

Thomas Jefferson School of Law
Commencement 2007, Hon. Lillian Y. Lim '77

This special session of the San Diego Superior Court is now called to order. This Honorable Judge presiding. Good morning Counsel. Now you say: "Good morning, your Honor." Class of 2007, I know you can do better. Remember you are to stand when you state your appearance. Please stand, Class of 2007. Now we'll try again. Good morning Counsel. "Good morning, your Honor." Much better. You may now be seated.

Being asked to give a commencement speech is a daunting assignment – especially when asked by your alma mater. As a speaker I am given no topic or theme. Of course, lawyers and judges are particularly suited to speaking about nothing at all ... and at length – judges especially. Justice Sandra Day O'Connor is also fond of saying that old judges, like me, are like old shoes. Everything is all worn out except the tongue.

Of course, I turned to some of your classmates for advice as to what to say to you. I have found out over the

past several years that being a so-called mentor of law students and young lawyers – what usually happens is that along the way I end up being mentored by you. So as I was saying, I turned to some of your classmates for advice. First I'll tell you what I was told not to do: Avoid the cliché – you don't want to hear, again, how the world is your oyster, how today the torch is being passed on to you and blah, blah, blah. I was told, please judge, for heaven's sake don't be cheesy. I was also told what to do – go for the laugh! And more seriously, to remind you to follow your passions – that's passion in the purest non-romantic sense. You are to pursue the goals and nurture the values that brought you to law school and the values that will carry you to and through to the bright side – to the other side of the bar exam. And of course, there is that beautiful awesome day when your name appears on that statebar.org website announcing to the world what I called you today – “counsel”.

I was told to tell you, in hindsight, what I might have done differently so you might learn from my mistakes. I can

honestly say that as far as our profession is concerned I would do nothing differently – and that’s because I still have time, as a person trained by this School to be a lawyer, to accomplish the things I have left undone. You see lawyers never die, although in some instances they may lose their appeal. (Now think about it.) Okay, forget it – I’m not going to go for the laugh since obviously that’s not where my talents lie.

What I mean to say, I think can best be illustrated by a story I heard from a lawyer named Morris Dees. I heard this story several years ago when he was visiting here in San Diego and talked a bit about a firm he founded called the Southern Poverty Law Center. For you to understand his story, I have to take you back in our history to a time before many of you were born. As you know, our Country was engaged in the Vietnam War back in the days when I was in high school and college. At the war’s conclusion, and during the late seventies and early eighties thousands of Vietnamese refugees who had been allied with the United

States fled their native country in unsafe overcrowded little boats, half of them dying in the effort to escape. In response, the United States along with Australia, Canada and France agreed to resettle thousands of refugees. Our resettlement policy resulted in new Vietnamese communities throughout the United States, including one here in San Diego. Morris Dees' story focuses on the community that began its new life on the Gulf Coast near Galveston Bay in the State of Texas. That's where our story begins.

These new residents had to learn a new language, adjust to the Texas culture and, of course, make a living. The Vietnamese began competing in the shrimp industry. The Vietnamese put together or repaired very modest shrimp boats and worked 24/7 with all their family members harvesting shrimp. It was kind of like a hundred Forrest Gumps but with an Asian flair. And of course, what shouldn't be news to you, economic competition brought out the worst in some of the local people. Several Vietnamese owned shrimp boats were burned and Vietnamese were

hanged in effigy. Anti-Vietnamese rallies were organized attended by the Grand Dragon of the Texas Knights of the Ku Klux Klan along with hooded Klansmen who belonged to the 2500 member military arm of the Klan. The Grand Dragon threatened to burn the entire Vietnamese Shrimp Boat fleet and began organizing and teaching how that could be done.

Now Morris Dees heard about these threats from the newspapers and the TV news. Before the shrimp season opened, Morris Dees filed suit in the federal district court for the Southern District of Texas seeking a court order to protect the Vietnamese. He sued the Klan under the Sherman Antitrust Act and also under a Texas statute prohibiting the operation of private armies. Klansmen attended this hearing in District Court in their hoods and gowns. The Judge and her family received death threats during the course of the case. In the end, Dees obtained a preliminary injunction prohibiting the defendants from

threatening, intimidating, or harassing the Vietnamese fishermen or inciting others to do likewise.

The shrimp season began the next day. Morris Dees awoke early before sunrise and went out on an isthmus arising above the harbor – hoping to see the Vietnamese shrimp boat fleet as it left to enter Galveston Bay. As he explained it to me – it was dark and slowly as the minutes passed he could see, through the lifting darkness, the small boats below him leaving the dock and beginning to head out. And then across the water he saw a flicker of light. He wasn't sure what it was. At first he thought it was a morning star across the way. But as the darkness lifted he began to see hundreds of what appeared to be morning stars - and finally as daylight broke, he realized he wasn't looking at stars at all – but instead he was seeing the reflection of the sun striking and reflecting off the hundreds of badges of the hundreds of U.S. Marshals standing shoulder to shoulder lining the harbor and the outlet to the

Bay, as they watched over and protected the fleet of shrimp boats.

For me, and I hope for you, this story stands for the triumph of the rule of law over hatred and over violence. It stands for the power and responsibility you have as lawyers. So would I do anything differently if I had to do it over again? No. I'm a lawyer and I will be a lawyer again once I step away from the Bench. And you, as my fellow lawyers, will journey far from here on the greatest adventure within the greatest profession. In doing that stay connected to our School, to your teachers and to your classmates. Because much like the U.S. Marshals at Galveston Bay, our School, your teachers and your classmates will keep you safe as you make your way out of the harbor to the excellent life as an attorney.

This special session of the San Diego Superior Court is now concluded.