standing up for right can be a scary thing. Standing up for what you must do is not easy, but that’s OK, because part of what it means to be a good lawyer is to be a tough lawyer. Not tough like bravado, not tough like showing off and pounding on a table. Tough like doing what you’ve got to do, earnestly, deliberately, and unrelentingly. You can do it quietly, or you can do it loud. But giving up is not part of it. [APPLAUSE]

What is very, very concerning to me is that our president is in the middle of bullying law firms into turning over their pro bono hours to him [and] revoking their security clearances because

they took on clients that he perceives as enemies to himself. And I want to be clear, I'm not making a partisan statement. There's nothing partisan about the rule of law. There's nothing partisan about the right to representation. [APPLAUSE] The Sixth Amendment to the Constitution guarantees the right to civil redress and criminal representation.

There's nothing liberal or conservative, nothing right wing or left wing. It's just how justice is supposed to work. And the brave will stand up for it, and yet there's others who won't. I want you to be among those who do.

Now, I'm not telling you what law firm to go to or not go to. You go where you can get a good job. But be a source of being a good lawyer, and you know what I mean by that now, wherever you go. Wherever you go, stand up for what's right, and don't ever forget that if your client or your firm is not living up to your expectations, you can walk. You can. [APPLAUSE] People have done it. People have done it, and it is your right. And that's something that you should know as well. If you ever find yourself representing somebody who is asking you to do something immoral, unrighteous, or wrong, you can say, "I don't think I'm the attorney for you." And I don't care how much money they're waving in front of you, you walk away. [APPLAUSE]

Now, some firms have cut deals with an administration hostile to the rule of law. Others have fought back. The ones that cut the deals are now suffering because of it, because the president has co-opted almost a billion dollars in free legal work from law firms that he saw as his enemies, and because he knows that he can roll over these law firms, he's putting them under more pressure and making even bigger and bigger demands. Bullies, if you give them a cookie, they're going to want a glass of milk. [LAUGHTER] Never forget that.

The ones that are fighting back are setting an example. Remember, lawyers are not just spectators to the Constitution. They are agents. They are guardians. We defend that, defend people, and we defend our laws for people who need them. We hold bad actors accountable, and we take a solemn oath to respect our courts.

It is a grave concern that the chief justice of the United States Supreme Court has had to rebuke the president over issues of rule of law. I'm glad that he did. [APPLAUSE] And I want to just remind you, John Roberts is no bleeding-heart liberal. He's a pretty conservative guy, which is fine with me, because he still cares about the rule of law. [APPLAUSE] No government and no one in the Oval Office can be immune from the rule of law. It binds all of us, because without it, freedom becomes a plaything for the powerful.

Federal Judge Learned Hand—you probably ran across him in your studies—said, “A society in which men recognize no check upon their freedom soon becomes a society where freedom is the possession of only a savage few, as we have learned to our sorrow.” So please, embrace what you're doing as a serious pursuit. Being a lawyer is a special thing to be.

The firms that I'm talking about that stood up for the rule of law, they took a risk. But having the courage to stand up to a bully tends to work out better than rolling over. Law firms like Perkins Coie and unlike—you know what, I'll just leave their names out of it. You know who they are. Perkins Coie, they fought back. They sued, and earlier this month, a federal judge permanently blocked Trump's executive order against them. [APPLAUSE]

The president's executive orders have been losing in nearly every courtroom where they have been debated. From gender-affirming care, up to now, the fight for birthright citizenship. [APPLAUSE] And on and on. To congressional appropriations, law firms that ignore the temptation to bow to bullies are good law firms, and good law firms tend to hire good lawyers, and this country especially needs good lawyers right now.

And that brings us to another issue, as I begin to wrap up. This issue of diversity, equity, and inclusion. What could possibly be wrong with wanting a diverse set of skilled professionals who are able to handle any problem that might come through the door? [APPLAUSE]

But when the government says no DEI, you end up wondering what they ultimately mean. By the way, it has not been defined in law. They never said, “Here is what we find objectionable and [what] you can't do.” They've set up a system of, “Well, we know it when we see it, and don't

you dare do it.” And they said it to K-12 education. They’ve said it to law firms. They’ve said it all over this country.

But I wonder what would happen if a firm were to say, “OK, no DEI. We’re done with DEI.” I can imagine an amazing young professional—let’s just imagine a Black woman lawyer. We’ve got some of them graduating today, right? [APPLAUSE] And maybe she works at a prestigious law firm that has cut the deal with the administration regarding DEI.

Well, is it hard to imagine that young women, brilliant, smart, and ready for the world, representing her client at the Department of Justice, and someone saying to her, “I thought I told you all, no DEI.” And she would say, “Yeah. We agreed to that. You know, no DEI.” “Well, then, what are *you* doing here? Your very presence signals that you really don’t get what we’re saying.”

I’m trying to tell you, friends, that when DEI becomes a slur, and a stand-in for words that are too ugly to say in polite company, we’ve got to fight for *real* DEI. [APPLAUSE] But real DEI must, *must* include everyone. Real DEI must mean all of us. [APPLAUSE] Real DEI certainly has to embrace people from groups that have historically been excluded, but there’s a lot of ways to be excluded, including being from a remote area of the state, including maybe being a veteran, having a disability, being a single parent. There’s a lot of ways. And what we’re really saying when we say DEI is that we’re trying to create a system of belonging so that there is no out-crowd at our law firm. You understand what I’m trying to say? [APPLAUSE]

So let me say, as I conclude, you can choose to think a good lawyer is someone who’s learned in the law, got top grades at law school, aced the bar, got a great clerkship, and went on to fame and fortune. That’s one way to look at it. But it’s actually somewhat of an elite way to look at it, quite frankly. I look at it a little differently, and I want to invite you to consider it to be a little different.

As I’ve said, good lawyers are people who recognize that they specialize in managing human beings and human relationships in conflict. In some of the most difficult times, the law is simply

a tool to do that. Your knowledge of the law, your understanding of conflict, your ability to listen and communicate, and your commitment to service, all of this will help you be a good lawyer, particularly now that we're going to need to be practicing law at a time when the rule of law is under attack.

But beyond that, when a society starts going in a dictatorial direction, lawyers have a special role to play. And I just want you to ask yourself whether you're willing to play it, because society has conferred on you a mighty degree with great power, and you have the right to use that whichever way you will, and I hope you'll listen to the higher calling of that degree. Will you look out for your clients and do the right thing, even in tough times? Will you make the right choice, even if it's not good for your business in this case, or even when it comes to personal risk, as those lawyers, law firms did who stood up?

This is a new time, but these are not new questions. And I guarantee you that people like Thurgood Marshall and Charles Hamilton Euston faced these same questions. And I think you know how they answered. What's being asked of you is not more than has been asked of any lawyer who has faced deep injustice in a society before now.

So on those days when I'm channeling my late friend, Carla, and I ask myself if I was a good lawyer today, I'm not asking if I did right by the law. I'm asking did I use the law to alleviate someone's worry or someone's sorrow? Did I use it help someone feel a measure of justice, even through fear and pain? I'm asking, did I represent my client selflessly? Did I listen well? Did I communicate clearly? Did I honor my client's dignity, including by delivering the hard news, if that's what I had to do? Did I show that I actually really cared?

And I'm asking, did I stand up for the rule of law, for the Constitution, and for the principles of this country? Simply put, did I use the law today to bring hope or joy or some measure of justice to someone's life? Because your client doesn't know if you're a good lawyer. What your client knows is if you listened, if you cared, and if you stood up to fight for them, even at risk to yourself. So if you do those things, you'll be a good lawyer. So go out there and be a good lawyer. Thank you. [APPLAUSE]