

BOSTON BAR ASSOCIATION LAW DAY DINNER MAY 25, 2010

PRESENTATION OF LIFETIME ACHIEVEMENT AWARD TO JACK CURTIN

We are now going to present the Boston Bar Association's first Lifetime Achievement Award to John J. Curtin, Jr., the ultimate Citizen Lawyer.

Jack is a legend. He exemplifies the ideals we all had when we entered the legal profession, and those that drive the Boston Bar Association. Let me list – this will take a couple of minutes - - just some of his accomplishments:

Professional excellence. Jack chaired the Litigation Department at the firm that grew to become Bingham McCutchen – and he continues to contribute to its practice. The values defining his firm's identity – Respect, Passion, and Commitment – are personified by Jack in every waking moment.

Jack's colleagues nationally have long regarded him as the gold standard for role models in the legal profession. He has handled virtually every type of commercial litigation – from serving as counsel to a bankruptcy trustee in a huge reorganization to litigating a mega-contract dispute involving power plants.

It is difficult to calculate how many lawyers in Massachusetts cut their teeth on "The Small Loans" public corruption trial, one of the longest trials in Massachusetts history. Jack was appointed as the Special Assistant Attorney

General in Charge of "the Small Loans" Appeals, - which involved 7 hours of argument over 2 days. I don't need to tell you that he prevailed.

I also know Jack Curtin as opposing counsel. He and I were involved for several years in a major case in our federal court. I learned in that experience that Jack is tough and unyielding on the merits, but unfailingly professional and courteous in every respect. And at the end of the case, he did send me the check.

Jack is a Fellow of the American College of Trial Lawyers and for many years served as Chair of the Litigation Section of the American Bar Association.

More than 30 years ago Jack began teaching trial advocacy at his alma mater, Boston College Law School. Jack still teaches at B.C. Law School -- now with his son, Kevin, a Senior Supervisor in the Appeals and Training Bureau of Middlesex District Attorney Gerry Leone.

Access to Justice. Jack is a tireless advocate for the legal profession's obligation to serve the needy. He and his wife, Mary, have focused their philanthropic efforts on providing public interest opportunities for law students. The Mary Daly Curtin and John J. Curtin, Jr. Center at Boston College Law School – dedicated in 1999 -- provides space to student organizations doing public interest work. It also awards stipends to students who want to pursue public interest law. Jack and Mary also

fund The John Curtin Justice Fund at the ABA, which provides legal interest fellowships for addressing homelessness.

Saving Legal Aid. A bit of history. In 1974 President Nixon signed the legislation creating the Legal Services Corporation. But in 1981, President Reagan proposed to zero the funding for LSC.

Passionate about restoring federal funding for legal aid, Jack, as BBA President, recruited 10 other attorneys with busy practices, to leave their offices on April 1st of 1981, fly to Washington, and join the American Bar Association's March on Capitol Hill. Delegations of 1 or 2 were present from bar associations across the nation. But thanks to Jack, the BBA delegation of 11, known as the "Gang of 11" dwarfed them all.

Jack and his delegation made a huge impact. This call to action proved a pivotal moment in cementing the collaboration between the private bar and legal services lawyers. It resulted in Congress restoring 75% of legal aid funding to the LSC.

When Jack returned home to Boston, he set about implementing his vision to make up for that 25% loss with a state legal service agency, and to expand pro bono and free CLE training so that lawyers could do more to help those unable to afford a lawyer.

Fortunately Jack knew the Massachusetts House Speaker – having represented the House in a legal matter. In 1983, at the end of a long day in a seemingly endless legislative session, the Speaker obtained passage of the bill creating the Massachusetts Legal Assistance Corporation - - through which most legal services funding in Massachusetts flows today. On behalf of the whole legal services community, the BBA cannot thank you enough Jack for having the vision and determination to create MLAC.

But that wasn't enough for Jack Curtin. During this same era, he was a powerful advocate for the National Backup Centers on Substantive Law Issues. Fending off attacks by politically-motivated evaluating teams, Jack was responsible for saving The National Consumer Law Center here in Boston, where he still serves on its board.

Serving the Community. As founding Chairman of the Boston College Club, Jack led the effort to build a fund that has now provided more than \$3.5 million in 4 year scholarships to students who otherwise could not afford to go to college.

If you ask Jack, he will say his best job was as Wellesley Town Moderator – winning a landslide victory in 1980 and serving for 5 years. All that job required was doing what comes naturally to Jack: being fair and keeping matters moving. He also was President of the Association of Town Finance Committees.

And he coached Little League for many years in Wellesley, retiring, of course, only after his team won the championship.

Lastly - An Advocate for the Legal Profession. By 1990, Jack had become President of the American Bar Association and taken his game to the national stage. Now, in addition to continuing his fight for legal aid, he found himself battling attacks against everything the legal profession stands for.

When then Attorney General Thornburgh issued a memorandum that - - according to the New York Times - - gave prosecutors "a wink of encouragement to ignore the rules of ethics when the rules got in the way of obtaining a conviction," Jack met with the leadership of the Justice Department to raise his serious concerns. He followed up with a letter saying: "I want to state as strongly as I can . . . our disagreement with your view that ethics rules and standards for prosecutors should only be written by prosecutors." Jack had worked for the Justice Department early in his career and believed nothing trumped the Rules of Professional Responsibility.

What Jack did the following year in 1991, says it all. Vice President Dan Quayle asked if he could address the ABA Annual Meeting in Atlanta. –When he did so, he blamed lawyers for hurting America's competitiveness, saying "the

United States has too many lawyers, too many lawsuits and too many excessive damage awards."

Jack's rebuttal, prominently quoted in *The New York Times*, was direct and succinct: "Anybody who believes a better day dawns when lawyers are eliminated bears the burden of explaining who will take their place."

Passionate about the advancement of women and minorities, Jack chaired Senator Kennedy's Advisory Committee in 1993 during the Clinton administration, to screen potential federal judges – when there were four vacancies to fill on the federal bench in Boston - - and candidates for U.S. Attorney.

And in 1997, demonstrating how deeply he cared about the future of our profession, Jack graciously agreed to chair the BBA's Task Force on Professional Fulfillment.

The American Lawyer cited two criteria for its Lifetime Achievement Award, which it gave to Jack in 2005: A lawyer who has had a great legal practice and who made important and lasting contributions to public life and the legal profession. Those are the two criteria that the BBA applies tonight.

This Lifetime Achievement Award may, periodically, be given by the Boston Bar Association to others. But, we know tonight, and for the future, that

the standard for receiving it will be very high, because of the example set and the accomplishments by its first recipient, Jack Curtin.